



**WALWORTH COUNTY BOARD OF SUPERVISORS
MEETING**

TUESDAY, APRIL 19, 2011 at 6:00 P.M.

County Board Room

Walworth County Government Center

100 W. WALWORTH STREET

ELKHORN, WI

Nancy Russell – Chair

Dan Kilkenny – Vice Chair

Board of Supervisors

A G E N D A

Call to Order

Pledge of Allegiance

Invocation

- Jerry Grant, Walworth County Board Supervisor, District # 4

Roll Call

Withdrawals from Agenda, if any

Approval of the Agenda

Approval of the Minutes

- March 8, 2011 Walworth County Board Meeting
- March 14, 2011 Walworth County Board Special Meeting

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

Special Order of Business

- Recognizing Walworth County Volunteers
- IHS Presentation of Healthiest Company Award
 - Nicki Andersen, Deputy County Administrator-Finance; Dale Wilson, Payroll/Benefits manager; and Joseph A. O'Brien, President/CEO of Interactive Health Solutions

Appointments/Elections

1. Health and Human Services Board and Lakeland Health Care Center Board
 - Supervisor Hawkins – Re-election to serve an additional 3-year term, retroactive to January 3, 2011 and extending through January 3, 2014.
(Recommended for re-election by the Health and Human Services Board 8-0 and the Executive Committee 5-0)

Communications and Matters to Be Referred

1. Claims Received After Agenda Mailing
2. Claims: a) Notice of Claim for Vehicle Damage and Claim for Vehicle Damage-Cynthia and Benjamin Lentz; b) Notice of Subrogation-Thomas Barkas (To be referred to the Executive Committee)

3. Communications from Wassel, Harvey and Schuk regarding the Town of Bloomfield Zoning Ordinance No. 1056 and Ordinance No. 1057 (To be referred to the County Zoning Agency)
4. Communication from Gene Pulera, Richmond Township, regarding CAFOs and public health risk (To be referred to the County Zoning Agency)
5. Communication from David C. Moore, Town Attorney for the Town of Richmond, regarding restricting the use of center pivot irrigators to distribute manure (To be referred to the County Zoning Agency)
6. Jackson County Resolution No. 9-3-2011-Express Support for US Department of Interior, Bureau of Indian Affairs, Indian Reservation Roads Program (To be referred to the Executive Committee)
7. Langlade County Resolution #15-2011-Support Veteran Benefits Funding; Resolution # 16-2011-Support the Orville Lemke Bill-Fast Track Process for Purple Heart and Other Military Related Honors (To be referred to the Executive Committee)
8. Pepin County Resolution No. 30-2010-To Establish a Non-Partisan Election for the Legislature and County Offices (To be referred to the Executive Committee)
9. Portage County Resolution Number 140-2010-2012-A Bill for Fast Track Process for Purple Heart and Other Military Honors (To be referred to the Executive Committee)
10. Wood County Resolution #11-3-17-Support Action by the Wisconsin State Legislature to end predatory lending in Wisconsin (To be referred to the Executive Committee)
11. Langlade County Resolution #24-2011-Oppose the Centralization of Economic Support Programs as Proposed in the Governor's Biennium Budget (To be referred to the Health and Human Services Board)
12. Rock County Resolution No. 11-38-322-Opposing the Initiative in the Governor's Budget that removes Income Maintenance Administration from the Counties and Creates a State Operated Centralized Income Maintenance Unit (To be referred to the Health and Human Services Board)
13. Communication from Southeastern Wisconsin Regional Planning Commission concerning amendment to Natural Areas & Critical Species Habitat Protection and Management Plan. (To be referred to the Land Conservation Committee)
14. Notice of WMMIC Annual Membership Meeting on May 5, 2011 (To be placed on file)
15. Communication from State Representative Samantha Kerkman acknowledging receipt of Walworth County's Resolution No. 79-03/11-Supporting an amendment to the Wisconsin Statutes granting townships veto authority over conditional use permits (To be placed on file)
16. Report of the County Clerk Concerning Communications Received by the Board and Recommended to be Placed on File
17. Report of County Clerk Concerning Communications Received by the Board After the Agenda Mailing
18. Report of County Clerk Concerning Zoning Petitions (To be referred to the County Zoning Agency)

Unfinished Business

New Business

Reports of Standing Committees

County Zoning Agency Report of Proposed Zoning Amendments

1. Ord. No. 674-04/11 – Amending Section 74-264 of the Walworth County Code of Ordinances Relating to the Floodplain Appendix-*Vote Required: Majority* (Recommended by the County Zoning Agency 7-0) Amendment to Walworth County Code of Ordinances, Walworth County, Wisconsin, Chapter 74-264 of the Shoreland Zoning Ordinance. Approved: 7 – 0. (February 17, 2011, public hearing)
2. Dwayne Deakins, Town of Lafayette, Rezone 1.75 acres of A-5 to A-1. Approved: 7 – 0. (March 17, 2011, public hearing)

Executive Committee

1. Approval of 2011-2012 County Board Meeting Schedule-*Vote required: Majority* (Recommended by the Finance Committee 4-0 and the Executive Committee 5-0)
2. Res. No. 01-04/11 – Recognizing Walworth County Volunteers for Their Service to the County-*Vote required: Majority* (Recommended by the Executive Committee 5-0)
3. Res. No. 02-04/11 – Urging the State Legislature To Rescind Changes Made to the State’s Prevailing Wage Laws by Enactment of the State Budget, 2009 Wisconsin Act 28-*Vote required: Majority* (Recommended by the Executive Committee 5-0)
4. Res. No. 03-04/11 – Denying the Claim of TDS Telecommunications Corporation Related to Damage to a Telephone Pedestal Located on County Highway NN in Elkhorn, Wisconsin-*Vote required: Majority* (Recommended by the Executive Committee 5-0)

Human Resources Committee

1. Ord. No. 675-04/11 – Amending Section 15-17 of the Walworth County Code of Ordinances Relating to the Register in Probate Position in the Clerk of Courts Office-*Vote Required: Majority* (Recommended by the Human Resources Committee 4-0)
2. Ord. No. 676-04/11 – Amending Section 15-338 of the Walworth County Code of Ordinances Relating to Severance Pay Upon Layoff or Termination-*Vote Required: Majority* (Recommended by the Human Resources Committee 4-0)
3. Res. No. 04-04/11 – Implementing Changes in Wages for Certain Casual Employees-*Vote Required: Majority* (Recommended by the Human Resources Committee 4-0)

Reports of Special Committees

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

Chairperson’s Report

Adjournment

Kimberly S. Bushey

Walworth County Clerk

****Supervisors and Committees: Please submit titles for May 10, 2011 agenda items on or before Wednesday, April 27, 2011.**

MARCH 8, 2011
WALWORTH COUNTY BOARD OF SUPERVISORS
MEETING

The Walworth County Board of Supervisors meeting was called to order by Chair Russell at 6:00 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, Vice-Chair Daniel G. Kilkenny, Carl Redenius, Joe Schaefer, Rick Stacey, Russ Wardle, David A. Weber, and Chair Nancy Russell. All Supervisors were present except Kathy Ingersoll. A quorum was established.

Reverend Jerry Dean delivered the invocation.

Amendments, Withdrawals, and Approval of Agenda

Supervisor Schaefer offered a motion, seconded by Supervisor Grant, to approve the agenda. On motion by Supervisor Grant, seconded by Supervisor Kilkenny, the agenda was amended by moving Executive Committee item 2, Resolution No. 76-03/11 – Recognizing the UW-Whitewater Warhawks Football Team on the Occasion of Their Third NCAA Division III National Championship, and Land Conservation Committee item 1, Resolution No. 80-03/11 – Recognizing Rich Colbert and Louise Olson on Being Awarded the Wisconsin Land Information Association’s “Local Government Achievement” Award, to be considered prior to the first public comment period.

The agenda, as amended, was approved by voice vote.

Special Order of Business

Resolution No. 76-03/11 was considered at this time. On motion by Supervisor Weber, seconded by Supervisor Stacey, **Resolution No. 76-03/11** was approved by voice vote.

- Recognizing the UW-Whitewater Warhawks Football Team on the Occasion of Their Third NCAA Division III National Championship

Chair Russell read the Resolution congratulating the UW-Whitewater Warhawks football team on the occasion of their third national football championship title in four years. Athletics Director Dr. Paul Plinske, Head Coach Lance Leipold, and former Supervisor Art Lein came forward. Coach Leipold also introduced Co-Captain and Center Mark Garanski, All Conference and All American, All Conference Punter Chris Rosholt, and Director of Football Operations Lou Groth. Coach Leipold said they were deeply honored and appreciated the recognition of the Walworth County Board. He said he hoped that they played a small but significant part of promoting Walworth County and Southern Wisconsin. Art Lein said it has been a great pleasure

to be able to be present for this award. He said Paul Plinske is a great Athletic Director; Lance Leipold has been at Whitewater for 4 years and his record is 57-3. He congratulated Coach Leipold and the team.

Resolution No. 80-03/11 was considered at this time. On motion by Supervisor Weber, seconded by Supervisor Grant, **Resolution No. 80-03/11** was approved by voice vote.

- Recognizing Rich Colbert and Louise Olson on Being Awarded the Wisconsin Land Information Association's "Local Government Achievement" Award

Chair Russell asked Louise Olson, Deputy Director, Land Used and Resource Management, and Rich Colbert, Applications Supervisor, to come forward as she read the resolution congratulating them for being awarded the Wisconsin Land Information Association's Local Government Achievement Award for their cooperative efforts in developing a web application for NR151 Compliance Tracking. Lou Olson described the project for the Board. She said they started a couple of years ago and now they are going live in less than a month. John Orr, IT Director, thanked them for their hard work. Michael Cotter said he knows of no other employee with such passion and dedication as Lou Olson and this is the end result of Lou's passion and service to the public.

Approval of the Minutes

On motion by Supervisor Hawkins, seconded by Supervisor Weber, the minutes of the February 8, 2011 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. Health and Human Services Board

- Pauline Parker – To complete the current vacant citizen term through April 30, 2011 and an additional 3-year term of service from April 30, 2011 through April 30, 2014
(Recommended by the Executive Committee 5-0)

2. Potters Lake Rehabilitation District

- Roy Lightfield – Citizen Member

(Recommended by the Land Conservation Committee 4-0)

On motion by Supervisor Schaefer, seconded by Supervisor Stacey, Pauline Parker was appointed to the Health and Human Services Board to complete a vacant citizen term through April 30, 2011 and an additional 3-year term of service from April 30, 2011 through April 30, 2014; Roy Lightfield was appointed to the Potters Lake Rehabilitation District.

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) Third-Party Summons and Third-Party Complaint: Lake Delavan Land Owners v. Town of Delavan; Delavan-Darien School District, Walworth Joint School District #1, and Fontana Joint 8 School District; Walworth County; GTC; and Delavan Lake Sanitary District was placed on file.
3. Communication from Charles Speer, Speer Law Firm regarding opposition to construction and operation of Dairy CAFO by Todd Tuls was referred to the County Zoning Agency)
4. Vernon County Resolution 2011-12 – Rescinding Changes Made to Prevailing Wage Laws was referred to the Executive Committee.
5. County Clerk Report – Summary of 2010 Dog Licenses Sold and Licensing Statistics was placed on file.
6. Communication from SEWRPC with the Adopted Comprehensive Plan for the Town of East Troy – The Comprehensive Plan is on file in the County Clerk’s office and the communication was placed on file.
7. Report of the County Clerk Concerning Communications Received by the Board and Recommended to be Placed on File
8. Report of County Clerk Concerning Communications Received by the Board After the Agenda Mailing-The following items were placed on Supervisors’ desks:
 - Ozaukee County Resolution No. 10-66 – Supporting Governor Walker’s 2010-11 Budget Repair Bill – To be referred to the Executive Committee
 - Communication from Nicki Andersen, Deputy County Administrator-Finance and Dean Wilson, Payroll/Benefits Manager regarding draft ordinance: Amending Section 15-338 of the Walworth County Code of Ordinances Relating to Severance Pay Upon Layoff or Termination – To be referred to the Human Resources Committee
 - Walworth County Board of Adjustment Annual Report 2010
 - *Walworth County Aging & Disability Resource Center News*, March 2011 – To be placed on file
9. Report of County Clerk Concerning Zoning Petitions was referred to the County Zoning Agency.
 - Dwayne Deakins, Town of Lafayette, A-5 to A-1

On motion by Supervisor Weber, seconded by Supervisor Stacey, item 2 under Communications and Matters to be Referred was placed on file as the item had already been considered by Executive Committee.

Unfinished Business

New Business

Reports of Standing Committees

County Zoning Agency Report of Proposed Zoning Amendments

1. Ordinance No. 673-03/11 – Amending Sections 74-51, 74-61, 74-131, 74-178, 74-188 and 74-263 of the Walworth County Code of Ordinance Relating to Farm Food Service (Recommended by the County Zoning Agency 5-0) Amendment to Walworth County Code of Ordinances, Walworth County, Wisconsin, Chapter 74-51, 74-61, and 74-131 of the Zoning Ordinance and Chapter 74-178, 74-188 and 74-263 of the Shoreland Zoning Ordinance – approved 5 – 0 (1-20-11 public hearing)
2. Kelly and Debra Elliott, Town of Linn, Rezone .24 acres of A-1 to A-4 – approved 5 – 0 (2-17-11 public hearing)

On motion by Supervisor Brandl, seconded by Supervisor Weber, the County Zoning Agency Report of Proposed Zoning Amendments, item 1, **Ordinance No. 673-03/11**, and item 2, Kelly and Debra Elliott, Town of Linn, was approved as recommended by the County Zoning Agency.

County Zoning Agency

1. Resolution No. 79-03/11 – Supporting an Amendment to the Wisconsin Statutes Granting Townships Veto Authority Over Conditional Use Permits-*Vote required: Majority* (Recommended by the County Zoning Agency 3-2)

Supervisor Weber offered a motion, seconded by Supervisor Kilkenny, to approve Resolution No. 79-03/11. Discussion ensued. Chair Russell said this amendment would give the Townships more voice and they would be able to veto a conditional use. Supervisor Wardle said he disagreed with the resolution because in our judicial system, an individual can always appeal to a higher authority, but with this resolution the people would not have an opportunity to go to a higher authority for appeal. Supervisor Kilkenny said this is making it consistent with current zoning as the towns already have the veto authority over zoning changes at the County level. The townships were polled and the majority of the townships supported it. Supervisor Stacey said he received a call from the Town of East Troy and they were opposed because the Town Board could be litigated against. Michael Cotter said if this resolution is approved, and the Wisconsin Legislature amends the Wisconsin Statutes, the matter would not get to the County. If a conditional use is denied by the Town Board there would be no appeal rights to the County. The appeal would be through litigation with the Town. Supervisor Kilkenny said this is a supporting resolution only at this time. Cotter said that all towns did not respond but the poll results were 8 for the amendment and 2 against with 6 not reporting.

A roll call vote was held. Total vote: 11; Ayes: 7 – Brandl, Hawkins, Kilkenny, Redenius, Russell, Schaefer, Weber; Noes: 3 – Grant, Stacey, Wardle; Absent: 1 – Ingersoll. **Resolution No. 79-03/11** was approved by roll call vote.

Executive Committee

1. Ordinance No. 671-03/11 – Amending Division 3 of Chapter 2 of the Walworth County Code of Ordinances Pertaining to Intergovernmental Cooperation-*Vote required: Two-thirds* (Recommended by the Executive Committee 5-0)
2. Resolution No. 76-03/11 – Recognizing the UW-Whitewater Warhawks Football Team on the Occasion of Their Third NCAA Division III National Championship-*Vote required: Majority* (Recommended by the Executive Committee 5-0)
3. Resolution No. 77-03/11 – Denying the Claim of Marjorie L. Geiger-*Vote required: Majority* (Recommended by the Executive Committee 5-0)
4. Resolution No. 78-03/11 – Inviting Governor Walker to Attend a Committee of the Whole Meeting of the Walworth County Board to Explain the State's Economic Development Strategies in Support of Wisconsin Being Open for Business-*Vote required: Majority* (Recommended by the Executive Committee 5-0)

Supervisor Weber offered a motion, seconded by Supervisor Brandl, to approve item 1, Ordinance No. 671-03/11. On motion by Supervisor Grant seconded by Supervisor Weber, **Ordinance No. 671-03/11** was approved by unanimous consent.

Item 2, Resolution No. 76-03/11 was approved earlier in the meeting.

On motion by Supervisor Weber, seconded by Supervisor Stacey, item 3, **Resolution No. 77-03/11**, and item 4, **Resolution No. 78-03/11**, were approved by voice vote.

Finance Committee

1. Ordinance No. 670-03/11 – Amending Section 30-286 of the Walworth County Code of Ordinances Relative to Land Use and Resource Management Fees Related to Campgrounds-*Vote required: Majority* (Recommended by the Finance Committee 4-0)

On motion by Supervisor Grant, seconded by Supervisor Brandl, **Ordinance No. 670-03/11** was approved by voice vote.

Land Conservation Committee

1. Resolution No. 80-03/11 – Recognizing Rich Colbert and Louise Olson on Being Awarded the Wisconsin Land Information Association's "Local Government Achievement" Award-*Vote required: Majority* (Recommended by the Land Conservation Committee 4-0)

Resolution No. 80-03/11 was approved earlier in the meeting.

Park Committee

1. Ordinance No. 672-03/11 – Amending Chapter 42 of the Walworth County Code of Ordinances Relating to Parks and Recreation-*Vote required: Majority* (Recommended by the Park Committee 4-0)

Dave Bretl said this ordinance is to clean up language to reflect current practice.

On motion by Supervisor Grant, seconded by Supervisor Kilkenny, **Ordinance No. 672-03/11** 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.

Chairperson’s Report

Chair Russell said that we do have a Special County Board meeting on Monday, March 14 at 9:00 a.m.

Adjournment

On motion by Supervisor Weber, seconded by Supervisor Kilkenny, the meeting was adjourned at 6: 37 p.m.

STATE OF WISCONSIN)
)SS
COUNTY OF WALWORTH)

I, Kimberly S. Bushey, County Clerk in and for the County aforesaid, do hereby certify that the foregoing is a true and correct copy of the proceedings of the County Board of Supervisors for the March 8, 2011 meeting.

(These minutes are not final until approved by the County Board at the next regularly scheduled County Board meeting.)

MARCH 14, 2011
WALWORTH COUNTY BOARD OF SUPERVISORS
SPECIAL MEETING

The Walworth County Board of Supervisors meeting was called to order by Chair Russell at 9:01 a.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, Vice-Chair Daniel G. Kilkenny, Carl Redenius, Rick Stacey, David A. Weber, and Chair Nancy Russell. Kathy Ingersoll, Joe Schaefer and Russ Wardle were absent. A quorum was established.

Amendments, Withdrawals, and Approval of Agenda

On motion by Supervisor Brandl, seconded by Supervisor Grant, the agenda was approved by voice vote.

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

Vicki Blakeslee, W5646 Lake Shore Dr., Elkhorn, Lakeland Education Association, President, addressed the Board on the teachers' contracts. She commended the people that the County employs at Lakeland School and in the districts. She invited the Board to the Lakeland School. She and others are willing to meet with the CDEB committee members and the County Board for future contract negotiations. She thanked the Board on behalf of the students and teachers.

New Business

Communications and Matters to be Referred

1. Communication from Chair Nancy Russell Concerning a Proposed Amendment to the Multi-Jurisdictional Comprehensive Plan for Walworth County Relative to an Expansion of Lakeland Animal Shelter in the Town of Delavan (It is anticipated that the County Board will suspend its rules to take action on this item at the March 14, 2011 Special County Board Meeting)

Supervisor Weber offered a motion, seconded by Supervisor Stacey, to suspend the rules to permit action on item 1, Communications and Matters to be Referred, at the meeting. Roll call vote 2/3 vote required. A roll call vote was held. Total vote: 8; Ayes: 8 – Richard Brandl, Jerry A. Grant, Randy Hawkins, Vice-Chair Daniel G. Kilkenny, Carl Redenius, Rick Stacey, David A. Weber, and Chair Nancy Russell; Noes: 0; Absent:3 – Kathy Ingersoll, Joe Schaefer, Russ Wardle.

A motion was offered by Supervisor Weber, seconded by Supervisor Grant, to approve item 1.

Chair Nancy Russell explained the issue. The Lakeland Animal Shelter wants to expand the facility. The property they want to expand is currently zoned residential and needs to be rezoned

to agricultural zoning A-4. The Town Board agrees that this is an extraordinary circumstance and our Comprehensive Plan allows for this rezoning. In order for the project to proceed, rezoning is required.

Supervisor Kilkenny stated that this is a down zoning which is going in a different direction than normal. He thought we may need an amendment to make this process easier without going thru this extraordinary process. He didn't want the call for a special meeting with virtually no discussion to be a routine matter for a zoning change. He has no objection because it is going to a less dense zoning and is in the public interest.

Chair Russell stated that there will still be a special zoning hearing at the Zoning Agency and will have a 30 day notice which means it will not be heard at this month's zoning meeting. Since it is a rezone it will still come back to the County Board.

On motion by Supervisor Grant, seconded by Supervisor Weber, Warren Hansen was recognized and allowed to address the Board.

Warren Hansen explained that the Town of Delavan went through hearings and the process for the recommendation for this special circumstance. The Animal Shelter submitted for this last July but missed the deadline by a month. The option, which has been extended twice, is coming up again. They don't own the land yet. The land is for public use and benefits the public and the County. He then referred to the handout explaining what portion is currently owned and what portions pertain to this zoning issue. The next step would be the conditional use and zoning. Supervisor Kilkenny stated that zoning going from more dense to less dense and probably shouldn't be a problem under the ordinance or require this extraordinary step.

On a motion from Supervisor Kilkenny, seconded by Supervisor Stacey, item 1 was approved by unanimous consent.

2. Communication from Supervisor Jerry Grant with Resolution No. 81-03/11 – Proclaiming April 10 – April 16, 2011 Volunteer Week in Walworth County-*Vote required: Majority* (It is anticipated that the County Board will suspend its rules to take action on the resolution at the March 14, 2011 Special County Board Meeting) (To be referred to the Executive Committee)

Supervisor Weber offered a motion, seconded by Supervisor Grant, to suspend the rules and proceed to process item 2, Communications and Matters to be Referred, at the meeting.

Administrator Bretl stated that the Board needs a motion to act on this item at this meeting. This will require a majority vote. There is no need to suspend the rules.

The motion by Supervisor Kilkenny, seconded by Supervisor Grant, to act on Communication item 2, carried by voice vote.

On motion by Supervisor Grant, seconded by Supervisor Weber, item 2, **Resolution No. 81-03/11** – Proclaiming April 10 – April 16, 2011 Volunteer Week in Walworth County, was approved by voice vote.

Human Resources

1. Resolution No. 82-03/11 – 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-*Vote required: Majority* (Recommended by the Children with Disabilities Education Board 3-0 and the Human Resources Committee 4-0)

Supervisor Weber offered a motion, seconded by Supervisor Brandl, to approve Resolution No. 82-03/11 - 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.

Administrator Bretl advised that Governor Walker’s budget repair bill has been approved and signed but is not law yet because it has to be published first. We are allowed to act on this resolution. Staff is recommending approval. These negotiations occurred before changes in state law. This contract is not a long term contract. This is in effect until June 30, 2011. This will continue the county’s share of pension payments until June 30, 2011.

Resolution No. 82-03/11 was approved by voice vote.

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

There were none.

Chairperson’s Report

There were none.

Adjournment

On motion by Supervisor Brandl, seconded by Supervisor Grant, the meeting was adjourned at 9:25 a.m.

STATE OF WISCONSIN)
)SS
COUNTY OF WALWORTH)

I, Kimberly S. Bushey, County Clerk in and for the County aforesaid, do hereby certify that the foregoing is a true and correct copy of the proceedings of the County Board of Supervisors for the March 14, 2011 meeting.

(These minutes are not final until approved by the County Board at the next regularly scheduled County Board meeting.)



Scanning Center | 6000 American Pkwy | Madison WI 53783-0001 | 1-800-MY AMFAM (623-2229) | amfam.com

RECEIVED
WALWORTH COUNTY CLERK
2011 MAR 18 PM 12:05

March 17, 2011

47-CXL004
WALWORTH COUNTY CLERK
100 W WALWORTH ST
ELKHORN WI 53121-1769

RE: Our Claim Number: 00-471-478664-6957
Our Insured: Cynthia C Lentz
Our Company Name: American Family Mutual Insurance Company
Date of Loss: February 2, 2011
Your Client/File Number: Walworth County / 2011067235

Certified Mail Return Receipt Requested

Dear Walworth County Clerk:

This letter is to advise you, pursuant to sec. 893.80 of the Wisconsin Statutes, that American Family Mutual Insurance Company, Cynthia C Lentz and Benjamin Lentz do hereby put you on notice of a claim for damages as a result of an accident which occurred on February 2, 2011 between vehicles driven by your driver, Robert Free, and our driver, Benjamin Lentz.

The vehicle being driven by Robert Free was a County vehicle and Robert Free was operating said vehicle in the course of his employment for Walworth County. Our investigation reveals that your employee was snow plowing at the time and backed his snow plow truck into our insured's vehicle as our insured was making a left turn.

As a result of this collision, American Family Mutual Insurance Company has suffered property damage to our insured vehicle. We have been called upon to make payment pursuant to our policy with our insured and to date we have paid \$5,868.51 in property damages, which includes our insured's \$250.00 deductible.

Should you have any questions, please contact the undersigned. Thank you for your cooperation.

Sincerely,

Kayla Lor
Casualty Claim Desk Senior Adjuster
American Family Mutual Insurance Company
1-800-MYAMFAM (1-800-692-6326) X 44621
clor@amfam.com
Fax: (866) 209-1816
www.amfam.com/claims

Enc: Affidavit, Estimate, Rental Bill & Police Report

State of Wisconsin)
County of Dane)

Kayla Lor, being first duly sworn on oath, deposes and states that he/she is a claim representative/claim examiner/etc. employed with American Family Mutual Insurance Company, that I have been involved in the investigation of the afore described claim, that I have reviewed the foregoing Notice of Claim and am familiar with the factual averments contained therein, and that all such statements and averments are true and correct to the best of my knowledge and information based upon my investigation and adjustment of the claim referenced above.

Dated this 7th day of March, 2011

Kayla Lor
Signature of affiant

Personally appeared before me this 7th day of March, 2011, the above-named Kayla Lor (affiant) and upon administration of oath executed the foregoing instrument and acknowledged the truth and accuracy of the same.

[Signature]
Notary Public, Dane County, State of Wisconsin
My commission: 7/2

AMERICAN FAMILY INSURANCE
SCANNING CENTER
6000 AMERICAN PARKWAY
MADISON, WI 53783-0001
1-800-MYAMFAM (1-800-692-6326)

*** ESTIMATE ***

02/05/2011 01:34 PM

Owner

Owner: BENJAMIN LENTZ
Address: 216 POTTER RD UNIT 201
City State Zip: ELKHORN, WI 53121-4073
FAX: (262)723-1066

Control Information

Claim # : 00471478664-1
Loss Date/Time: 02/02/2011 06:00 AM
Deductible: \$250.00
Insured Policy # : 0752834603
Loss Type: Collision
Insured: CYNTHIA C LENTZ
Claimant: BENJAMIN LENTZ
Address: 216 POTTER RD UNIT 201
City State Zip: ELKHORN, WI 53121-4073
FAX: (262)723-1066

Inspection

Inspection Date: 02/05/2011 01:34 PM
Inspection Location: KEITHS AUTO BODY
Address: 4131 INDUSTRIAL COURT
City State Zip: DELAVAN, 53115
Primary Impact: Right Rear Side
Driveable: No
Inspection Type: Field
Contact: (262)728-8861
Secondary Impact: Right Side
Rental Assisted:
Assigned Date/Time:
First Contact Date/Time:
Received Date/Time: 02/03/2011 05:27 PM
Appointment Date/Time: 02/04/2011 08:00 AM
Appraiser Name: Terry Welch
Address: PO Box 545
City State Zip: Delavan, WI 53115
Email: twelc1@amfam.com
Appraiser License # :
Work/Day: (262)740-0276
Cell: (608)358-4997
FAX: (262)740-0341

Repairer

Repairer: Keith's Auto Body
Address: 4131 Industrial Ct
City State Zip: Delavan, WI 53115
Contact:
Work/Day: (262)728-8861
FAX: (262)728-8805
Target Complete Date/Time:
Days To Repair: 5

Vehicle

2005 Lexus ES330 STD 4 DR Sedan
6cyl Gasoline 3.3
5 Speed Automatic

Lic.Plates: BGD115
Lic Expire:
Prod Date:
Veh Insp# :
Condition:
Ext. Color: SONORA GOLD
Ext. Refinish: Two-Stage
Lic State: WI
VIN: JTHBA30G55508325B
Mileage: 76,351
Mileage Type: Actual
Code: LX233A
Int. Color:
Int. Refinish:

Ext. Paint Code: 4R3

Int. Trim Code:

Options

AM/FM In-dash CD Changer	Air Conditioning	Alarm System
Anti-lock Brakes	Automatic Dimming Mirror	Bodyside Cladding
Center Console	Chromed Alloy Wheels	Climate Cntrl Frnt Seats
Cruise Control	Dual Airbags	Dual Power Seats
Dual Zone Auto A/C	Electronic Control Susp	Fog Lights
Garage Door Opener	Gold Package	Head Airbags
Heated Front Seats	Heated Power Mirrors	Intermittent Wipers
Keyless Entry System	Leather Seats	Lighted Entry System
Overhead Console	Power Adjustable Pedals	Power Brakes
Power Door Locks	Power Moonroof	Power Steering
Power Windows	Rear Side Airbags	Rear Window Defroster
Rem Trunk-L/Gate Release	Side Airbags	Strg Wheel Radio Control
Tachometer	Tilt Steering Wheel	Tinted Glass
Trip Computer	Wood Interior Trim	Wood Steering Wheel

Damages

Line	Op	Guide	MC	Description	MFR.Part No.	Price	ADJ% B%	Hours	R
1	RI	263		Plate,Front Sill RT	R & I Assembly			0.2	SM
2	RI	206		Plate,Rear Sill RT	R & I Assembly			INC	SM
3	RI	275		Mldg,Rocker Panel RT	R & I Assembly			INC	SM
4	BR	210		Pnl,Front Door Outer RT	Blend Refinish			1.3	RF
					0.9 Blend				
					0.4 Two-stage				
5	RI	259		Mldg,Front Door Belt RT	R & I Assembly			0.3	SM
6	RI	255		Mldg,Front Door Side RT	R & I Assembly			0.4	SM
7	RI	408		Mldg,Front Door Lower RT	R & I Assembly			0.4	SM
8	RI	230		Mirror,Outer R/C RT	R & I Assembly			0.3	SM
9	RI	228		Handle,Front Door Otr RT	R & I Assembly			0.8	SM
10	I	190	07	Pillar,Center RT	Repair			3.0*	SM
11	L	190		Pillar,Center RT	Refinish			1.0	RF
					1.0 Surface				
12	EU	288		Door Assembly,Rear RT	RECYCLED PART	\$550.00*	+25.00	3.1	SM
				>> Located from LKQ quote # 478801					
13	L	288		Door Shell,Rear RT	Refinish			3.2	RF
					1.8 Surface				
					1.0 Edge				
					0.4 Two-stage				
14	E	384		W/Strip,Rear Door RT	6787133070	\$76.09		INC	SM
15	E	489		W/Strip,Rear Door RT	6788733010	\$36.98		INC	SM
16	E	491		W/Strip,Rear Door RT	6789533010	\$10.92		INC	SM
17	RI	361		W/Strip,RR Door Body RT	R & I Assembly			0.5	SM
18	RI	400		Mldg,Rear Door Scalp RT	R & I Assembly			0.2	SM
19	RI	320		Mldg,Rear Door Belt RT	R & I Assembly			INC	SM
20	L	324		Mldg,Rear Door Side RT	Refinish			0.6	RF
					0.5 Surface				
					0.1 Two-stage				
21	RI	324		Mldg,Rear Door Side RT	R & I Assembly			0.4	SM
22	RI	1169		Clip,Rear Door Mldg RT	R & I Assembly				SM
23	E	1351		Clip,Rear Door Mldg RT	6821130180	\$2.59			SM
24	E	322	01	Pnl,Inner Door Trim RT	6763033720A2	\$577.38		INC	SM
25	RI	296		Glass,Rear Door T RT	R & I Assembly			0.9	SM
26	RI	253		Channel,Rear Glass Run RT	R & I Assembly			0.3	SM
27	L	292		Hinge,Rear Door Upper RT	Refinish			0.3	RF
					0.3 Surface				
28	L	294		Hinge,Rear Door Lower RT	Refinish			0.3	RF
					0.3 Surface				
29	RI	380		Rod,Rear Door Check RT	R & I Assembly			0.2	SM
30	RI	306		Handle,RR Door Outer RT	R & I Assembly			INC	SM
31	BR	44	13	Panel,Roof Side RT	Blend Refinish			1.5	RF
					0.6 Blend				
					0.6 Two-stage setup				
					0.3 Two-stage				
32	RI	257		Mldg,Roof Drip RT	R & I Assembly			0.3	SM

14.

33	RI	369	Back Glass R & I	R & I Assembly		3.4	SM
34	EC	371	Sealant Kit,Back Glass	Replace Economy	\$25.00*	INC	SM
35	E	390	Panel,Quarter RT	6160133271	\$543.42	14.2	SM
36	L	390	Panel,Quarter RT	Refinish		3.6	RF
				2.2 Surface			
				1.0 Edge			
				0.4 Two-stage			
37	I	414	07 Pnl,Wheelhouse Outer RT	Repair		2.0*	SM
38	L	414	Pnl,Wheelhouse Outer RT	Refinish		0.3*	RF
				0.3 Surface			
39	E	186	Shield,Quarter Panel RT	5874733020	\$13.66	0.2	SM
40	RI	560	Lens,Taillamp RT	R & I Assembly		INC	SM
41	RI	566	Rear Bumper Cover R&I	R & I Assembly		INC	SM
42	I	M37	Unibody-Realignment-Rtctr	Repair		1.5*	FR
43	N	M69	Glass Clean Up	Additional Labor		1.0*	SM
44	EC	M70	Cover Car Interior	Replace Economy	\$5.00*		SM*
45	EC		Corrosion Protection	Replace Economy	\$5.00*	0.2*	SM*
46	I		Set-Up And Measure	Repair		1.5*	SM*
47	N		Hazardous Waste Removal	Additional Labor	\$3.00*		SM

47 Items

MC Message

- 01 CALL DEALER FOR EXACT PART # / PRICE
- 07 STRUCTURAL PART AS IDENTIFIED BY I-CAR
- 13 INCLUDES 0.6 HOURS FIRST PANEL TWO-STAGE ALLOWANCE

Estimate Total & Entries

Gross Parts		\$1,261.04	
Other Parts		\$588.00	
Paint Materials		\$399.30	
Line Item Markup		\$137.50	
Parts & Material Total			\$2,385.84
Tax on Parts & Material	@ 5.500%		\$131.22
Labor	Rate Replace Hrs	Repair Hrs	Total Hrs
Sheet Metal (SM)	\$53.00	26.3	7.5
Mech/Elec (ME)	\$80.00		
Frame (FR)	\$60.00		1.5
Refinish (RF)	\$53.00	12.1	12.1
Paint Materials	\$33.00		
Labor Total			47.4 Hours
Tax on Labor	@ 5.500%		\$2,522.70
Gross Total			\$5,178.51
Less: Deductible			\$250.00-
Net Total			\$4,928.51

Alternate Parts Y/00/00/00/00/00 CUM 00/00/00/00/00 Zip Code: 53121 Walworth co
 Recycled Parts Y/6/0 Zip Code: 53783 INV DATE: 02/03/2011

Audatex Estimating 6.0.512 ES 02/07/2011 07:50 AM REL 6.0.512 DT 01/01/2011 DB 02/01/2011
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2.2 HRS WERE ADDED TO THIS ESTIMATE BASED ON AUDATEX'S TWO-STAGE REFINISH FORMULA.

___ THIS IS NOT AN AUTHORIZATION TO REPAIR, VEHICLE OWNER MUST AUTHORIZE.
 ___ AGREED PRICE ONLY.
 ___ WE ACCEPT AND AGREE TO DO THE DESCRIBED REPAIRS AT TOTAL REPAIR COST SHOWN.
 ___ SIGN _____ DATE _____

*****WE WILL NOT ACCEPT ANY SUPPLEMENTS UNLESS THEY ARE WRITTEN BY

15.

AND HAVE PRIOR APPROVAL OF A REPRESENTATIVE OF THIS COMPANY.*****

THIS ESTIMATE HAS BEEN PREPARED BASED ON THE USE OF ONE OR MORE REPLACEMENT PARTS SUPPLIED BY A SOURCE OTHER THAN THE MANUFACTURER OF YOUR MOTOR VEHICLE. WARRANTIES APPLICABLE TO THESE REPLACEMENT PARTS ARE PROVIDED BY THE MANUFACTURER OR DISTRIBUTOR OF THE REPLACEMENT PARTS RATHER THAN BY THE MANUFACTURER OF YOUR MOTOR VEHICLE.

Op Codes

* = User-Entered Value	E = Replace OEM	NG = Replace NAGS
EC = Replace Economy	OE = Replace PXN OE Srpls	UE = Replace OE Surplus
ET = Partial Replace Labor	EP = Replace PXN	EU = RECYCLED PART
TE = Partial Replace Price	PM = Replace PXN Reman/Reblt	UM = Replace Reman/Rebuilt
L = Refinish	PC = Replace PXN Reconditioned	UC = Replace Reconditioned
TT = Two-Tone	SB = Sublet Repair	N = Additional Labor
BR = Blend Refinish	I = Repair	IT = Partial Repair
CG = Chipguard	RI = R & I Assembly	P = Check
AA = Appearance Allowance	RP = Related Prior Damage	



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Rental Company: ENTERPRISE RENT-A-CAR
 Invoice: D571842-4448

Bill To: AMF44RU
 AMERICAN FAMILY CRD
 ATTN: LUCAS MAD 2-A-LEE
 302 N. WALBRIDGE
 MADISON, WI 53783

RENTAL DETAIL:

Rental Period: 2/2/11 to 2/24/11 (23 days)
 Billed Period: 2/2/11 to 2/24/11 (23 days)

RENTER INFORMATION:
 Renter: LENTZ, CYNTHIA

Products and Services	Rate	Amount
23 DAYS @	30.00	\$690.00
Taxes and Surcharges		
23 TRRF	0.55	\$12.65
1 SALES TAX	5.50%	\$38.65
Total Charges:		\$741.30
Less Amount Received:		\$51.30
Total Amount Due:		\$690.00

RENTAL INFORMATION:
Rental Branch Location:
 ENTERPRISE RENT-A-CAR (4448)
 1823 E GENEVA ST STE I
 DELAVAN, WI 531152040
 (262) 728-6669

ADDITIONAL CLAIM INFORMATION:
 Claim Number :00471478664
 Claim Type: Insured
 Vehicle Condition: Non-Driveable
 Date Of Loss: 2/2/11
 Insured Name:
 Owner's Vehicle:
 Additional Driver:

Repair Facility:
 KEITH'S AUTO BODY
 DELEVAN, WI 53115
 (262) 728-8861

VEHICLES RENTED:

Effective Date and Time	Year	Make	Model	VIN	Starting Mileage	Ending Mileage	Mileage	Rate Charged
2/2/11 4:15 PM	2011	HYUN	SANF	5XYZGDAB5BG020381	2165	2989	824	\$30.00

Rental Invoice

Please Return This Portion with Remittance

Make Payment To:
 ENTERPRISE RENT-A-CAR
 P.O. BOX 840086
 KANSAS CITY, MO 64184-0086
 Federal ID: 43-0724835

Total Charges: \$741.30
Less Amount Received: \$51.30
Total Amount Due..... **\$690.00**

Please include on your check:
 Invoice: D571842-4448

17.

Wisconsin Motor Vehicle Accident Report MV4000e 01/2005

H6XSGV3

PK2011

Police #

Accident # 11-03220

GENERAL INFORMATION

<input checked="" type="checkbox"/> Reportable Accident	<input type="checkbox"/> On Emergency	<input type="checkbox"/> Amended	DOT Document Number H6XSGV3	Document Override Number
Agency Accident Number 11-03220		Police Number		
4 - Accident Date 02/02/2011	5 - Time of Accident (Military Time) 1214	6 - Total Units 02	7 - Total Injured 00	8 - Total Killed 00
22 - County WAUWATOSH			23 - Accident Location INTERSECTION	
14 - On Hwy No. NN	14 - On Street Name	14 - Bus/Pmt/Rmp	16 - Est. Dist Ft/Mi	15 - Hwy. Dir
16 - Fr/At Hwy No.	16 - From/At Street Name HUBER WAY	16 - Business/Frontage/Ramp		
17 - Structure Type	17 - Structure Number	12 - Latitude	13 - Longitude	
80 - First Harmful Event MOTOR VEHICLE IN TRANSPORT		93 - Manner of Collision SIDESWIPE, OPPOSITE DIRECTION		
112 - Access Control PARTIAL CONTROL	113 - Road Curvature STRAIGHT	113 - Road Terrain LEVEL/FLAT	Surface Type BLACKTOP (BITUMINOUS) -2	
115 - Traffic Way NOT-PHYSICALLY-DIVIDED-(2-WAY TRAFFIC)				
117 - Relation To Roadway ON-ROADWAY				
114 - Light Condition DAYLIGHT		116 - Road Surface Condition SNOW/SLUSH	118 - Weather CLEAR	
<input type="checkbox"/> 9 Hlt and Run	<input type="checkbox"/> 9 Government Property	<input type="checkbox"/> 9 Fire	<input type="checkbox"/> 9 Photos Taken	<input type="checkbox"/> 9 Trailer or Towed
<input type="checkbox"/> 9 Truck, Bus, or Hazardous Materials	<input type="checkbox"/> 9 Load Spillage	<input type="checkbox"/> 9 Construction Zone	<input type="checkbox"/> 9 Names Exchanged	
101 <input type="checkbox"/> Supplemental Reports	102 <input type="checkbox"/> Witness Statements	103 <input type="checkbox"/> Measurements Taken	79 - E M S Number	

Operator/Pedestrian

OPERATOR/PEDESTRIAN 01

Unit Status	81 - Most Harmful Event: Collision With MOTOR VEHICLE IN TRANSPORT	23 - Dir Of Travel NORTH	24 - Speed Limit 30
36 - Operating as Classified O CLASS	37 - Endorsements	35 <input type="checkbox"/> Operating Commercial Motor Vehicle	
29 - Driver License Number S007745136109	30 - State WI	31 - Expiration Year 2011	32 - County/Accident WINTER HAVEN/MANITOWISH
25 - Operator/Pedestrian Last Name PREB	25 - First Name ROBERT	26 - Middle Initial M	25 - Suffix
32 - Date Of Birth 10/01/1951	33 - Sex MALE		
28 - Address Street & Number N6763 WALNUT RD			26 - PO Box
27 - City ELKHORN	27 - State WI	27 - Zip Code 53121	28 - Telephone Number (262) 903-3104 EXT.
39 - Seat Position FRONT-SEAT-LEFT-SIDE-(MC/BIKE DRIVER, TRAIN CONDUCTOR)		40 - Safety Equipment SHOULDER-BELT-AND-LAP-BELT-USED	
38 - Injury Severity N - NO APPARENT INJURY	41 - Airbag NOT APPLICABLE	42 - Ejected NOT-EJECTED	44 <input type="checkbox"/> Medical Transport
43 - Trapped/Extricated NOT-TRAPPED	92 - Pedestrian Location	92 - Pedestrian Action	
119 - What Driver Was Doing BACKING-MANEUVER		120 - Traffic Control STOP-SIGN	62 - No. of Citations Issued 0
64 - 1st Statute No.	64 - 2nd Statute No.	64 - 3rd Statute No.	64 - 4th Statute No.
64 - 5th Statute No.			
122 - Driver Factors NOT-APPLICABLE			
88 - Driver or Pedestrian Cond APPEARED NORMAL	89 - Substance Presence UNKNOWN		
80 - Alcohol Test TEST NOT GIVEN	80 - Alcohol Content	91 - Drug Test TEST-NOT-GIVEN	

18.

Wisconsin Motor Vehicle H6XSGV3

Accident Report MV4000a 01/2005

PK2011

91 - Drugs Reported
124 - Highway Factors NOT-APPLICABLE

Vehicle

VEHICLE 01	21 - Unit Type EQUIPMENT		Vehicle Type SNOW-PLOW		22 - Total Occupants 1
	56 - License Plate Number		57 - Plate Type	58 - State	59 - Exp. Year
	60 - Year	51 - Make	52 - Model	53 - Body Style	54 - Color
	100 - Skidmarks to Impact (Ft) 0				
	94 - Vehicle Damage OTHER				
	95 - Extent Of Damage VERY-MINOR		96 <input type="checkbox"/> Vehicle Towed Due To Damage		87 - Vehicle Removed By OPERATOR
123 - Vehicle Factors NOT-APPLICABLE					

Vehicle Owner

VEH OWNER 01	45 <input type="checkbox"/> Vehicle Owner Same As Operator				
	46 - Vehicle Owner Last Name		46 - First Name	46 - Middle Initial	46 - Suffix
	Date Of Birth				
	46 - Company Name WALWORTH COUNTY				
	47 - Address Street & Number W4094 HWY NN			47 - PO Box	
48 - City ELKHORN		48 - State WI	48 - Zip Code 53121	49 - Telephone Number (262) 741-3114 EXT.	

Insurance

INS 01	63 - Liability Insurance Company NOT-REQUIRED		60 <input type="checkbox"/> Policy Holder Same As Owner
	61 - Policy Holder Last Name		61 - Policy Holder First Name
	61 - Policy Holder Company		

School Bus

BUS 01	Bus Travelling to/from <input type="radio"/> To <input type="radio"/> From	School Name	Body Make	Seating Capacity
	School District Contracted With			

Operator/Pedestrian

Unit Status		81 - Most Harmful Event: Collision With MOTOR VEHICLE IN TRANSPORT		23 - Dir Of Travel SOUTH	24 - Speed Limit 30
36 - Operating as Classified D CLASS		37 - Endorsements		35 <input type="checkbox"/> Operating Commercial Motor Vehicle	
29 - Driver's License Number 1159207252A120		30 - State WI	31 - Expiration Year 2007	34 - SPDID/ Accident	
25 - Operator/Pedestrian Last Name BENTZ		25 - First Name BENJAMIN		25 - Middle Initial	25 - Suffix
32 - Date Of Birth 11/12/1952		33 - Sex MALE			

19.

Wisconsin Motor Vehicle H6XSGV3

Accident Report MV4000e 01/2005

PK2011

OPERATOR/PEDESTRIAN	26 - Address Street & Number 216 POTTER RD				26 - PO Box	
	27 - City ELKHORN		27 - State WI	27 - Zip Code 53121		28 - Telephone Number (262) 723-1066 EXT.
	39 - Seat Position FRONT-SEAT-LEFT-SIDE-(MC/BIKE DRIVER, TRAIN CONDUCTOR)				40 - Safety Equipment SHOULDER-BELT-AND-LAP-BELT-USED	
	38 - Injury Severity N - NO APPARENT INJURY		41 - Airbag NON-DEPLOYED		42 - Ejected NOT-EJECTED	
	44 <input type="checkbox"/> Medical Transport					
	43 - Trapped/Extricated NOT-TRAPPED		92 - Pedestrian Location		92 - Pedestrian Action	
	119 - What Driver Was Doing GOING-STRAIGHT			120 - Traffic Control STOP-SIGN		62 - No. of Citations Issued 0
	64 - 1st Statute No.	64 - 2nd Statute No.	64 - 3rd Statute No.	64 - 4th Statute No.		64 - 5th Statute No.
	122 - Driver Factors NOT-APPLICABLE					
	88 - Driver or Pedestrian Cond APPEARED NORMAL		89 - Substance Presence UNKNOWN			
	80 - Alcohol Test TEST NOT GIVEN		80 - Alcohol Content		91 - Drug Test TEST-NOT-GIVEN	
	91 - Drugs Reported					
	124 - Highway Factors NOT-APPLICABLE					

Vehicle

VEHICLE	21 - Unit Type AUTOMOBILE				Vehicle Type PASSENGER-CAR		22 - Total Occupants 1
	50 - Year 2006		51 - Make LEXS	52 - Model 330	53 - Body Style 4D	54 - Color TAN	100 - Skidmarks to Impact (F) 0
	94 - Vehicle Damage MIDDLE PASSENGER SIDE, REAR PASSENGER SIDE						
	95 - Extent Of Damage SEVERE		96 <input type="checkbox"/> Vehicle Towed Due To Damage		97 - Vehicle Removed By OPERATOR		
	123 - Vehicle Factors NOT-APPLICABLE						

Vehicle Owner

VEH OWNER	45 <input checked="" type="checkbox"/> Vehicle Owner Same As Operator					
	46 - Vehicle Owner Last Name LENTZ		46 - First Name BENJAMIN		46 - Middle Initial L	46 - Suffix III
	46 - Company Name					
	47 - Address Street & Number 216 POTTER RD				47 - PO Box	
48 - City ELKHORN		48 - State WI	48 - Zip Code 53121		49 - Telephone Number (262) 723-1066 EXT.	

Insurance

Wisconsin Motor Vehicle H6XSGV3

Accident Report MV4000e 01/2005

PK2011

INS 02	63 - Liability Insurance Company AMERICAN-FAMILY		60 <input checked="" type="checkbox"/> Policy Holder Same As Owner
	61 - Policy Holder Last Name LENTZ	61 - Policy Holder First Name BENJAMIN	
	61 - Policy Holder Company		

School Bus

BUS 02	Bus Travelling to/from <input type="radio"/> To <input type="radio"/> From	School Name	Body Make	Seating Capacity
	School District Contracted With			

Diagram and Narrative

105 - PHOTOS BY

HWY NN

HUBER WAY

NOT TO SCALE

DIAGRAM AND NARRATIVE

UNIT 1 WAS CONDUCTING SNOW PLAWING OPERATIONS IN FRONT OF THE WALWORTH COUNTY SHERIFF'S OFFICE IN THE INTERSECTION OF HWY NN AND HUBER WAY. UNIT 2 ATTEMPTED TO GO AROUND UNIT 1 AS UNIT 1 WAS BACKING UP. THE DRIVER OF UNIT 1 DID NOT SEE UNIT 2 ATTEMPTING TO GO AROUND AND STRUCK UNIT 2 IN THE PASSENGER SIDE CAUSING SEVERE DAMAGE.

Officer Information

OFFICER INFORMATION	125 - Officer Last Name ALBRECHT	125 - First Name JONATHAN	125 - Middle Initial A	131 - Officer ID 6398	
	129 - Law Enforcement Agency No. 6500	130 - Law Enforcement Agency Name WALWORTH COUNTY SHERIFF			
	126 - Law Enforcement Agency Address Street & Number W4054 COUNTY NN				
	127 - City ELKHORN	127 - State WI	127 - Zip Code 53121	128 - Telephone Number (262) 741-4400 EXT.	
	132 - Date Notified 02/02/2011	133 - Time Notified (Military Time) 1214	134 - Time Arrived (Military Time) 1300	135 - Date Of Report 02/08/2011	
	Agency Accident Number 11-03220	Police Number	19 - Special Study		
	18 - Agency Space				

21.



Street Address: 302 N Walbridge Ave. | Madison WI 53783-0001 | amfam.com

Mailing Address: 6000 American Pkwy | Madison WI 53783-0001 | 1-800-MY AMFAM (692-6326)

RECEIVED
WALWORTH COUNTY CLERK

2011 MAR 18 AM 8:24

March 15, 2011

47-LXX001
WALWORTH COUNTY CLERK
100 W WALWORTH ST
ELKHORN WI 53121-1769

RE: Our Insured: Cynthia C Lentz
Our Claim Number: 00-471-478664-6957
Date of Loss: February 2, 2011
Amount of Claim: \$5919.81

Dear Walworth County Clerk:

We are notifying you that American Family Mutual Insurance Company has now made payments, resulting from your responsibility for the above referenced claim. The total amount of the claim including our insureds deductible, if applicable, is indicated above.

We believe that we are entitled to recover some or all of this money from you. In handling this claim with you we will take the Comparative Negligence Laws of your state into consideration.

Please contact us upon your review.

Sincerely,

Kayla Yang
Subrogation Senior Adjuster
American Family Mutual Insurance Company
1-800-MYAMFAM (1-800-692-6326) X 44113
kyan1@amfam.com
Fax: (866) 364-0982
www.amfam.com/claims

Enc:



Rental Company: ENTERPRISE RENT-A-CAR
Invoice: D571842-4448

Bill To: AMF44RU
AMERICAN FAMILY CRD
ATTN: LUCAS MAD 2-A-LEE
302 N. WALBRIDGE
MADISON, WI 53783

RENTAL DETAIL:

Rental Period: 2/2/11 to 2/24/11 (23 days)
Billed Period: 2/2/11 to 2/24/11 (23 days)

RENTER INFORMATION:
Renter: LENTZ, CYNTHIA

RENTAL INFORMATION:
Rental Branch Location:
ENTERPRISE RENT-A-CAR (4448)
1823 E GENEVA ST STE I
DELEVAN, WI 531152040
(262) 728-6669

ADDITIONAL CLAIM INFORMATION:
Claim Number :00471478664
Claim Type: Insured
Vehicle Condition: Non-Driveable
Date Of Loss: 2/2/11
Insured Name:
Owner's Vehicle:
Additional Driver:

Products and Services	Rate	Amount
23 DAYS @	30.00	\$690.00
Taxes and Surcharges		
23 TRRF	0.55	\$12.65
1 SALES TAX	5.50%	\$38.65
Total Charges:		\$741.30
Less Amount Received:		\$51.30
Total Amount Due:		\$690.00

Repair Facility:
KEITH'S AUTO BODY
DELEVAN, WI 53115
(262) 728-8861

VEHICLES RENTED:

Effective Date and Time	Year	Make	Model	VIN	Starting Mileage	Ending Mileage	Mileage	Rate Charged
2/2/11 4:15 PM	2011	HYUN	SANF	5XYZGDAB5BG020381	2165	2989	824	\$30.00

Rental Invoice

Please Return This Portion with Remittance

Make Payment To:
ENTERPRISE RENT-A-CAR
P.O. BOX 840086
KANSAS CITY, MO 64184-0086
Federal ID: 43-0724835

Total Charges: \$741.30
Less Amount Received: \$51.30
Total Amount Due..... **\$690.00**

Please include on your check:
Invoice: D571842-4448

23.

AMERICAN FAMILY INSURANCE
SCANNING CENTER
6000 AMERICAN PARKWAY
MADISON, WI 53783-0001
1-800-MYAMFAM (1-800-692-6326)

*** ESTIMATE ***

02/05/2011 01:34 PM

Owner

Owner: BENJAMIN LENTZ
Address: 216 POTTER RD UNIT 401 (262)723-1066
City State Zip: ELKHORN, WI 53121-4073 **FAX:**

Control Information

Claim # : 00471478664-1 **Insured Policy # :** 0752834603
Loss Date/Time: 02/02/2011 06:00 AM **Loss Type:** Collision
Deductible: \$250.00

Insured: CYNTHIA C LENTZ

Claimant: BENJAMIN LENTZ
Address: 216 POTTER RD UNIT 201 (262)723-1066
City State Zip: ELKHORN, WI 53121-4073

Inspection

Inspection Date: 02/05/2011 01:34 PM **Inspection Type:** Field
Inspection Location: KEITHS AUTO BODY **Contact:**
Address: 4131 INDUSTRIAL COURT (262)728-8861
City State Zip: DELAVAN, 53115
Primary Impact: Right Rear Side **Secondary Impact:** Right Side
Driveable: No **Rental Assisted:**

Assigned Date/Time: **Received Date/Time:** 02/03/2011 05:27 PM
First Contact Date/Time: **Appointment Date/Time:** 02/04/2011 08:00 AM

Appraiser Name: Terry Welch **Appraiser License # :**
Address: PO Box 545 **Work/Day:** (262)740-0276
City State Zip: Delavan, WI 53115 **Cell:** (608)358-4997
Email: twelc1@amfam.com **FAX:** (262)740-0341

Repairer

Repairer: Keith's Auto Body **Contact:**
Address: 4131 Industrial Ct **Work/Day:** (262)728-8861
City State Zip: Delavan, WI 53115 **FAX:** (262)728-8805

Target Complete Date/Time: **Days To Repair:** 5

Vehicle

2005 Lexus ES330 STD 4 DR Sedan
6cyl Gasoline 3.3
5 Speed Automatic

Lic. Plate: BGD115 **Lic State:** WI
Lic Expire: **VIN:** JTHBA30G555083258
Prod Date: **Mileage:** 76,351
Veh Insp# : **Mileage Type:** Actual
Condition: **Code:** LX233A
Ext. Color: SONORA GOLD **Int. Color:**
Ext. Refinish: Two-Stage **Int. Refinish:**

24.

Ext. Paint Code: 4R3

Int. Trim Code:

Options

AM/FM In-dash CD Changer	Air Conditioning	Alarm System
Anti-lock Brakes	Automatic Dimming Mirror	Bodyside Cladding
Center Console	Chromed Alloy Wheels	Climate Cntrl Frnt Seats
Cruise Control	Dual Airbags	Dual Power Seats
Dual Zone Auto A/C	Electronic Control Susp	Fog Lights
Garage Door Opener	Gold Package	Head Airbags
Heated Front Seats	Heated Power Mirrors	Intermittent Wipers
Keyless Entry System	Leather Seats	Lighted Entry System
Overhead Console	Power Adjustable Pedals	Power Brakes
Power Door Locks	Power Moonroof	Power Steering
Power Windows	Rear Side Airbags	Rear Window Defroster
Rem Trunk-L/Gate Release	Side Airbags	Strg Wheel Radio Control
Tachometer	Tilt Steering Wheel	Tinted Glass
Trip Computer	Wood Interior Trim	Wood Steering Wheel

Damages

Line	Op	Guide	MC	Description	MFR.Part No.	Price	ADJ% B%	Hours	R
1	RI	263		Plate,Front Sill RT	R & I Assembly			0.2	SM
2	RI	206		Plate,Rear Sill RT	R & I Assembly			INC	SM
3	RI	275		Mldg,Rocker Panel RT	R & I Assembly			INC	SM
4	BR	210		Pnl,Front Door Outer RT	Blend Refinish			1.3	RF
					0.9 Blend				
					0.4 Two-stage				
5	RI	259		Mldg,Front Door Belt RT	R & I Assembly			0.3	SM
6	RI	255		Mldg,Front Door Side RT	R & I Assembly			0.4	SM
7	RI	408		Mldg,Front Door Lower RT	R & I Assembly			0.4	SM
8	RI	230		Mirror,Outer R/C RT	R & I Assembly			0.3	SM
9	RI	228		Handle,Front Door Otr RT	R & I Assembly			0.8	SM
10	I	190	07	Pillar,Center RT	Repair			3.0*	SM
11	L	190		Pillar,Center RT	Refinish			1.0	RF
					1.0 Surface				
12	EU	288		Door Assembly,Rear RT	RECYCLED PART	\$550.00*	+25.00	3.1	SM
				>> Located from LKQ quote # 478801					
13	L	288		Door Shell,Rear RT	Refinish			3.2	RF
					1.8 Surface				
					1.0 Edge				
					0.4 Two-stage				
14	E	384		W/Strip,Rear Door RT	6787133070	\$76.09		INC	SM
15	E	489		W/Strip,Rear Door RT	6788733010	\$36.98		INC	SM
16	E	491		W/Strip,Rear Door RT	6789533010	\$10.92		INC	SM
17	RI	361		W/Strip,RR Door Body RT	R & I Assembly			0.5	SM
18	RI	400		Mldg,Rear Door Scalp RT	R & I Assembly			0.2	SM
19	RI	320		Mldg,Rear Door Belt RT	R & I Assembly			INC	SM
20	L	324		Mldg,Rear Door Side RT	Refinish			0.6	RF
					0.5 Surface				
					0.1 Two-stage				
21	RI	324		Mldg,Rear Door Side RT	R & I Assembly			0.4	SM
22	RI	1169		Clip,Rear Door Mldg RT	R & I Assembly				SM
23	E	1351		Clip,Rear Door Mldg RT	6821130180	\$2.59			SM
24	E	322	01	Pnl,Inner Door Trim RT	6763033720A2	\$577.38		INC	SM
25	RI	296		Glass,Rear Door T RT	R & I Assembly			0.9	SM
26	RI	253		Channel,Rear Glass Run RT	R & I Assembly			0.3	SM
27	L	292		Hinge,Rear Door Upper RT	Refinish			0.3	RF
					0.3 Surface				
28	L	294		Hinge,Rear Door Lower RT	Refinish			0.3	RF
					0.3 Surface				
29	RI	380		Rod,Rear Door Check RT	R & I Assembly			0.2	SM
30	RI	306		Handle,RR Door Outer RT	R & I Assembly			INC	SM
31	BR	44	13	Panel,Roof Side RT	Blend Refinish			1.5	RF
					0.6 Blend				
					0.6 Two-stage setup				
					0.3 Two-stage				
32	RI	257		Mldg,Roof Drip RT	R & I Assembly			0.3	SM

25.

33	RI	369		Back Glass R & I	R & I Assembly		3.4	SM
34	EC	371		Sealant Kit,Back Glass	Replace Economy	\$25.00*	INC	SM
35	E	390		Panel,Quarter RT	6160133271	\$543.42	14.2	SM
36	L	390		Panel,Quarter RT	Refinish		3.6	RF
					2.2 Surface			
					1.0 Edge			
					0.4 Two-stage			
37	I	414	07	Pnl,Wheelhouse Outer RT	Repair		2.0*	SM
38	L	414		Pnl,Wheelhouse Outer RT	Refinish		0.3*	RF
					0.3 Surface			
39	E	186		Shield,Quarter Panel RT	5874733020	\$13.66	0.2	SM
40	RI	560		Lens,Tallamp RT	R & I Assembly		INC	SM
41	RI	566		Rear Bumper Cover R&I	R & I Assembly		INC	SM
42	I	M37		Unibody-Realignment-Rtctr	Repair		1.5*	FR
43	N	M69		Glass Clean Up	Additional Labor		1.0*	SM
44	EC	M70		Cover Car Interior	Replace Economy	\$5.00*		SM*
45	EC			Corrosion Protection	Replace Economy	\$5.00*	0.2*	SM*
46	I			Set-Up And Measure	Repair		1.5*	SM*
47	N			Hazardous Waste Removal	Additional Labor	\$3.00*		SM

47 Items

MC Message

- 01 CALL DEALER FOR EXACT PART # / PRICE
- 07 STRUCTURAL PART AS IDENTIFIED BY I-CAR
- 13 INCLUDES 0.6 HOURS FIRST PANEL TWO-STAGE ALLOWANCE

Estimate Total & Entries

Gross Parts		\$1,261.04			
Other Parts		\$588.00			
Paint Materials		\$399.30			
Line Item Markup		\$137.50			
Parts & Material Total			\$2,385.84		
Tax on Parts & Material	@ 5.500%		\$131.22		
Labor					
	Rate	Replace Hrs	Repair Hrs		
			Total Hrs		
Sheet Metal (SM)	\$53.00	26.3	7.5	33.8	\$1,791.40
Mech/Elec (ME)	\$80.00				
Frame (FR)	\$60.00		1.5	1.5	\$90.00
Refinish (RF)	\$53.00	12.1		12.1	\$641.30
Paint Materials	\$33.00				
Labor Total				47.4 Hours	\$2,522.70
Tax on Labor			@ 5.500%		\$138.75
Gross Total					\$5,178.51
Less: Deductible					\$250.00-
Net Total					\$4,928.51

Alternate Parts Y/00/00/00/00/00 CUM 00/00/00/00/00 Zip Code: 53121 Walworth co
 Recycled Parts Y/6/0 Zip Code: 53783 INV DATE: 02/03/2011

Audatex Estimating 6.0.512 ES 02/07/2011 07:50 AM REL 6.0.512 DT 01/01/2011 DB 02/01/2011
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2.2 HRS WERE ADDED TO THIS ESTIMATE BASED ON AUDATEX'S TWO-STAGE REFINISH FORMULA.

___ THIS IS NOT AN AUTHORIZATION TO REPAIR, VEHICLE OWNER MUST AUTHORIZE.
 ___ AGREED PRICE ONLY.
 ___ WE ACCEPT AND AGREE TO DO THE DESCRIBED REPAIRS AT TOTAL REPAIR COST SHOWN.
 ___ SIGN _____ DATE _____

*****WE WILL NOT ACCEPT ANY SUPPLEMENTS UNLESS THEY ARE WRITTEN BY

26.

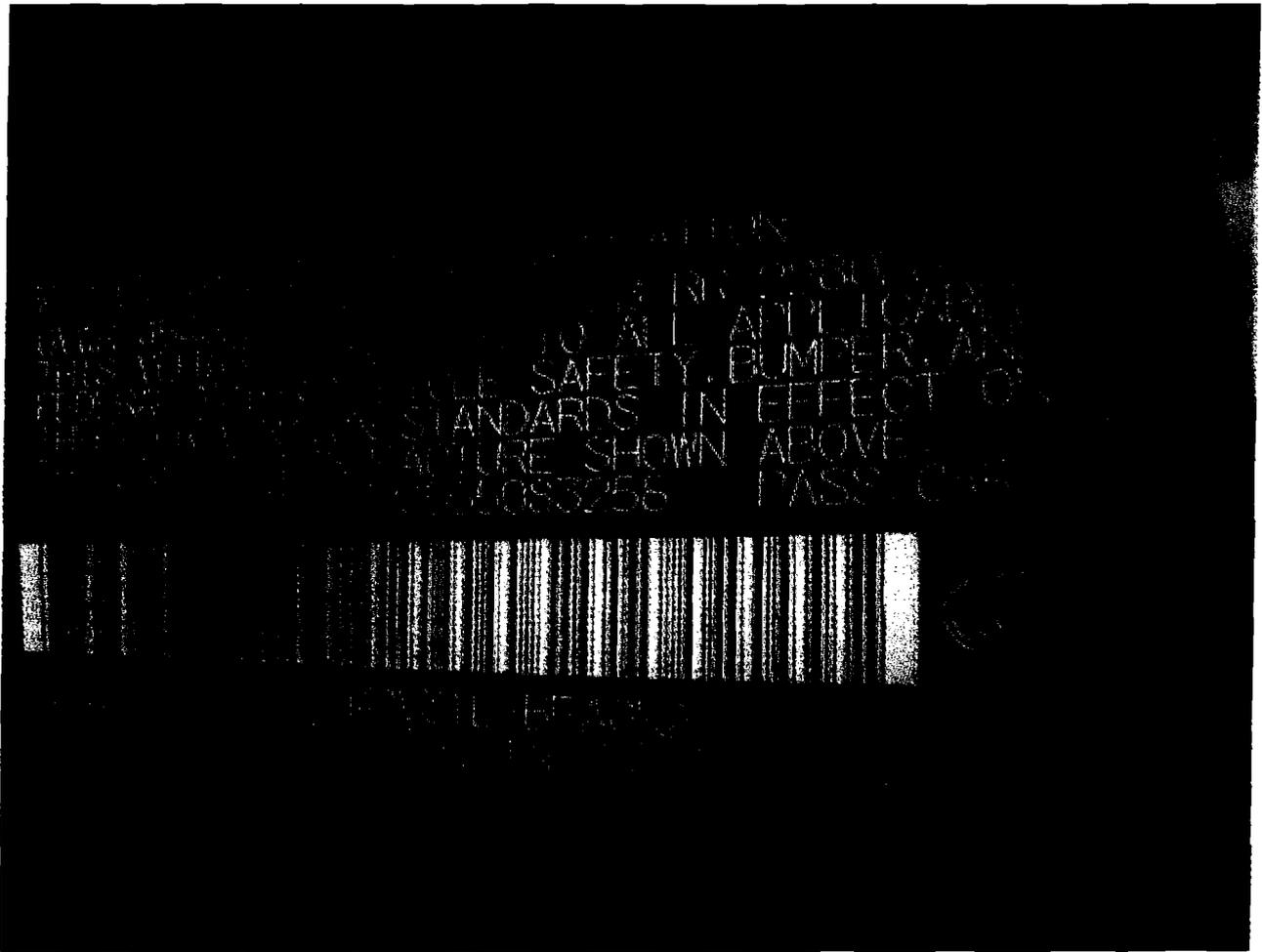
AND HAVE PRIOR APPROVAL OF A REPRESENTATIVE OF THIS COMPANY.*****

THIS ESTIMATE HAS BEEN PREPARED BASED ON THE USE OF ONE OR MORE REPLACEMENT PARTS SUPPLIED BY A SOURCE OTHER THAN THE MANUFACTURER OF YOUR MOTOR VEHICLE. WARRANTIES APPLICABLE TO THESE REPLACEMENT PARTS ARE PROVIDED BY THE MANUFACTURER OR DISTRIBUTOR OF THE REPLACEMENT PARTS RATHER THAN BY THE MANUFACTURER OF YOUR MOTOR VEHICLE.

Op Codes

* = User-Entered Value	E = Replace OEM	NG = Replace NAGS
EC = Replace Economy	OE = Replace PXN OE Srpls	UE = Replace OE Surplus
ET = Partial Replace Labor	EP = Replace PXN	EU = RECYCLED PART
TE = Partial Replace Price	PM = Replace PXN Reman/Reblt	UM = Replace Reman/Rebuilt
L = Refinish	PC = Replace PXN Reconditioned	UC = Replace Reconditioned
TT = Two-Tone	SB = Sublet Repair	N = Additional Labor
BR = Blend Refinish	I = Repair	IT = Partial Repair
CG = Chipguard	RI = R & I Assembly	P = Check
AA = Appearance Allowance	RP = Related Prior Damage	

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CLAIM RECORD OF PAYMENT DISPLAY

CLAIM: 00-471-478664 ST: 48 POLICY: 07-528346-03 INCURRED: 02/02/2011
INSURED: LENTZ, CYNTHIA C BENEFITS/LOSSES PAID TO DATE: 5618.51

LEGAL EXPENSE: 0.00
MEDICAL EXPENSE: 0.00
OTHER EXPENSE: 2.00

NO	DATE	PAYMT#	TYPE	ID	PER	LOSS PAYMENTS AMOUNT	CREDITS AMOUNT	EXPENSE PAYMENTS AMOUNT
01	02/28/2011	0047887528	05	00	025			2.00

IN PAYMENT OF: POLICE/FIRE REPORT
PR# 11-03220

PAYEE/PAYOR: WALWORTH COUNTY SHERIFF'S DEPT

RECONCILED: 00 03082011 TIN: * NONE * WITH TAKEN: N

02 02/28/2011 REVERSAL 01 00 025 4928.51

03 02/28/2011 REVERSAL 01 01 025 -4928.51

NEXT --

OPT -- POL -- CLM -- DRFT --

ENTER OR PF8=PAGE FORWARD PF3=COPS MENU PA2=COMPANY MENU

CLAIM RECORD OF PAYMENT DISPLAY

CLAIM: 00-471-478664 ST: 48 POLICY: 07-528346-03 INCURRED: 02/02/2011
INSURED: LENTZ, CYNTHIA C BENEFITS/LOSSES PAID TO DATE: 5618.51

LEGAL EXPENSE: 0.00
MEDICAL EXPENSE: 0.00
OTHER EXPENSE: 2.00

NO	DATE	PAYMT#	TYPE	ID	PER	LOSS PAYMENTS AMOUNT	CREDITS AMOUNT	EXPENSE PAYMENTS AMOUNT
04	02/28/2011	REVERSAL	01	00	022	690.00		

05 02/28/2011 REVERSAL 01 01 022 -690.00

06 02/25/2011 0094761845 01 01 022 690.00

IN PAYMENT OF: GROUP PAYMENT FOR PAYEE CODE C38

PAYEE/PAYOR: ENTERPRISE RENT A CAR COMPANY

RECONCILED: 00 03022011 TIN: 430724835-1 WITH TAKEN: N

NEXT --

OPT -- POL -- CLM -- DRFT --

ENTER OR PF8=PAGE FORWARD PF7=PAGE BACK PF3=COPS MENU PA2=COMPANY MENU

CLAIM RECORD OF PAYMENT DISPLAY

CLAIM: 00-471-478664 ST: 48 POLICY: 07-528346-03 INCURRED: 02/02/2011
INSURED: LENTZ, CYNTHIA C BENEFITS/LOSSES PAID TO DATE: 5618.51

LEGAL EXPENSE: 0.00
MEDICAL EXPENSE: 0.00
OTHER EXPENSE: 2.00

NO	DATE	PAYMT#	TYPE	ID	PER	LOSS PAYMENTS AMOUNT	CREDITS AMOUNT	EXPENSE PAYMENTS AMOUNT
07	02/07/2011	0000048600	01	01	025	4928.51		

IN PAYMENT OF: \$250 DED APPLIED

PAYEE/PAYOR: LENTZ, BENJAMIN & KEITHS AUTO BODY

RECONCILED: 00 03032011 TIN: 391704169-1 WITH TAKEN: N

NEXT --

OPT -- POL -- ----- -- CLM -- --- ----- DRFT -----

ALL PAYMENTS FOR THIS CLAIM HAVE BEEN DISPLAYED. PF7=PAGE BACK PF3=COPS MENU

RECEIVED
WALWORTH COUNTY CLERK

PROGRESSIVE

2011 MAR 21 AM 8:28

Payment Address
24544 Network Place
Chicago, IL 60673-1243

Document Address
P.O. Box 512929
Los Angeles, Ca 90051
Phone: (877)818-0139
Fax: (888) 781-6947

03/14/2011 09:46:00 AM
Certified Mail 91 7108 2133 3934 2394 3553
91 7108 2133 3934 2394 3560 Return Receipt Requested

WI MUNICIPAL MUTUAL
4785 HAYES ROAD
MADISON, WI 53704

AND

WALWORTH COUNTY
COUNTY CLERK'S OFFICE
P.O. BOX 1001
ELKHORN, WI 53121

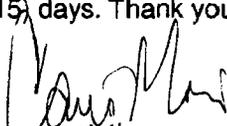
Your Client: WALWORTH COUNTY HIGHWAY DEPARTMENT
Your Claim Number: UNKNOWN
Our Insured: THOMAS BARKAS
Our Claim Number: 11-4706117
Amount Subject to Reimbursement: \$1,980.07
Amount of Insured's Deductible: \$500.00

Please take this as formal notice of our subrogation rights relative to the above -captioned claim. We have completed our investigation into the facts of the above-captioned loss and find that your insured was the proximate cause of the accident.

Location of Loss: HIGHWAY 14 DARION, WI
Date and Time of Loss: 2/11/2011 - 8:15 A.M.

Description of Loss: Our insured driver, Patricia Barkas, was traveling in a 2002 Chevrolet Cavalier. In front of our insured's vehicle was another vehicle. In front of that was a Walworth County snow plow truck. All three vehicles approached a four way stop and began to slow. Suddenly, just short of the intersection, the plow truck started to reverse. The vehicle in front of our insured's was able to dodge the plow truck by moving to the left, however our insured was not able to maneuver quick enough, she was only able to turn her steering wheel to the left before being struck by the plow truck. Collision damage was caused to the passenger side door, and the salt mechanism actually broke out the passenger side rear glass of our insured's vehicle. The Walworth Sheriff's Office responded to the scene and documented report number 1104130. The report should have the name of the plow driver involved in the loss.

Please make your draft payable to Progressive Classic Insurance Company as subrogee of "THOMAS BARKAS", in the amount stated above and mail it to the attention of the undersigned at your earliest convenience. All supporting documentation is enclosed. I have diaried my file ahead fifteen (15) days. Thank you for your anticipated, prompt attention to this matter.


Carrie Morris
Subrogation Representative
Progressive Classic Insurance Company
Tel. 877-818-0139 Ext 37096
Fax. 888-781-6947
carrie_m_morris@progressive.com

Claim Payment Detail (11-4706117)

Payment Information			
Number:	469055840	Total Amount:	\$1,480.07
EFT Trace Number:			
Paid To:	PATRICIA A BARKAS AND SCOT KOEPKE & SONS, ONLY*****		
Payee Address:	W9387 HUSTIS STREET DARIEN, WI 53114 USA		
In Payment Of:	COLL - 02 CHEVY CAVALIER - LESS \$500 DED - FFP		

Vendor Information			
1099 Required:	Yes	Vendor Name:	SCOT KOEPKE & S...
		Vendor Type:	BODYSHOP

Reviewed Summary			
Issuing Rep:	A080879	Approved By:	
Issue Date:	02-15-11	Review Date:	
Last Updated Rep:	A080879	Reviewed By:	

Bank Information			
Type:	Loss	CDS Code:	13-PCL
Stop Reason:		Bank Code:	AS2
Stop Date:		State:	WI
Cleared:	03-08-11	Area Code:	

Exposure Detail: COLL			
Party Name:	BARKAS, PATRICIA A	Amount Paid:	\$1,480.07
Property Description:	02 CHEVR CAVALIER LS...	Deductible Taken:	\$500.00
Exposure:	COLL	Property Damage:	\$1,980.07
Payment Type:	FINAL PAYMENT	Towing:	\$0.00
New Parts Discount:	0%	Rental:	\$0.00
Used Parts:	\$0.00	Misc:	\$0.00

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Date: 02/15/2011 09:56 AM
 Estimate ID: 11-4706117-01
 Estimate Version: 0
 Committed
 Profile ID: Waiwrth:all_part_typ

Progressive Insurance

Damage Assessed By: NATHAN BORGEN

Claim Rep: NATHAN BORGEN
 (262) 909-1976

* Product Type: Auto
 * Date of Loss: 02/11/2011
 * Deductible: 500.00
 * Claim Number: 11-4706117-01

Insured: THOMAS BARKAS
 Claimant: PATRICIA BARKAS
 Address: W9387 HUSTIS STREET, DARIEN, WI 53114
 Telephone: Work Phone: (262) 723-2626 Home Phone: (262) 724-5054
 Owner: PATRICIA BARKAS
 Address: W9387 HUSTIS STREET, DARIEN, WI 53114
 Telephone: Work Phone: (262) 723-2626 Home Phone: (262) 724-5054

Mitchell Service: 914493

Description: 2002 Chevrolet Cavalier LS Vehicle Production Date: 8/01
 Body Style: 4D Sed Drive Train: 2.2L Inj 4 Cyl 4A FWD
 VIN: 1G1JF524027140309 License: 480-DXK WI
 Mileage: 128,390
 OEM/ALT: A Search Code: BROOKFEL1
 Color: GOLD
 Options: VEHICLE ANTI-THEFT, PASSENGER AIRBAG, DRIVER SIDE AIRBAG, POWER LOCK
 POWER WINDOW, POWER STEERING, REAR WINDOW DEFOGGER, MANUAL AIR CONDITION
 CRUISE CONTROL, TILT STEERING COLUMN, ANTI-LOCK BRAKE SYS., 4-DOOR, CD PLAYER
 POWER ADJUSTABLE EXTERIOR MIRROR, AUTOMATIC TRANSMISSION, FRONT AIR DAM
 TINTED GLASS, FIRST ROW BUCKET SEAT, SECOND ROW BENCH SEAT, KEYLESS ENTRY
 SECOND ROW FOLDING SEAT, REAR HEATING, VENTILATION & AIR CONDITIONING
 CLOTH SEAT, TACHOMETER, REMOTE DECKLID OR TAILGATE RELEASE
 DAYTIME RUNNING LIGHTS

Line Item	Entry Number	Labor Type	Operation	Line Item Description	Part Type/Part Number	Dollar Amount	Labor Units
1	400849	REF	BLEND	R Frt Door Outside			C 0.9
2	404368	BDY	REMOVE/INSTALL	R Frt Door Rear Applique			0.2
3	404364	BDY	REMOVE/INSTALL	R Frt Belt Moulding			0.6 #
4	404366	BDY	REMOVE/INSTALL	R Frt Door Mirror			INC #
5	404348	BDY	REMOVE/INSTALL	R Frt Door Adhesive Moulding	Existing		0.2 r
6	401052	BDY	REMOVE/INSTALL	R Frt Door Lock Cylinder			1.8 #
7	403770	BDY	REMOVE/INSTALL	R Frt Door Outside Handle	Existing		0.3 #r
8	401126	BDY	REMOVE/INSTALL	R Frt Door Glass Run	Existing		0.2 #r
9	700132	BDY	REMOVE/REPLACE	R Rear Replace Door Assy	Used/Recycled	225.00 *	1.1
10	AUTO	REF	REFINISH	R Rear Door			C 2.0
11	BDY	REMOVE/INSTALL	R Rear Applique				0.2
12	AUTO	REF	REFINISH	R Rear Add For Jamba & Interior			C 1.0
13	BDY	REMOVE/INSTALL	R Rear Door Handle				0.3
14			Line Markup %25.00			56.25	
15	401176	BDY	REMOVE/INSTALL	R Rear Door Front Applique			0.2
16	401895	BDY	REMOVE/INSTALL	R Rear Belt Moulding			0.3 #
17	402456	BDY	REMOVE/INSTALL	R Rear Door Adhesive Moulding	Existing		0.2 r
18	401239	GLS	REMOVE/INSTALL	R Rear Door & Vent Glass			1.6 #
19	401253	BDY	REMOVE/INSTALL	R Rear Door Glass Run	Existing		0.2 #r
20	405009	BDY	REPAIR	R Quarter Outer Panel	Existing		6.0* #
21	AUTO	REF	REFINISH	R Quarter Panel Outside			C 1.7
22	403541	BDY	REMOVE/INSTALL	R Antenna			0.2
23	403864	BDY	REMOVE/INSTALL	R Quarter Joint Moulding (Adhesive)	Existing		0.2 r
24	404650	BDY	REMOVE/INSTALL	R Rear Otr Lamp Assy			0.3
25	404607	BDY	REMOVE/INSTALL	Rear Bumper Assy			0.5*
26				1/2 DROP RT SIDE			

ESTIMATE RECALL NUMBER: 02/15/2011 09:56:12 11-4706117-01

Mitchell Data Version: OEM: DEC_10_V

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UltraMate Version: 7.0.225

Page 1 of 4

37.

Date: 02/15/2011 09:56 AM
 Estimate ID: 11-4706117-01
 Estimate Version: 0
 Committed
 Profile ID: Walwrth:all_part_typ

27	AUTO	REF	ADD'L OPR	Clear Coat		
28	AUTO		ADD'L COST	Paint/Materials	240.90	*
29	AUTO		ADD'L COST	Hazardous Waste Disposal	3.00	*
30	900500	BDY *	ADD'L LABOR OP	HAND STRIPE, DOUBLE	85.00	* 0.0*
31	900500	BDY *	ADD'L LABOR OP	GLASS CLEANUP		2.0*

* - Judgment Item
 # - Labor Note Applies
 C - Included In Clear Coat Calc
 r - CEG R&R Time Used For This Labor Operation

Disclaimer: The price indications on recycled parts are real or composite values, based on the pricing option selected with QRP. Prices are the latest available at time of inventory download and are subject to change and availability.

To determine actual repairer net or wholesale price, call the automotive recycler of your choice.

All manufacturers requirements regarding seat belt and supplemental restraint system replacement must be adhered to. If additional parts or operations are necessary to properly accomplish this, please contact the estimating claims rep.

Estimate Totals

I. Labor Subtotals						II. Part Replacement Summary		
	Units	Rate	Add'l Labor Amount	Sublet Amount	Totals			Amount
Body	15.0	53.00	0.00	85.00	880.00	T	Taxable Parts	225.00
Refinish	7.3	53.00	0.00	0.00	386.90	T	Parts Adjustments	56.25
Glass	1.6	53.00	0.00	0.00	84.80	T	Sales Tax @ 5.500%	15.47
					1,351.70		Total Replacement Parts Amount	296.72
					74.34			
Labor Summary	23.9				1,426.04			
III. Additional Costs						IV. Adjustments		
					Amount			Amount
Taxable Costs					243.90		Insurance Deductible	500.00-
Sales Tax @ 5.500%					13.41		Customer Responsibility	500.00-
Total Additional Costs					257.31			
Paint Material Method: Rates Init Rate = 33.00								
						I.	Total Labor:	1,426.04
						II.	Total Replacement Parts:	296.72
						III.	Total Additional Costs:	257.31
							Gross Total:	1,980.07
						IV.	Total Adjustments:	500.00-
							Net Total:	1,480.07

Point(s) of Impact
 4 Right Rear Side (P)

ESTIMATE RECALL NUMBER: 02/15/2011 09:56:12 11-4706117-01

Mitchell Date Version: OEM: DEC_10_V

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UltraMate Version: 7.0.225

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38.

Date: 02/16/2011 09:56 AM
Estimate ID: 11-4706117-01
Estimate Version: 0
Committed
Profile ID: Wahwrth:all_part_typ

Inspection Site: NON NETWORK

THIS IS A DAMAGE ASSESSMENT ONLY - NOT AN AUTHORIZATION TO REPAIR -
BASED ON DAMAGE VISIBLE OR CERTAIN AT THE TIME IT WAS WRITTEN.

IF FRAME OR UNIBODY REPAIR IS INCLUDED ON THIS ESTIMATE, THE AMOUNT
SHOWN INCLUDES TIME OR ALLOWANCE FOR MEASURING BEFORE, DURING AND
AFTER THOSE REPAIRS.

THE OWNER OF THE VEHICLE MAY SELECT THE REPAIR FACILITY OF HIS/HER
CHOICE.

TO ENSURE PROPER AND PROMPT PAYMENT FOR ADDITIONAL DAMAGE DISCOVERED
DURING THE COURSE OF REPAIRS, CONTACT PROGRESSIVE FOR SUPPLEMENT
HANDLING PROCEDURES.

PROGRESSIVE HONORS THE PREVAILING LABOR MARKET RATE IN YOUR AREA FOR
YOUR PROPERTY. IF YOU CHOOSE A SHOP THAT CHARGES IN EXCESS OF
PREVAILING LABOR MARKET RATES, YOU WILL BE RESPONSIBLE FOR THE
DIFFERENCE.

LIFETIME GUARANTEE FOR SHEET METAL AND PLASTIC BODY PARTS

The replacement parts written on the estimate are intended to return
your vehicle to its pre-loss condition with proper installation.
After repair, if any sheet metal or plastic body part included in the
estimate fails to return your vehicle to its pre-loss condition
(assuming proper installation), in terms of form, fit, finish,
durability or functionality, Progressive will arrange and pay for the
replacement of the part, to the extent not covered by a
manufacturer's or other warranty. This service will be performed at
no cost to you (including associated repair and rental car costs). To
obtain service under this Guarantee, call Progressive at
1-800-274-4641. This Guarantee applies as long as you own or lease
the vehicle. This Guarantee is not transferable and terminates if you
sell or otherwise transfer your vehicle.

THIS GUARANTEE DOES NOT COVER NORMAL WEAR AND TEAR OR DAMAGE CAUSED
BY IMPROPER MAINTENANCE, NEGLECT, ABUSE OR SUBSEQUENT ACCIDENT. THIS
GUARANTEE IS LIMITED TO ARRANGING FOR THE SELECTION OF REPAIR PARTS
THAT WILL RETURN YOUR VEHICLE TO ITS PRE-LOSS CONDITION. ACCORDINGLY,
PROGRESSIVE WILL NOT BE LIABLE FOR ANY INDIRECT, INCIDENTAL OR
CONSEQUENTIAL DAMAGES THAT RESULT FROM THE INSTALLATION OR USE OF
THESE PARTS.

Part Type Terms and Abbreviations

NEW and OEM or part number displayed - These refer to a new, original
equipment manufacturer part.

NON-OEM and A/M and Qual REPL - These refer to an after-market part,
which is a new, non-original equipment manufacturer part.

USED/RECYCLED and LKQ - These refer to a used OEM part.

REMANUFACTURED and RECOND. and RECORE - These refer to used/recycled
OEM parts that have been refurbished.

REPAIR SHOP'S AUTHORIZED REPRESENTATIVE'S SIGNATURE INDICATING

ESTIMATE RECALL NUMBER: 02/15/2011 09:56:12 11-4706117-01

Mitchell Data Version: OEM: DEC_10_V

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Page 3 of 4

39.

Date: 02/15/2011 09:56 AM
Estimate ID: 11-4706117-01
Estimate Version: 0
Committed
Profile ID: Wahwrth:all_part_typ

AGREEMENT ON COST TO RETURN THE VEHICLE TO PRE-LOSS CONDITION
INCLUDING TOW/STORAGE CHARGES:

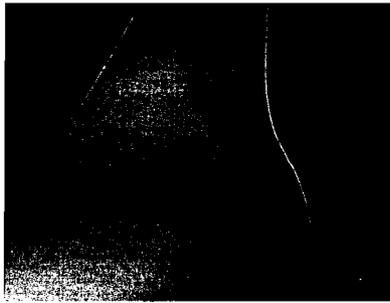
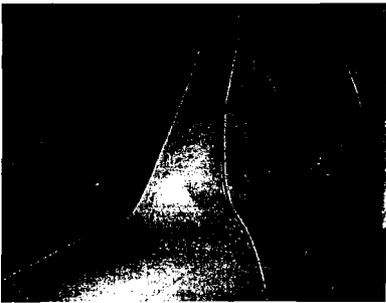
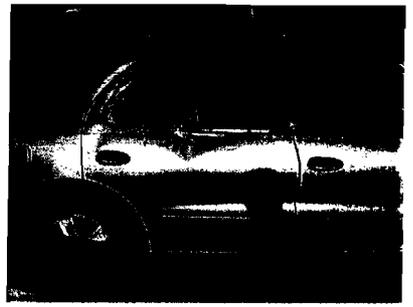
SHOP SIGNATURE: _____ EST. COMPLETION DATE: _____

ANY PERSON WHO, WITH INTENT TO DEFRAUD OR KNOWING THAT HE/SHE IS
FACILITATING A FRAUD AGAINST AN INSURER, SUBMITS AN APPLICATION OR
FILES A CLAIM CONTAINING A FALSE OR DECEPTIVE STATEMENT IS GUILTY OF
INSURANCE FRAUD.

Event Log

File Created:	02/15/2011 09:35:53 AM
Estimate Started:	02/15/2011 09:36:47 AM
Estimate Printed:	02/15/2011 09:42:38 AM
Estimate Committed:	02/15/2011 09:56:12 AM
Estimate Uploaded:	02/15/2011 09:56:34 AM

40.



015
XREJO YTR

WASSEL, HARVEY & SCHUK, LLP

1094 D. ANN STREET P.O. BOX 524
DELAVAN, WISCONSIN 53115-0524

STEVEN R. WASSEL
STEVEN C. HARVEY
BRIAN A. SCHUK

TELEPHONE: (262) 728-0700
FAX: (262) 728-0300

NATHAN M. JUROWSKI

WWW.WASSELHARVEYSCHUK.COM

March 16, 2011

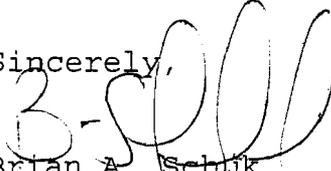
Re: Town of Bloomfield Zoning

Dear Madam Clerk:

Enclosed herewith please find eight (8) copies of the Chapter 27 Zoning Ordinance for the Town of Bloomfield. Pursuant to Wisconsin statute, all zoning amendments by the Town of Bloomfield must be approved by the County Board. In further discussing this matter with Attorney Mike Cotter, the Town of Bloomfield is to submit all Town zoning requests to your office for dissemination to the County Zoning Committee for review. Please find one copy for the County's official records, and 7 copies for the Zoning Committee. I ask that you please forward these on to the County Zoning Committee for review before its April 20, 2011 Committee meeting.

Thank you for your attention to this matter.

Sincerely,


Brian A. Schuk

hsh
enclosure

To: Walworth County Clerk's Office (via hand delivery)

ORDINANCE NO. 1056

Date: March 10, 2011

This is an ordinance to repeal and recreate the Town of Bloomfield, Walworth County, Wisconsin Zoning Ordinance sec. 27-20 2) d).

The Town Board of the Town of Bloomfield, Walworth County, Wisconsin, does hereby ordain as follows:

Section One: Section 27-20 2) d) for Town of Bloomfield, Walworth County, Wisconsin is hereby amended as follows:

The size (square footage at ground floor elevation) of accessory structures shall be based on lot area. The area shall be considered the net area less area zoned C-1 and C-4 in lots less than 5 acres. The total accessory structure floor area shall be calculated as follows:

Parcel from 0 to 12,000 square feet (sq. ft.): Total size of all accessory structures cannot exceed 10% of lot area.

Parcel 12,001 sq. ft. to 1.99 acres: Total size of all accessory structures cannot exceed 1,200 sq. ft.

Parcel 2 acres to 2.99 acres: Total size of all accessory structures cannot exceed 1,700 sq. ft.

Parcels 3 acres to 3.99 acres: Total size of all accessory structures cannot exceed 2,200 sq. ft.

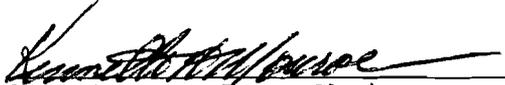
Parcels 4 acres to 4.99 acres: Total size of all accessory structures cannot exceed 2,700 sq. ft.

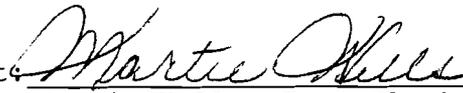
Parcels 5 acres or more that contain areas zoned C-1 & C-4 that are equal to or greater than the lot area of the primary buildable zoning area can be used in the area calculation for accessory structures upon obtaining a conditional use for the accessory structure. Total size of all accessory structures cannot exceed 1.5% of the complete lot area.

The Town Plan Commission shall consider the buildable acres relationship with the setbacks, and intensity of building envelopes prior to final approval of the conditional use.

Section Two: Pursuant to Sec. 66.0103 and 60.80(3) and (5), Wis. Stats., this Ordinance shall be effective the day after its publication subsequent to its adoption.

Adopted this 10th day of March, 2011.


Ken Monroe, Town Chairperson

Attest: 
Martie Wells, Town Clerk

WASSEL, HARVEY & SCHUK, LLP

1034 DANFORTH STREET, P.O. BOX 524
DELAWARE, WISCONSIN 53115-0524

STEVEN R. WASSEL
STEVEN C. HARVEY
BRIAN A. SCHUK

TELEPHONE: (262) 728-0700
FAX: (262) 728-0300

NATHAN M. JUROWSKI

WWW.WASSELHARVEYSCHUK.COM

March 17, 2011

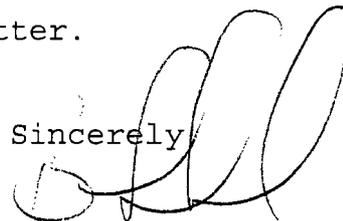
Re: Town of Bloomfield Zoning
Ordinance No. 1057
Nippersink Rezone

Dear Madam Clerk:

Enclosed herewith please find eight (8) copies of the Chapter 27 Zoning Ordinance for the Town of Bloomfield. Pursuant to Wisconsin statute, all zoning amendments by the Town of Bloomfield must be approved by the County Board. In further discussing this matter with Attorney Mike Cotter, the Town of Bloomfield is to submit all Town zoning requests to your office for dissemination to the County Zoning Committee for review. Please find one copy for the County's official records, and 7 copies for the Zoning Committee. I ask that you please forward these on to the County Zoning Committee for review before its April 20, 2011 Committee meeting.

Thank you for your attention to this matter.

Sincerely,



Brian A. Schuk

hsh
enclosure

To: Walworth County Clerk's Office (via hand delivery)

MARCH 7, 2011
ORDINANCE NO. 1057

ORDINANCE AMENDING THE ZONING ORDINANCE OF THE TOWN OF
BLOOMFIELD

THE TOWN BOARD OF THE TOWN OF BLOOMFIELD DOES HEREBY ORDAIN
AS FOLLOWS:

That the Zoning Ordinance for the Town of Bloomfield,
Wisconsin, is hereby amended by rezoning the following
described property:

Tax parcels: MNPS 400063, MNPS 400062, MNPS
400061, MNPS 400060, MNPS 400059, MNPS 400057, MNPS
400056, MNPS 400055, MNPS 400054, MNPS 400053, MNPS 400051,
MNPS 400050, MNPS 400049, MNPS 400048, MNPS 400047, MNPS
400044, MNPS 400043, MNPS 400042, MNPS 400041, MNPS 300040,
MNPS 300039, MNPS 300038, MNPS 300037, MNPS 300036, MNPS
300035, MNPS 300034, MNPS 300033, MNPS 300032, MNPS 300031,
MNPS 300030.

FROM

B-5 Planned Commercial Recreational Business District

TO

R-1 Single Family Residence District (unsewered)

as shown on the proposed rezone area map located at the
Town Clerk's office.

Pursuant to Sec. 66.0103, 60.80(1) and (3), and
985.02, Wis. Stats., this Ordinance shall be effective the
day after its publication subsequent to its adoption.

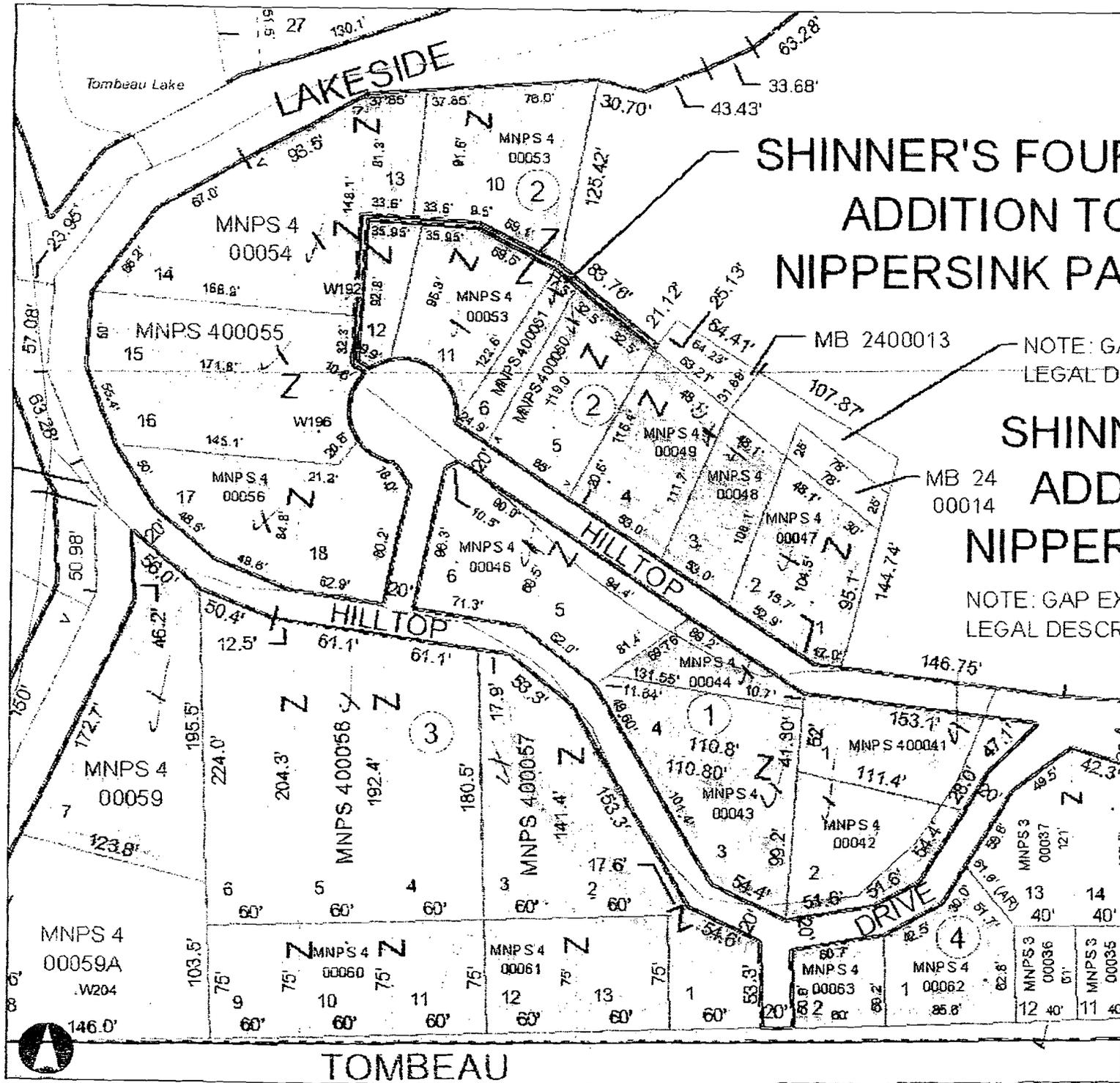
Adopted this 7th day of March, 2011.

Ken Monroe, Town Chair

Attest: _____
Martie Wells, Town Clerk

46-

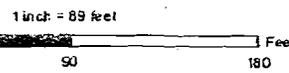
Walworth County Interactive Mapping System



- Address Points
- PLSS Lines
 - PLSS Section Line
 - PLSS Quarter Section Line
- Shoreland Area
 - Riparian
 - Gross Sanctuary Ground
 - Extra-Territorial Zoning Area
- USGS Stream
 - Perennial Stream
 - Intermittent Stream
 - Soil Survey Area
- Comp. Land Use Plan 2035
 - Urban Densely Residential (Less than 50 acres/dwelling)
 - Rural Densely Residential (At Least 50 acres/dwelling)
 - Commercial
 - Community/Retirement
 - Neighborhood
 - Industrial
 - Government and Institutional
 - Recreational
 - Transportation, Communication and Utilities
 - Agricultural Related Manufacturing, Warehousing and Manufacture
 - Streets and Highways
 - Urban Reserve
 - Estuarine
 - Sanitary Landfill
 - Prime Agricultural (Min Parcel Size: 30 ac)
 - Other Agricultural: Rural Residential (5 to 34 acres/dwelling)
 - Other Agricultural: Rural Residential (5 to 19 acres/dwelling)
 - Other Agricultural: Rural Residential (20 to 34 acres/dwelling)
 - Primary Environmental Corridor
 - Secondary Environmental Corridor
 - Isolated Natural Resource Area
 - Owner - DNR, Owner - DOT
 - Other Open Lands to be Preserved
 - Surface Water
- 2000 Environmental Corridors
 - Primary Environmental Corridor
 - Secondary Environmental Corridor
 - Isolated Natural Resource Area
 - Surface Water
- 2 FT Topographic Contours
 - Index
 - Intermediate
 - Index Depression
 - Intermediate Depression
 - Approximate Index
 - Approximate Intermediate
 - Approximate Index Depression
 - Approximate Intermediate Depression
 - Spot Elevations
 - Structure Outlines
 - Right of Way
- Parcel Lines
 - Parcel Line
 - Extended Parcel Line
 - Tie Line
 - Means or Line
 - Tax Parcels
- Parcel Labels
 - Subdivision Plat, Assessor's Plat
 - Control Survey Map
 - Condemnation Plat
 - Casualty Plat
 - Civil Control Boundary

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The information provided on this map has been produced and processed from sources believed to be reliable. No warranty, expressed or implied, is made regarding accuracy, adequacy, completeness, legality, reliability or usefulness of this information. The information contained herein will not be accepted as an official document.



To: Attorney David A. Bretl
Attorney Michael Cotter
From: Gene Pulera, Resident of Richmond Township, Walworth County, WI
Date: April 3, 2011
Subject: **Public Health Risk**

Dear Attorney Bretl and Attorney Cotter:

The Wisconsin DNR just approved an Environmental Analysis (see <http://dnr.wi.gov/org/es/science/eis/eis.htm>) for the proposed Rock Prairie Dairy (RPD) on a 160 acre A-1 parcel on Highway 14 near the Rock-Walworth County line. This proposed dairy will have 5,200 cows and will generate an enormous amount of manure annually - over 64 million gallons of liquid manure as well as over 9,000 tons of solid waste. The manure, liquid and solid, is raw and untreated. Because the proposed RPD facility will have over 7,280 "animal units," it is classified as a CAFO (Concentrated Animal Feeding Operation) as is any farm with 1,000+ animal units. CAFO facilities are regulated by Wisconsin's Livestock Facility Siting Law; however, their manure spreading fields are not.

As noted in its application filed with the Wisconsin Department of Natural Resources, the proposed RPD has negotiated with land owners to dispose of its raw, untreated manure on their land in Walworth County. As far as I know, this has not been reviewed by the Walworth County Zoning Agency. The proposed RPD also planned to add a spray irrigation unit (i.e., center pivot) to spray raw, untreated liquid manure on one of the land owners in Walworth County but withdrew the plan for now.

Family farms generate and dispose of raw, untreated manure but not on the scale of a CAFO. Furthermore, they do not do it through spray irrigation, which, until now, has been rarely used in Wisconsin.

According to numerous medical articles and the attached February 2011 letter from a Wisconsin Division of Public Health toxicologist to the Wisconsin DNR regarding the proposed RPD, spraying raw, untreated manure through center pivots poses a **public health risk**. Because of this, the owner of the proposed RPD had to remove the center pivots for now at the request of the Wisconsin DNR, in order to continue the waste permitting process expected to be completed in May 2011. However, he plans to install the piping for the center pivots in 2011 in anticipation of fully operationalizing them in 2012 after 'researching' them.

On August 19, 2010, the Walworth County Zoning Agency approved a set of conditional use restrictions for the Nel-Farm in Sugar Creek Township. It is not a CAFO and is one-ninth the size of the proposed RDP, yet its conditional use may provide a good starting point on rules for regulating CAFO spreading fields in Walworth County. The specifics of the Nel-Farm conditional use may be found in the attached letter to Nancy Russell.

I urge Walworth County to consider adopting two new zoning ordinances.

(1) Any CAFO, that wants to dispose raw, untreated manure on spreading fields in Walworth County, must apply for a conditional use permit regardless of whether or not the CAFO facility is located in Walworth County. The conditional use should be at least as strict as that for Nel-Farm.

(2) Given the significant public health risks associated with spraying raw, untreated manure through center pivots, that use of center pivots should be banned in Walworth County, similar to what was done thus far in two Rock County townships [Johnstown and Harmony (under consideration)] and one Walworth County township [Richmond (under consideration)].

(Note. The center pivot pipes for the proposed RPD will go through Bradford and Johnstown road rights-of-way and Rock County road rights-of-way. Since CAFOs are private and not public utilities, Walworth County may also want to consider language that disallows right-of-way permits across town and county roads for center pivot piping.)

These considerations are directed at all CAFOs, without specifically targeting any particular one, whose spreading fields are in or proposed to be in Walworth County, regardless of where the CAFO facility is located. Because CAFOs are regulated at the State level by the Livestock Facility Siting Law, local control over them has been eviscerated. Although the proposed RPD impacts Darien and Richmond Townships in western Walworth County, all Townships in the County are vulnerable. However, we can exert some control over the CAFO spreading fields as they are excluded from the Livestock Facility Siting Law.

When people raise the issue of being sued over the banning of center pivots, they generally think of it as unidirectional, that is, the CAFO owners suing the governmental entity – whether a township, county, or other government agency – to lift the ban. I think the risk to a governmental entity is more complicated than that. If a resident of a governmental entity that does not ban center pivots gets sick from the raw, untreated manure sprayed through them, I could envision a court assessing liability for that person's illness on both the CAFO owners and those governmental entities that allow them to spray manure.

Some people cite Wisconsin's Right to Farm Law as the reason you must allow the spreading of raw, untreated manure using center pivots. I look at Wisconsin's Right to Farm Law as having two parts:

Section 823.08, Stats., applies to lawsuits in which agricultural uses are alleged to be a nuisance. A nuisance is simply an unreasonable activity or use of property that interferes substantially with the enjoyment of life, health or safety of another person. To be a nuisance, an activity or use of property must cause significant harm.

Under s. 823.08, Stats., the statute directs the court to find that an agricultural use is not a nuisance if the court finds **both** of the following to be true:

1. The agricultural use is conducted on land that was in agricultural use without substantial interruption before the plaintiff began the use of the property that the plaintiff alleges was interfered with by the agricultural use.
2. The agricultural use does not present a **substantial threat to public health or safety**.

The practice of spreading raw, untreated manure using center pivots creates a 'substantial threat to public health.' This is substantiated by toxicological and medical evidence. It will cause significant harm to me, my family and neighbors. Moreover, odors created from spreading raw, untreated manure using center pivots will profoundly interfere with our enjoyment of life.

We must act soon or put the public's health at risk.

Regards,



Gene Pulera [Richmond Township / W9539 McFarlane Road / Darien, Wisconsin 53114-1208]

Cc Ms. Pat Grove, R.N., Walworth County Department of Health
Mr. Wayne Redenius, Chairman, Richmond Township, Walworth County, Wisconsin
Ms. Nancy Russell, Chair, Walworth County Board of Supervisors

Attachments

Letter regarding the proposed RPD sent to Ms. Nancy Russell and all Walworth County Board Members

Memo from Dr. Thiboldeaux of the Wisconsin Division of Public Health to Wisconsin DNR regarding the "Public Health setbacks for manure spray irrigation"

Includes Walworth County Zoning Agency – Nel-Farm Conditional Use Details

To: Nancy Russell, Chair
Walworth County Board of Supervisors
Walworth County Administration
P.O. Box 1001
Elkhorn, Wisconsin 53121

From: Gene Pulera, Resident of Richmond Township, Walworth County, WI

Date: March 16, 2011

Subject: **Public Health Risk**

Dear Ms. Russell:

Over the years Walworth County has enforced tight regulations over its agricultural lands. It has generally struck a reasonable balance protecting farmers, non-agricultural residents' home values, businesses, and its tourism industry. A situation has arisen that challenges this balance. It pertains to CAFOs (Confined Animals Feeding Operations with 1,000 Animal Units or greater) outside Walworth County that dispose their raw, untreated waste on Walworth County agricultural lands.

As noted in its application filed with the Wisconsin Department of Natural Resources, the proposed Rock Prairie Dairy on Highway 14 in eastern Rock County has negotiated thus far with land owners to dispose of raw, untreated manure on their land in Walworth County. The proposed Dairy also planned to add a spray irrigation unit (i.e., center pivot) to spray raw, untreated liquid manure on one of the Walworth County owners' land (in Darien Township) but withdrew the plan (for now) based on technical considerations. From the proposed Rock Prairie Dairy's application, I could not tell where they will incorporate, inject or surface spread manure. It was clear, however, where they wanted to put center pivots for application throughout the hot, humid summer months.

We are not talking about a small family farm. We are talking about a farm with 5,200 cows! It will generate enormous amounts of manure. Although construction of the proposed Rock Prairie Dairy may be near, it is important for its investors to know what rules and regulations are required of CAFOs whose spreading fields are in Walworth County.

This letter is intended to address any CAFO that plans to dispose raw, untreated manure on Walworth County spreading fields, not just the proposed Rock Prairie Dairy.

The ever expanding literature on the health impacts of CAFOs and the waste generated by them clearly indicate they pose a serious **public health risk**. The health impact of the heavy stench - ammonia, hydrogen sulfide, methane gases, and particulate matter - must be addressed so the public is protected.

Includes Walworth County Zoning Agency – Nel-Farm Conditional Use Details

Dr. David Chakoian, a physician from Viroqua, Vernon County, Wisconsin, has done research on gases from CAFOs. In a paper he submitted to Wisconsin Natural Resources Board in December 2007, he wrote ...

“Odor’ from CAFOs does not simply represent an annoyance and nuisance. Odor represents a complex mix of elements that have the potential to cause damage to the health of people living near the facilities.”

He goes on to say in his paper entitled “Odors and Confinement Animal Feeding Operations: Human Health Risks, a Review of the Current Medical Literature” that ...

“There is strong evidence that emissions from CAFOs – emissions that are marked by the presence of odors – cause significant health problems to those who are chronically exposed at low levels. These emissions cause and worsen asthma and chronic lung disease, – increase rates of pneumonia and diarrheal illness, and cause increased antibiotic resistance in human pathogens.

They also contribute to conditions that affect quality of life, such as depression, headaches, fatigue, nasal congestion, and decreased mental function.”

Dr. Chakoian says that ...

“Because the predominance of the evidence is that CAFO emissions are dangerous, the State of Wisconsin should take the strongest possible actions to eliminate odors (and the toxins the odors represent) from the environment.”

Last year the Walworth County Zoning Agency approved a conditional use for the Nel-Farm dairy operation. I think this approval tried to protect the public's interest. Please find highlights from the Walworth County Zoning Agency's minutes (August 19, 2010) as published on the Internet.

“Nel-Farm, Inc. (Marc Nelson and Scott Nelson, Apps.), Town of Sugar Creek, Conditional Use for expansion of a dairy farm milking operation greater than 500 animal units to a capacity of 838 animal units on lands zoned A-1 (7:22:59 – 7:31:29) Mr. Weidensee described the property as being in Section 34, Town of Sugar Creek. The Town has approved the request. ... Marc Nelson said manure storage is under the building and they will not be using sand bedding so they will be able to inject all the manure. There is enough storage for a whole year and once a year they will be able to inject all the manure into the ground without making odor for neighbors. He said with sand bedding, you spread on top of the ground and cause a lot of problems with neighbors with odor. They will not be shipping milk from the home farm anymore when the new facility is in operation. There was no one to speak for or against this item.

Includes Walworth County Zoning Agency – Nel-Farm Conditional Use Details

After the appropriate findings were made as required by State Farmland Preservation Program s91.75(5) a motion and second to APPROVE was made by Supervisors Brandl and Weber. The motion carried 6 – 0.

Approval is subject to the following conditions:

1. Approved as per plan submitted as a commercial feedlot with a limit of 837.4 animal units subject to all additional conditions.
2. Hours shall be 24 hours per day. No animal waste spreading or deliveries shall occur between 6:00 p.m. and 6:00 a.m. Milk pick-up is allowed 24 hours per day.
3. The site must meet all applicable Federal, State, County and local regulations including any State well or water supply requirements.
4. The applicant must obtain the required zoning permit prior to construction.
5. Applicant must obtain approval of a nutrient management plan from the County Land Conservation Office. The plan must meet with all requirements of the County and the Wisconsin Dept. of Natural Resources. The applicant must comply with all recommendations of the approved nutrient management plan.
6. The applicant must provide adequate manure storage. Storage shall be available for at least 4 months on site in order to allow storage during the winter months when manure will not be able to be incorporated to reduce odor. **All manure from County approved storage facilities must be incorporated in the ground within 24 hours of spreading in order to limit odor from the farm operations.** The storage facilities must be emptied within two weeks of any time that spreading begins. The applicant shall keep a record of the date that spreading begins and the date on which the storage facility has been emptied. If the applicant cannot empty the manure storage facility in the required time frame using existing equipment and farmland then the applicant may need to make arrangements with a commercial manure disposal company.
7. All outside lighting must be shielded and directed on site.
8. The applicant will be responsible for cleaning tracked soil or manure resulting from the farm operations off the Township or County Roadways on a daily basis.
9. If the Land Management Department determines that changes in either the character of the use or the intensity of the use are not consistent with this approval, then those changes must be brought before the County Zoning Agency for approval.
10. Failure to actively exercise this conditional use within three years of the approval date shall result in automatic dismissal without prejudice. The property owner may request a time extension for actively exercising the

Includes Walworth County Zoning Agency – Nel-Farm Conditional Use Details

conditional use. A time extension for actively exercising the conditional use must be requested in writing during the original three year period. Any extension requested during the three year active exercise period greater than one year beyond the original three year period shall require additional Town and County committee approvals.

Findings: A conditional use for more than 500 animal units on A-1 land is consistent with Farmland Preservation Statutes.”

Since Nel-Farm does not have 1,000+ animal units, it is technically not a CAFO. Yet, the Walworth County Zoning Agency wisely took the extra precaution to protect its residents and visitors from the waste generated by a dairy of this size.

An application for a proposed CAFO, the Rock Prairie Dairy, is under review. This proposed dairy with its 5,200 cows (7,280 animal units) is nearly 9 times greater than the number of animal units on the Nel-Farm!

1. The Wisconsin Livestock Siting Law pertains to CAFO facilities only and not their manure spreading fields. Because of this, the proposed Rock Prairie Dairy application did not come before the Walworth County Board as the proposed Dairy facility is located in Rock County.
2. Some of the CAFO manure spreading fields from the proposed Rock Prairie Dairy are located in Walworth County.
3. Thus, Walworth County will have manure from a CAFO much larger than the Nel-Farm coming into Walworth County without the same Nel-Farm conditions noted above (as far as I know). It is likely that Walworth County will become a place where non-Walworth County CAFOs, especially from surrounding counties, bring truckloads of manure to dispose on Walworth County farms just like the proposed Rock Prairie Dairy CAFO is planning to do.

I would like the Walworth County Board to consider an ordinance that any CAFO, whether inside or outside of Walworth County, that wants to use Walworth County fields to dispose raw, untreated manure must adhere to conditions like those defined for the Nel-Farm. This is a public health issue.

If a CAFO uses spray irrigation to spread raw, untreated manure in Walworth County, it will exacerbate the public health threat! My recommendation is to ban center pivot usage for spraying raw, untreated manure in Walworth County.

Dr. Chakoian's work is further reinforced by a toxicologist from the Wisconsin Division of Public Health. The toxicologist, Dr. Robert Thiboideaux, wrote in February, 2011 regarding the Wisconsin DNR's decision on center pivots proposed by the Rock Prairie Dairy that ...

Includes Walworth County Zoning Agency – Nel-Farm Conditional Use Details

“Interrupting human exposure to feces, with its attendant risk of infection by bacterial, viral, and parasitic pathogens, is at the foundation of public health practice.”

The practice of spreading raw, untreated manure using center pivots creates a serious threat to public health. It will cause significant harm to me, my family, friends, and neighbors. Moreover, odors created from spreading raw, untreated manure using center pivots will profoundly interfere with our enjoyment of life. My reasons for this assertion are substantiated by toxicological and medical evidence.

When people raise the issue of being sued over the banning of center pivots, they generally think of it as unidirectional, that is, the CAFO owners suing the governmental entity – whether a township, county, or other government agency – to lift the ban. I think the risk to a governmental entity is more complicated than that. If a resident of a governmental entity that does not ban center pivots gets sick from the raw, untreated manure sprayed through them, I could envision a court assessing liability for that person's sickness on both the CAFO owners and the governmental entity that enabled them.

In addition to jeopardizing the public's health, the implications of disposing raw, untreated manure (from CAFOs) in Walworth County extends beyond farm fields. The impact to our County's tourist economy could be significantly impacted if manure is spread near our parks, campgrounds, lakes and so on. In replies to questions regarding the impact on home values resulting from the proposed Rock Prairie Dairy, the Wisconsin DNR quoted a study which said ...

“Several potential local disamenities were found to have a negative impact on nearby house prices. Of the potential local disamenities investigated, the impact of landfills on house price was largest, and extended the farthest (up to 3200 meters). A landfill located 800 meters from a house decreases that house's sale price by an estimated 6.9%. The impact of a large-scale animal production facility (over 200 animal equivalent units or aeu's) on house price was about one half to two thirds as large as that from a landfill (4.1% at 800 meters), and did not extend as far (up to 1600 meters).”

This study addressed CAFO facilities and not their spreading fields, which cover far more land, thus impacting many more homes. Given the real estate values in Walworth County, a reduction in home values for people near the CAFO 'spreading fields' will result in a loss of taxable revenue as well as inflict financial harm on the affected home owners. If Walworth County develops a reputation for being a dumping ground for manure from CAFOs, anyone near agricultural lands could be impacted. With such uncertainty, our County's real estate market and tourist industry will be impacted.

This is not a political issue. It is first and foremost a serious public health issue followed by economic issues. We want jobs and a strong County economy; it helps all of us. However, we must do so in a way that does not jeopardize the health of our residents. Regardless of whether or not you like CAFOs, we must be sure to protect our beautiful

Includes Walworth County Zoning Agency – Nel-Farm Conditional Use Details

County as this shift from family farms to CAFOs occurs. The generations that follow us rely on us to do so.

Thank you,

Gene Pulera
Richmond Township
W9539 McFarlane Road
Darien, Wisconsin 53114-1208
(608)-883-6712
ITAmerica@aol.com

Cc Ms. Louise Olson
Walworth County Board Members
Chairman Wayne Redenius, Richmond Township

Memo

To: Ken Johnson, Regional Water Leader, WDNR:SCR
From: Robert Thibodeaux, PhD, Toxicologist, Wisconsin Division of Public Health
CC: Lloyd Eagan, Director, WDNR:SCR
Mark Cain, Wastewater Engineer WDNR:SCR
Andrew Craig, WDNR Bureau of Watershed Management
Date: February 17, 2011
Re: Public Health setbacks for manure spray irrigation



As part of the Environmental Assessment and permit review for the proposed Rock Prairie Dairy, you have asked the Bureau of Environmental and Occupational Health whether the proposed setbacks for the manure spray irrigation system are sufficient from a public health perspective. Wisconsin code allows for a 500-foot setback to inhabited dwellings unless aesthetic and public health impacts demand otherwise.¹ As the practical experience among state regulatory agencies with manure spray irrigation is limited, we have reviewed current literature and consulted with experts in other states.

The Rock Prairie Dairy proposes land application of liquid manure using center pivot sprinkler technology on quarter section areas. The sprinkler application areas are circular; injection has been proposed for the squared corners of each quarter section. The relevant public health question hinges on determining whether populations will be directly exposed to manure spray irrigation drift, and the risk corresponding to that exposure. Risk is dependent upon:

- The presence of harmful organisms in applied material, *i.e.* bacterial, viral, and parasitic fecal pathogens in untreated liquid manure.
- The presence and emission, to air, of Hazardous Air Pollutants from spray-applied material. Hydrogen sulfide and ammonia are the most commonly identified CAFO-related HAPs.
- Concentration of the applied material, *i.e.* dilution and fecal pathogen load.
- Exposure: drift radius, distance to source, and frequency of exposure.

¹ Wisc. Admin. Code ch NR 214. LAND TREATMENT OF INDUSTRIAL LIQUID WASTES, BY-PRODUCT SOLIDS AND SLUDGES. <http://legis.wisconsin.gov/rsb/code/nr/nr214.pdf>

If center pivot irrigation is approved for the Rock Prairie Dairy, then engineering detail and best management practices should be followed to minimize risk to the public. Robert Dungan with the USDA has provided a detailed review of the fate and transport of manure bioaerosols, including those associated with manure spray irrigation.² Dungan, in his 2010 review, notes that while land application of untreated liquid manures increase the chances of aerosolizing microorganisms, few papers outside of municipal wastewater research have addressed the risk to humans associated with land application of fecal wastes. Mechanical similarities of manure spray irrigation to other types of waster land application are used in this assessment, and could be used to inform CAFO policy and permitting decisions.

The Idaho Department of Environmental Quality has published a *Microbial Risk Assessment and Fate and Transport Modeling of Aerosolized Microorganisms at Wastewater Land Application*.³ The Idaho DEQ risk assessment makes the following conclusions:

- Fine droplets may contribute to microbial risk under high wind conditions.
- Droplets larger than 200 micrometers do not transport significantly beyond the application area and may be neglected when analyzing risk at typical buffer zone distances.
- Deposition of droplets and aerosol containing microbial pathogens on surfaces such as produce may be a significant pathway for exposure under windy conditions. Thus, if wastewater loadings are elevated, high-wind cut-off restrictions should be considered.
- Worst-case conditions that lead to the greatest exposure and risk of infection are nighttime low-wind stable conditions, which maximize the inhalation pathway, and high-wind conditions, which maximize the deposition and produce ingestion pathway.

Exposure to airborne or deposited pathogens. With regard to deposition of aerosols, the infective dosages of common fecal pathogens are normally thought of in terms of ingestion rather than inhalation. This makes accurate risk assessment via inhalation difficult even when the airborne concentration is known. Infective inhaled exposure, depending on the organism, could be directly to the lungs, or could be to the gut where inhaled pathogens are secondarily swallowed. Given adult inhalation rates of 25,000 L air/d,⁴ the presence of bioaerosols implies a risk of significant inhalation exposure. Similarly, where airborne pathogens are deposited on ready-to-eat crops or on surfaces handled by adults or young children, accumulation could occur throughout the irrigation period, and risk of infection would be dependent upon the

² Dungan R. S. 2010. BOARD-INVITED REVIEW: Fate and transport of bioaerosols associated with livestock operations and manures. *J. Anim Sci.* 88:3693-3706.

³ Hardy R, Schilling K, Fromm J, Dai X, Cook M. 2006. Technical Background Document: Microbial Risk Assessment and Fate and Transport Modeling of Aerosolized Microorganisms at Wastewater Land Application Facilities in Idaho. Idaho Department of Environmental Quality.

⁴ Derelanko MJ, Hollinger MA (eds.). 2002. Handbook of Toxicology, 2nd ed. CRC Press.

concentration of viable pathogen on the food or handled surface. In the case of *E. coli* O157:H7, the infectious dose has been estimated to range from 1 to 100 colony-forming units.⁵ For *Salmonella* spp., an infective dose may be as low as 15-20 cells.⁶

The U.S. Centers for Disease Control has developed worker safety guidelines applicable to the range of land-applied municipal, industrial, and agricultural wastes.⁷ In addition to waste worker hygiene practices, training, and equipment that minimize occupational safety risks, the CDC guidance recommends several *Environmental Practices to Prevent and Minimize Occupational Exposures*. These recommendations would apply equally to avoiding exposure to the public adjacent to a manure spray irrigation site:

- Where feasible, substitute Class A biosolids for Class B biosolids.⁸
- Monitor the source material to assure Class A or Class B standards prior to land application operations.
- Monitor stored biosolids prior to application to assure that the biosolids are properly stabilized and that unacceptable regrowth or cross-contamination from substandard material has not occurred.
- Where local conditions permit, inject or incorporate biosolids below the soil.
- On windy days, avoid spreading or disturbing dry biosolids that would create dust.
- On windy days, avoid spreading biosolids by high-pressure spray.
- Avoid unnecessary mechanical disturbance and contact with land-applied Class B biosolids during the period when public access is restricted.
- Equip heavy equipment used at storage and application facilities with sealed, positive-pressure, air-conditioned cabs that contain filtered air-recirculation units.
- Monitor worker exposures when adjusting precautions to address site-specific issues.

Division of Public Health conclusions and recommendations. Interrupting human exposure to feces, with its attendant risk of infection by bacterial, viral, and parasitic pathogens, is at the foundation of public health practice.

- Based on available literature, it appears that a 500 foot setback from irrigation nozzles to receptors for the land application of liquid manure will be adequate to avoid infection if the system is designed to (1) substantially

⁵ Paton, J.C. and Paton, A.W. 1998. Pathogenesis and diagnosis of shiga toxin-producing *Escherichia coli* infections. *Clin. Microbiol. Reviews*. 11(3):450-479.

⁶ FDA. 2009. Foodborne Pathogenic Microorganisms and Natural Toxins Handbook. U.S. Food and Drug Administration. <http://www.fda.gov/Food/FoodSafety/default.htm>

⁷ DEPARTMENT OF HEALTH AND HUMAN SERVICES. 2002. Guidance for Controlling Potential Risks to Workers Exposed to Class B Biosolids Centers for Disease Control and Prevention, National Institute for Occupational Safety and Health. Publication 2002.149

⁸ See Wisc. Admin. Code ch NR 204.07. DOMESTIC SEWAGE SLUDGE MANAGEMENT <http://legis.wisconsin.gov/rsb/code/nr/nr:204.pdf>

reduce the microbial load of the applied material,⁹ using some form of treatment such as aerobic or anaerobic digestion, lime treatment, or composting; (2) deliver spray droplets greater than 200 µm mean diameter to minimize aerosolization and drift, and (3) that the irrigation schedule be optimally managed with regard to weather conditions and time of day. DHS recognizes that manure treatment may be outside of the scope of the current Rock Prairie Dairy proposal.

- In addition to steps to avoid infectious exposure to off-site receptors, land application of manure liquid must be managed to avoid unacceptable off-site levels of hazardous air pollutants, particularly hydrogen sulfide and ammonia. Since manure injection techniques are currently proposed for part of the project, it is noteworthy that injection techniques are among the most effective for the control of both odor and HAP emissions.¹⁰
- NR 214 allows for the regulation of land-applied wastes with regard to aesthetic impacts. If manure spray irrigation is permitted as part of the Rock Prairie Dairy project, DHS recommends that the land application of manure liquids be managed to minimize impacts, particularly nuisance odor, that might inhibit the full use and enjoyment of neighboring private residences. Nuisances, though qualitative, are important to those perceiving the nuisance, and raise the potential for land-use conflicts. Attention to both technical detail (treatment and storage of manure; application techniques)¹¹ and landowner relationships in avoiding nuisance conflicts will benefit the Rock Prairie Dairy project.
- If the center pivot sprinkler technology is approved for the Rock Prairie Dairy project, DHS recommends that the permit include regulatory means, such as the monitoring of both applied liquid manure and deposition in downwind areas, to *assure* that any permit conditions to avoid aerosolization, drift, and odor control are met.

⁹ Hardy *et al.* (referenced above) conclude that *E. coli* loadings less than 1000 to 10,000 colony-forming units/L in land-applied wastewater represent minimal risk beyond a typical 300 foot buffer zone.

¹⁰ Burton, CH. 1997. Manure management - treatment strategies for sustainable agriculture. Silsoe Research Institute, Silsoe, Bedford, UK. *In* Casey KD, Bicudo JR, Schmidt DR, Singh A, Gay SW, Gates RS, Jacobson LD, Hoff SJ. 2006. Air quality and emissions from livestock and poultry production/waste management systems. Pp. 1-40. In J. M. Rice, D. F. Caldwell, and F. J. Humenik (eds). Animal Agriculture and the Environment, National Center for Manure and Animal Waste Management White Papers. ASABE, St. Joseph, Michigan.

¹¹ Kranz WL, Koelsch RK, Shapiro CA. 2007. Application of Liquid Animal Manures Using Center Pivot Irrigation Systems. Univ. Nebraska Extension. Publication EC778.

JAMES R. CRIPE
BRUCE R. BRINEY
DENNIS L. HANSCH
FREDERICK L. WESNER
DAVID C. MOORE
CAROL J. HATCH
KAYLA K. HILLER

JOHN M. WOOD
SARA L. GEHRIG
STEVEN T. CAYA
TIMOTHY H. LINDAU
JARON L. MOSIER
KARL R. HANSON
Of Counsel:
SCOTT F. SHADEL

RECEIVED
WALWORTH COUNTY CLERK
2011 MAR 31 AM 8:16

March 30, 2011

Kimberly S. Bushey
Walworth County Clerk
P.O. Box 1001
Elkhorn, WI 53121-1001

RE: County Zoning Agency Committee Meeting April 21, 2011

Dear Ms. Bushey:

I am currently serving as Town Attorney for the Town of Richmond. The Town Board has directed me to seek action on the part of the County Board to restrict the use of center pivot irrigators to distribute manure. It is the belief of the Board that the County should use its zoning authority to accomplish such restriction either by prohibiting this particular use or regulating it by means of the Conditional Use Permit process.

I and other Town representatives intend to attend the meeting at 4:00 p.m. on April 21, and would appreciate it if this matter could be placed on the agenda.

I am advised that there is already on the agenda a possible discussion regarding a letter sent from a law firm in Kansas City captioned "Opposition to Construction and Operation of Dairy CAFO by Todd Tuls." While this letter may bear some relationship to the topic we would like to address, it is a separate matter.

Please advise if you have any questions or concerns about this request.

Sincerely,

NOWLAN & MOUAT LLP



David C. Moore

DCM:LKG

Pc: Mr. Wayne Redenius—Town of Richmond Chair
Ms. Barbara Ceas—Town of Richmond Clerk
Mr. Michael P. Cotter—Walworth Co. Land Use Mgmt. Dept.



cel.

INTRODUCED BY: Highway Committee.

INTENT & SYNOPSIS: To express support for the United States Department of the Interior, Bureau of Indian Affairs (BIA), Indian Reservation Roads (IRR) Program as established under the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users, (SAFETEA-LU), Public Law 109-59.

FISCAL NOTE: None.

WHEREAS, Jackson County and all counties in the State of Wisconsin are responsible for the upkeep and maintenance of roads, and

WHEREAS, three major industries in Wisconsin, namely tourism, forestry, and agriculture rely heavily on well-maintained roads, and

WHEREAS, the Indian Reservation Roads Program allows Native American Tribes to place State, County and Township routes on their Indian Reservation Roads Inventory, and

WHEREAS, the routes are then able to generate funding for tribal transportation projects including cooperative projects involving State, County and Township routes on the IRR Inventory, and

WHEREAS, several Wisconsin Counties have entered into cooperative agreements with Wisconsin Tribes to repair County Trunk Highways that make travel safer for both the traveling public and Native American Tribal members, and

WHEREAS, the present funding formula for the IRR program is in jeopardy of being changed, which could reduce or possibly eliminate funds available for cooperative projects, and

NOW, THEREFORE, BE IT RESOLVED that the Jackson County Board of Supervisors supports the Department of the Interior, Bureau of Indian Affairs, Indian Reservation Roads Program as established under SAFETEA-LU, and

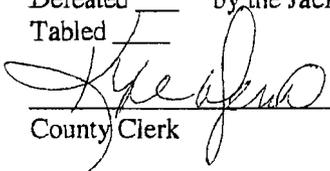
BE IT FURTHER RESOLVED that the Clerk is directed to forward a copy of this Resolution to the Wisconsin Counties Association, the Wisconsin County Highway Association, and Jackson County's U.S. Congressional Representatives.

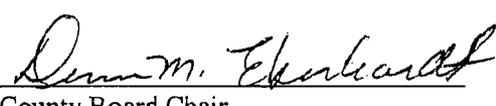
Respectfully submitted this 21th day of March, 2011

Adopted 8

Defeated by the Jackson County Board of Supervisors this 21 day of March, 2011.

Tabled


County Clerk


County Board Chair

LANGLADE COUNTY



RESOLUTION #15-2011

INTRODUCED BY: VETERAN'S SERVICE COMMITTEE

INTENT: SUPPORT VETERAN BENEFITS FUNDING

TO THE HONORABLE MEMBERS OF THE COUNTY BOARD OF SUPERVISORS OF THE COUNTY OF LANGLADE:

WHEREAS, Langlade County veterans receive the majority of their state veteran benefits through the Wisconsin Department of Veteran Affairs (WDVA); and

WHEREAS, the Veterans Trust Fund (VTF) is WDVA's primary means of financing the multitude of benefits provided to the veterans of Langlade County; and

WHEREAS, the VTF, started in 1947 with proceeds from a statewide liquor tax, and later funded by periodic infusions of general purpose revenue and proceeds from WDVA loan programs, has steadily decreased in size due to declining interest rates and investment earnings, along with increased demand for programs/services; and

WHEREAS, the cost to provide and administer benefits provided through the VTF is almost entirely funded by proceeds from WDVA loan programs, resulting in a situation whereby the veterans of our state are essentially funding their own benefits and services; and

WHEREAS, the VTF is forecasted to be into a negative cash flow and completely insolvent as early as late FY-2012/early FY-2013; and

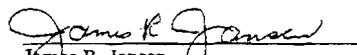
WHEREAS, this will result in cessation of vital and in many cases mandated services to our veterans during an unprecedented time of financial need, to include Aid to Needy Veterans Grants, Veteran Retraining Grants, Military Funeral Honors Program, County Veteran Service Officer Grant Program, Personal Loan Program, Federal Claims Assistance, VefEd Reimbursement Grants, Aid to Indigent Veterans, Disabled American Veterans Transportation Grant, County Transportation Grant, Veterans Assistance Program, Outreach Programs, State Veteran Cemeteries, and Veteran's Museums; and

WHEREAS, it is only right that our veterans should continue to have the services they have earned and the support they need, particularly in this time of war and economic crisis, to enable them to contribute to Langlade County's economy as productive, independent citizens.

NOW, THEREFORE, BE IT RESOLVED, that Langlade County Board of Supervisors fully supports any and all efforts to provide additional state funding to forestall any VTF insolvency within the next biennium, including, but not limited to, the exploration of permanent state funding for WDVA and the veteran programs and benefits that WDVA oversees.

BE IT FURTHER RESOLVED, that Langlade County Board of Supervisors directs the County Clerk to forward a copy of this resolution to the Office of Governor Scott Walker, respective State of Wisconsin legislative representatives of Langlade County, the Wisconsin Counties Association and the Wisconsin Department of Veteran Affairs.

VETERAN'S SERVICE COMMITTEE

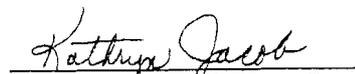

James R. Jansen

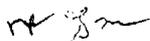

Michael P. Klimoski


Richard H. Hurlbert

FISCAL NOTE: Funding from the Veterans Trust Fund helps to pay for many of the programs offered by the Veteran's Office. County funding would be impacted by the loss of \$12,500 annually from this fund.

ADOPTED BY THE COUNTY BOARD OF LANGLADE COUNTY THIS 15TH DAY OF MARCH, 2011.


Kathryn Jacob, Langlade County Clerk



LANGLADE COUNTY



RESOLUTION # 16-2011

INTRODUCED BY: EXECUTIVE COMMITTEE

INTENT: SUPPORT THE ORVILLE LEMKE BILL – FAST TRACK PROCESS FOR PURPLE HEART AND OTHER MILITARY RELATED HONORS

WHEREAS, our World War II heroes are dying at a rate of 900 each and every day in this country and many are terminally ill; and

WHEREAS, the Committee supports the proposal from Ozaukee County to establish a “fast-track” process to award the Purple Heart and other US Military Honors and Awards to World War II Veterans while they are still alive; and

WHEREAS, the Heroes of the Greatest Generation and all of our veterans deserve a better process and more timely determination of their US Military Honors and Awards, some having waited 70 years; and

WHEREAS, Orville Lemke, a Communication Specialist who was injured in Germany while providing critical support for his 29th infantry division, passed away on December 24, 2010 while his Purple Heart paper work continued to languish in the bureaucratic processes of various governmental offices.

NOW THEREFORE, BE IT RESOLVED, that the Langlade County Board of Supervisors requests our state and federal representatives to work with Governor Scott Walker and his representatives to establish a “fast-track” exception process to address the heart breaking situation of presenting well deserved honors posthumously for any deserving veteran that is terminally ill or beyond the age of 85, so that such awards may be presented directly to the Honored Recipient.

BE IT FURTHER RESOLVED, by the Langlade County Board of Supervisors that the County Clerk shall forward a copy of this resolution to the Governor of the State of Wisconsin, State and Federal Legislative Representatives of Langlade County and Wisconsin, and to all Wisconsin Counties.

BE IT FURTHER RESOLVED, that in honor of Orville Lemke, a man of remarkable courage and humility, that the subsequent legislation which results from this resolution be known as the “Orville Lemke Act” in honor of all of our selfless and heroic veterans, so that we may never be too late again.

EXECUTIVE COMMITTEE

David J. Solin
David Solin, Chairman

Eugene Kamps
Eugene Kamps

Michael P. Klimoski
Michael P. Klimoski

Douglas Monnemacher
Douglas Monnemacher

Ronald M. Nye
Ronald M. Nye

FISCAL NOTE: No fiscal impact.

ADOPTED BY THE COUNTY BOARD OF LANGLADE COUNTY THIS 15th DAY OF MARCH, 2011.

Kathryn Jacob
Kathryn Jacob, Langlade County Clerk
mc

RESOLUTION NO. 30-2010

RESOLUTION TO ESTABLISH A NON-PARTISAN ELECTION FOR THE LEGISLATURE AND COUNTY OFFICES

WHEREAS, elections to municipal offices, judicial seats and county boards in the state of Wisconsin are non-partisan i.e. candidates are neither declared nor are listed on the ballot belonging to any political party, and

WHEREAS, municipal and county boards make policy decisions on a number of important questions without regard to party or faction; and

WHEREAS, in the state legislature, power is concentrated toward party caucuses controlled by the party leadership and votes many times break strictly on party lines, and

WHEREAS, such party factionalism was warned against by our nation's Founding Fathers, including our first President George Washington, and

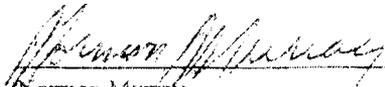
WHEREAS, states such as Nebraska, Minnesota and Nevada either have or have had state legislative bodies where members were elected without party designation; and

WHEREAS, such non-partisan members of the legislature can vote without being beholden to party loyalty or apparatuses controlling their funding for election, and

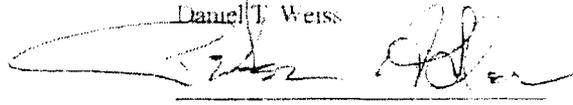
WHEREAS, such non-partisan members of the legislature can vote in the best interests of their constituents and their state and vote in the manner of their beliefs without being forced to demonstrate party loyalty.

NOW, THEREFORE, BE IT RESOLVED by the Pepin County Board of Supervisors, that a resolution for further consideration by the Wisconsin Counties Association, call for the establishment of non-partisan elections for the state legislature and all elected county offices

RESOLUTIONS COMMITTEE


Norman Murray


Daniel T. Weiss

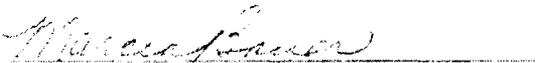


Peter A. Adler


Joseph Komisar

State of Wisconsin)
County of Pepin)

I, Marcia E. Bauer, Pepin County Clerk, do hereby certify that the foregoing Resolution No. 30-2010 is a true and correct copy of the resolution, as adopted by the Pepin County Board of Supervisors on December 29, 2010


Marcia E. Bauer, Pepin County Clerk



Portage County Clerk

Shirley M. Simonis

1516 Church Street

Stevens Point, WI 54481

Phone: 715-346-1351 Fax: 715-346-1486

simoniss@co.portage.wi.us

CERTIFICATION

I, Shirley M. Simonis, Clerk of the County of Portage, Wisconsin do hereby certify that the foregoing is a true and correct copy of Resolution/Ordinance No.

140-2010-2012 which was introduced and adopted by a vote of

27 for

 against

 abstained

 vacant

1 excused Olson

1 absent Splinter

at an Adjourned Session of the Portage County Board of Supervisors, held on the

15th day of March, 2011, and recorded in the minutes of said

meeting, a quorum of members being present.

In testimony whereof, I have hereunto set my hand and the seal of the County of Portage, Wisconsin, this 17th day of March, 2011.

Shirley M. Simonis KTB

SHIRLEY M. SIMONIS

Portage County Clerk

(SEAL)

U drive
My Files
Original Cover Sheets

Colo.

RESOLUTION NUMBER 140-2010-2012

RE: A BILL FOR FAST-TRACK PROCESS FOR PURPLE HEART AND OTHER MILITARY HONORS
TO THE HONORABLE CHAIRMAN AND MEMBERS OF THE PORTAGE COUNTY BOARD OF
SUPERVISORS:

WHEREAS, World War II veterans are dying at the rate of 200,000 per year. There are approximately 2 million living World War II veterans today; and

WHEREAS, in the past two years Portage County has seen the necessity for "fast-tracking" a long overdue Purple Heart medal for several Portage County World War II veterans. Portage County has witnessed the languishing and painfully slow determination of the Purple Heart Award status for our local heroes; and

WHEREAS, the Heroes of the Greatest Generation and all of our veterans deserve a better process and more timely determination of their US Military Honors and Awards, some having waited 70 years.

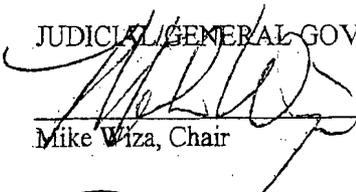
NOW, THEREFORE, BE IT RESOLVED, that the Portage County Board of Supervisors requests that our state and federal representatives work with Governor Scott Walker and his representatives to establish a "fast-track" exception process to address the heart breaking situation of presenting well deserved honors posthumously for any deserving veteran that is terminally ill or beyond the age of 85, so that such awards may be presented directly to the Honored Recipient; and

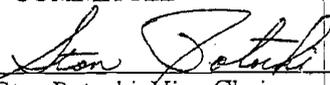
BE IT FURTHER RESOLVED by the Portage County Board of Supervisors that the County Clerk shall forward a copy of this resolution to the Governor of the State of Wisconsin, to all State and Federal Legislative Representatives from Portage County, and to all Wisconsin Counties.

DATED THIS 15th DAY OF MARCH, 2011.

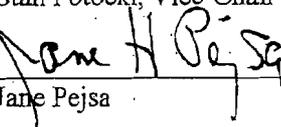
Respectfully submitted,

JUDICIAL/GENERAL GOVERNMENT COMMITTEE


Mike Wiza, Chair

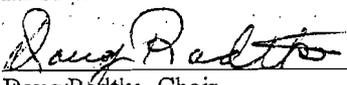

Stan Potocki, Vice-Chair


Jeff Presley

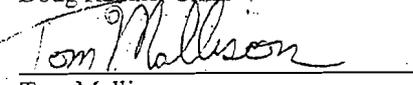

Jane Pejsa


Michael Splinter

LEGISLATIVE COMMITTEE


Doug Radtke, Chair


Jane Pejsa, Vice-Chair


Tom Mallison



RESOLUTION# 11-3-17

Introduced by Judicial & Legislative
Page 1 of 1

Committee

Motion: Adopted: X
 1st Clendenning Lost:
 2nd Breu Tabled:
 No: 0 Yes: 15 Absent: 4
 Number of votes required:
 Majority Two-thirds
 Reviewed by: PAK, Corp Counsel
 Reviewed by: MFM, Finance Dir.

LAD

INTENT & SYNOPSIS: To support action by the Wisconsin State Legislature to end predatory lending in Wisconsin.

FISCAL NOTE: n/a

SOURCE OF MONEY: n/a

WHEREAS, predatory lenders issue small, short-term high-rate loans to consumers that are to be repaid within a specified time frame, 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, THE WOOD COUNTY BOARD OF SUPERVISORS HEREBY RESOLVES to strongly support 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 Wood County Board of Supervisors that the Wood County Clerk is directed to transmit a copy of this Resolution to the Governor of the State of Wisconsin, Wood County's state legislative delegation, all Wisconsin counties, and the Wisconsin Counties Association.

()

GERALD NELSON (Chairman)

ROSS MILTIMORE

WILLIAM CLENDENNING

GARY ALLWORDEN

ED WAGNER

Adopted by the County Board of Wood County, this 15th day of March 20 11

County Clerk

County Board Chairman

68.

LANGLADE COUNTY



RESOLUTION #24 -2011

INTRODUCED BY: JUDY KARPf

INTENT: TO OPPOSE THE CENTRALIZATION OF ECONOMIC SUPPORT PROGRAMS AS PROPOSED IN THE GOVERNOR'S BIENNIUM BUDGET

WHEREAS, Wisconsin has a long history of providing social services through county government; and,

WHEREAS, these programs include eligibility determination for Family Care and the Caretaker Supplement, Medicaid, Badger Care, Food Share, Energy Assistance, and Child Care; and,

WHEREAS, in Langlade County those services are provided by the Department of Social Services, Economic Support Unit; and,

WHEREAS, the current biennium budget calls for the centralization of these programs, thus eliminating local access to economic support services; and,

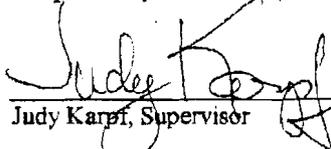
WHEREAS, there are approximately 8,000 citizens of Langlade County receiving these services; and,

WHEREAS, without the knowledge and experience of local personalized assistance many of these citizens may lose their benefits.

NOW THEREFORE, BE IT RESOLVED, that the Langlade County Board of Supervisors go on record opposing the centralization of these services and encourage our county's legislators to vote against this portion of the Governor's Biennium Budget.

AND BE IT FURTHER RESOLVED, that a copy of this resolution be forwarded to this county's legislative delegation.

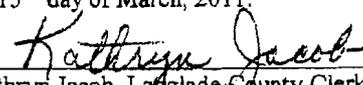
Respectfully Submitted,



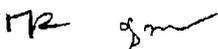
Judy Karpf, Supervisor

FISCAL NOTE: Total County budget for Income Maintenance for 2011 is \$626,549. Of this total, \$180,865 is tax levy.

Adopted by the County Board of Langlade County,
this 15th day of March, 2011.



Kathryn Jacob, Langlade County Clerk



69.

**RESOLUTION
ROCK COUNTY BOARD OF SUPERVISORS**

Human Services Board
INITIATED BY



Phil Boutwell
DRAFTED BY

Human Services Board
SUBMITTED BY

March 16, 2011
DATE DRAFTED

Opposing the Initiative in the Governor's Budget that removes Income Maintenance Administration from the Counties and Creates a State Operated Centralized Income Maintenance Unit

- 1 **WHEREAS**, the State 2011-2013 Biennial Budget Bill requires that the income maintenance
- 2 administration unit (IM unit) services be centralized at the State by May 1, 2012; and,
- 3
- 4 **WHEREAS**, the income maintenance function is the biggest component of the Economic Support
- 5 Division that is presently located in the Rock County Job Center; and,
- 6
- 7 **WHEREAS**, approximately 50 Economic Support workers enroll eligible Rock County residents in
- 8 economic assistance benefits such as food share and Medicaid and presently maintain an unduplicated
- 9 caseload of 15,800 people; and,
- 10
- 11 **WHEREAS**, those County positions would be eliminated and a centralized income maintenance would
- 12 be created and operated by a private entity under contract with the State; and,
- 13
- 14 **WHEREAS**, while the consolidation of the IM functions would save Rock County approximately
- 15 \$140,000 on an annual basis, it would also result in a number of adverse unintended consequences that
- 16 would cost money and diminish services; and,
- 17
- 18 **WHEREAS**, the Economic Support Division occupies a large portion of the Job Center, and if it is
- 19 eliminated, the rent will increase significantly for the other County operations and partner agencies co-
- 20 located in the Job Center; and,
- 21
- 22 **WHEREAS**, the Job Center lease expires on December 31, 2011 and it is anticipated that the lease will
- 23 be extended on a month to month basis until the full impact of the IM consolidation is understood and
- 24 the Job Center partners can agree to a higher rent and a long term commitment; and,
- 25
- 26 **WHEREAS**, the State presently operates Badger Care Core, Badger Care Core Plus, and FoodShare
- 27 through an Enrollment Services Center (ESC) operated by a private entity, which is the identical model
- 28 to what is being proposed for the State centralized IM functions; and,
- 29
- 30 **WHEREAS**, at present, only 16% of its Badger Care Core, Badger Care Core Plus, and FoodShare
- 31 cases are being processed within the stated goal of less than the self-imposed thirty-day enrollment
- 32 standard; and,
- 33
- 34 **WHEREAS**, operating an effective income maintenance function requires knowledgeable and
- 35 committed staff in a local setting that can enroll clients in a timely fashion without errors, and solve
- 36 complex problems in a short period of time so that County residents do not go without basic needs;
- 37 and,
- 38
- 39 **WHEREAS**, the Human Services Board views IM as a core mission of the Department and not having
- 40 a local presence of IM staff would result in less effective service delivery and more costly Child
- 41 Protective Services, Mental Health and Community Support programs, Juvenile Justice Services, and
- 42 Long Term Support programs.
- 43
- 44 **NOW, THEREFORE, BE IT RESOLVED** by the Rock County Board of Supervisors duly assembled
- 45 this 24th day of Nov, 2011, does hereby oppose the initiative in the Governor's Budget that takes
- 46 income maintenance administration away from the counties and creates a statewide centralized Income
- 47 Maintenance Unit; and,

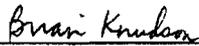
11-3B-322

Opposing Initiative in Governor's Budget that takes Income Maintenance Administration away from Counties and Creates a Statewide Centralized Income Maintenance Unit
Page 2

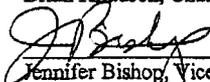
48 **BE IT FURTHER RESOLVED**, that the Rock County Clerk is directed to send a copy of this
49 resolution to the Rock County Legislative Delegation, the Wisconsin Counties Association, and to all
50 other counties in the State of Wisconsin.

Respectfully submitted,

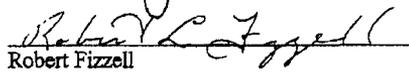
Human Services Board



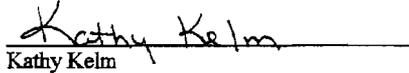
Brian Knudson, Chair



Jennifer Bishop, Vice Chair

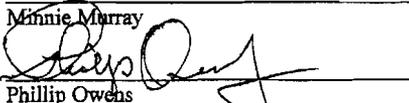


Robert Fizzell



Kathy Kelm

Absent

Minnie Murray


Phillip Owens

Absent

Terry Thomas



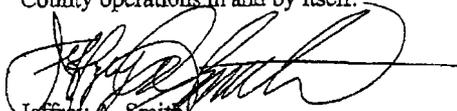
Sally Jean Weaver-Landers

Absent

Marvin Wopat

FISCAL NOTE:

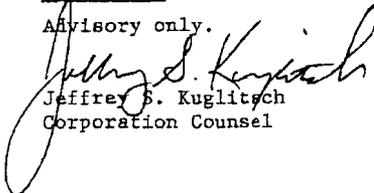
This resolution addresses a legislative policy issue and has no direct fiscal impact on Rock County operations in and by itself.



Jeffrey A. Smith
Finance Director

LEGAL NOTE:

Advisory only.



Jeffrey B. Kuglitsch
Corporation Counsel

ADMINISTRATIVE NOTE:

Recommended.



Randy Terronez
Acting County Administrator

SOUTHEASTERN WISCONSIN REGIONAL PLANNING COMMISSION

W239 N1812 ROCKWOOD DRIVE • PO BOX 1607 • WAUKESHA, WI 53187-1607 • TELEPHONE: (262) 547-6721
FAX: (262) 547-1103

March 9, 2011

Serving the Counties of:

KENOSHA
MILWAUKEE
OSHAUK
RACINE
WALWORTH
WASHINGTON
WAUKESHA

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
P.O. Box 1001
Elkhorn, WI 53121

RECEIVED
WALWORTH COUNTY CLERK
2011 MAR 10 PM 1:49

Dear Chairman and Members of the Walworth 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 the SEWRPC Amendment to the Natural Areas and Critical Species Habitat Protection and Management Plan for the Southeastern Wisconsin Region. A copy of Commission Resolution No. 2010-19 adopting this plan as a guide for the physical development of the Region is bound in the front of this report. The report documents an amendment to an important element of the evolving comprehensive plan for the physical development of the Region—a plan for the long-term protection of natural areas, critical species habitats, and significant geological sites for the seven-county Southeastern Wisconsin Region.

It is respectfully requested that, upon the recommendation of the Walworth County Land Conservation Committee, the County Board endorse this important plan element, and direct integration of the findings and recommendations of the plan amendment into ongoing County activities related to natural resource management, open space provisions, and land use development.

County endorsement of this regional plan amendment is important to help assure a common understanding among the municipalities within the Region—as well as among special purpose units of government, various State and Federal agencies of government, and private conservation organizations involved—concerning the protection and management of the natural areas and critical species habitats of 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/DMR/dad
#155228 v1 - Res No. 2010-19 Ltr to Walworth County
Enclosure

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

SOUTHEASTERN WISCONSIN REGIONAL PLANNING COMMISSION

W239 N 1812 ROCKWOOD DRIVE • PO BOX 1607 • WAUKESHA, WI 53187-1607 •

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

Serving the Counties of:

KENOSHA
MILWAUKEE
OZAUKEE
RACINE
WALWORTH
WASHINGTON
WAUKESHA



SUBJECT: Certification of Amendment to the Adopted Regional Natural Areas and Critical Species Habitat Protection and Management Plan

TO: The Legislative Bodies of Concerned Local Units of Government within the Southeastern Wisconsin Region, namely: the County of Kenosha, the County of Milwaukee, the County of Ozaukee, the County of Racine, the County of Walworth, the County of Washington, and the County of Waukesha

This is to certify that at the meeting of the Southeastern Wisconsin Regional Planning Commission, held at the Milwaukee County War Memorial Center, North Memorial Hall, Milwaukee, Wisconsin, on the 1st day of December 2010, the Commission did by unanimous vote by all Commissioners present, being 17 ayes and 0 nays, and by appropriate Resolution, a copy of which is made a part hereof and incorporated by reference to the same force and effect as if it had been specifically set forth herein in detail, adopt an amendment to the regional natural areas and critical species habitat protection and management plan, which plan was originally adopted by the Commission on the 10th day of September 1997, as part of the master plan for the physical development of the Region. Said amendment to the regional natural areas and critical species habitat protection and management plan pertains to the physical changes in the Region, as well as new findings, which have occurred since the preparation of the original plan and consists of the document attached hereto and made a part hereof. Such action taken by the Commission is recorded on, and is a part of, said plan, and the plan as amended is hereby transmitted to the constituent local units of government for consideration, adoption, and implementation.

IN TESTIMONY WHEREOF, I have hereunto set my hand and seal and cause the Seal of the Southeastern Wisconsin Regional Planning Commission to be hereto affixed. Dated at the City of Pewaukee, Wisconsin, this 2nd day of December 2010.

David L. Stroik, Chairman
Southeastern Wisconsin Regional
Planning Commission

ATTEST:

Kenneth R. Yunker, P.E., Deputy Secretary

RESOLUTION NO. 2010-19

**RESOLUTION OF THE SOUTHEASTERN WISCONSIN REGIONAL PLANNING
COMMISSION AMENDING THE ADOPTED REGIONAL NATURAL AREAS
AND CRITICAL SPECIES HABITAT PROTECTION AND MANAGEMENT PLAN,
THAT PLAN BEING PART OF THE MASTER PLAN FOR THE PHYSICAL
DEVELOPMENT OF THE REGION COMPRISED OF THE COUNTIES OF KENOSHA,
MILWAUKEE, OZAUKEE, RACINE, WALWORTH, WASHINGTON, AND WAUKESHA
IN THE STATE OF WISCONSIN**

WHEREAS, pursuant to Section 66.945(10) of the *Wisconsin Statutes*, the Southeastern Wisconsin Regional Planning Commission, at a meeting held on the 10th day of September, 1997, duly adopted a natural areas and critical species habitat protection and management plan as documented in SEWRPC Planning Report No. 42, *A Regional Natural Areas and Critical Species Habitat Protection and Management Plan for Southeastern Wisconsin*; and

WHEREAS, by letter dated March 31, 2005, the Gathering Waters Conservancy, a statewide land conservancy organization that serves many local land trusts and related groups in the Region, requested that the Commission update the natural areas and critical species habitat plan as it pertains to the physical changes in the Region, as well as new findings, which have occurred since the preparation of the original plan; and

WHEREAS, under the guidance of the Technical Advisory Committee for the Protection and Management of Natural Areas in Southeastern Wisconsin, the Commission staff has completed an amendment to the Regional natural areas and critical species habitat protection and management plan, which report contains recommendations for the protection, acquisition, and management of natural areas and critical species habitats in Southeastern Wisconsin, and which constitutes an integral part of the park and open space plan element of the master plan for the physical development of the Region; and

WHEREAS, the proposed amendment to the natural areas and critical species habitat plan is documented in a Commission plan amendment report entitled, "Amendment to the Regional Natural Areas and Critical Species Habitat Protection and Management Plan for the Southeastern Wisconsin Region" attached hereto and made a part thereof, which report concludes that the plan amendment requested by the Gathering Waters Conservancy is sound and in the public interest; and

WHEREAS, the proposed plan amendment was subject to four series of public information meetings held in Newburg, Hales Corners, Bristol, and Eagle, Wisconsin in April 2009; and

WHEREAS, the Technical Advisory Committee for the Protection and Management of Natural Areas in Southeastern Wisconsin unanimously approved the proposed amendment to the natural areas and critical species habitat plan at its meeting held on March 8, 2010; and

WHEREAS, Section 66.945(9) of the *Wisconsin Statutes* authorizes and empowers the Regional Planning Commission, as the work of making the whole master plan progresses, to amend, extend, or add to the master plan or carry any part of subject thereof into greater detail;

NOW, THEREFORE, BE IT HEREBY RESOLVED:

FIRST: That the regional natural areas and critical species habitat protection and management plan for the Southeastern Wisconsin Region, being a part of the master plan for the physical development of the Region and comprised of SEWRPC Planning Report No. 42, which was adopted by the Commission as part of the master plan on the 10th day of September 1997, be and the same hereby is amended in the manner identified on revised Maps 39 through 45 as reproduced in the aforereferenced SEWRPC staff plan amendment report.

RESOLUTION NO. 2010-19

SECOND: That a true, correct, and exact copy of this resolution, together with the aforereferenced SEWRPC staff plan amendment report, shall be forthwith distributed to each of the local legislative bodies of the local governmental units within the Region entitled thereto and to such other bodies, agencies, or individuals as the law may require or as the Commission, its Executive Committee, or its Executive Director, at their discretion, shall determine and direct.

The foregoing resolution, upon motion duly made and seconded, was regularly adopted at the meeting of the Southeastern Wisconsin Regional Planning Commission held on the 1st day of December 2010, the vote being: Ayes 17; Nays 0.



David L. Stroik, Chairman

ATTEST:



Kenneth R. Yunker, Deputy Secretary



WISCONSIN MUNICIPAL MUTUAL INSURANCE COMPANY
4785 Hayes Road • Madison, Wisconsin 53704

Tel: (608) 246-3336
Fax: (608) 246-3338

ANNUAL MEMBERSHIP MEETING

Thursday, May 5, 2011, 6 p.m.
Holiday Inn Hotel & Conference Center, Stevens Point, WI
1001 Amber Avenue
Stevens Point, WI 54482
(715) 344-0200

OFFICIAL REPRESENTATIVES:

Bill Shepherd – La Crosse	Jeff Smith – Rock
Brian Massey – Outagamie	Connie Goss – Chippewa
Eric Veum – City of Madison	Dan Lowndes – Dane
Todd Reckelberg – Manitowoc	Bernie Vash – Kenosha
Dale Peters – City of Eau Claire	Kristi Kordus – Marathon
John Corey – Dodge	Laura Stauffer – Waukesha
Kristen Ziliak – St. Croix	Frank Draxler – Eau Claire
Barb West – Brown	Nicki Andersen – Walworth
Phil Ristow – Jefferson	

AGENDA

1. Call to Order and Roll Call – Dean Brassler
2. Approval of Minutes of May 6, 2010 Annual Membership Meeting
(*attachment*)
3. Introductions and Remarks
4. Unveiling of WMMIC Website – Kim Griswold, wedü Vice President,
CP&S
5. Audit Report as of December 31, 2010 – Presented by Clifton Gunderson
(*Handout*)
6. Election by Members for Three Regular Board of Directors Seats
 - a. Nominating Committee Report – Bernie Vash

76.

- 1) Connie Goss – Chippewa County
- 2) Eric Veum – City of Madison
- 3) Jim Olson – Kenosha County (Remaining Two Years of Three-Year Term)

b. Other Nominations

7. Recommendations for Appointment of Two At-Large Directors

a. Nominating Committee Report – Bernie Vash

- 1) Colleen Schian – City of Eau Claire
- 2) Dan Lowndes – Dane County

8. Recommendation of Officers

a. Nominating Committee Report – Bernie Vash

- 1) Kristi Kordus – Chair
- 2) Connie Goss – Vice Chair
- 3) Norm Cummings – Treasurer
- 4) Mary Jo Maly – Secretary

9. New Business and Recognitions

10. Adjournment



State Representative

Samantha J. Kerkman

RECEIVED
WALWORTH COUNTY CLERK
2011 MAR 22 AM 8:51

March 21, 2011

Kimberly S. Bushey
Walworth County Clerk
100 W. Walworth
P.O. Box 1001
Elkhorn, WI 53121

Dear Kimberly Bushey and Walworth County Board of Supervisors,

Thank you for sending me a copy of the Walworth County Board of Supervisors Resolution No. 79-03/11 supporting an amendment to the Wisconsin Statutes granting townships veto authority over conditional use permits.

I appreciate you keeping me informed on the opinions of the board and I will keep them in mind should these issues come up.

Again, thank you for your time. If you have any questions, please do not hesitate to contact me.

Sincerely,

A handwritten signature in black ink that reads "Samantha J. Kerkman".

Samantha J. Kerkman
State Representative
66th Assembly District



April 19, 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

- There were none.

REFERRAL AND NOTICE OF PETITION TO
WALWORTH COUNTY ZONING AGENCY, COUNTY SUPERVISORS OF
AFFECTED DISTRICTS AND COUNTY BOARD

WHEREAS the following petitions have been filed with the County Clerk requesting that the County Zoning Ordinance and Shoreland Zoning Ordinance be amended or an amendment of the County Land Use Plan Map as specified:

REPORT OF PETITIONS REFERRED TO
WALWORTH COUNTY ZONING AGENCY

The undersigned County Clerk hereby reports that the following petitions for rezone of lands in Walworth County or an amendment of the County Land Use Plan Map as specified were referred to the County Zoning Agency for public hearing:

NAME	TOWN	CHANGE REQUESTED	DATE REFERRED
Birds Eye Foods, LLC	Darien, B D-32-1	1.02 acres of A-1 to A-4	March 14 th , 2011
Hold Your Horses, LLC (c/o Lakeland Animal Shelter)	Delavan, F D-24-1	3.14 acres of RU Urban Density Residential to AP Prime Agricultural land use category	March 14 th , 2011

Said petition/s is hereby referred to the County Zoning Agency as the Zoning Agency of this County, which is hereby directed to hold one or more public hearings on the changes proposed in said petition/s, pursuant to Section 59.69(5) (e) and Section 66.1001(4) Wisconsin Statutes. That copies of said petitions are available for review on the Walworth County Website at (www.co.walworth.wi.us).

Dated this 15th day of March, 2011.



County Clerk

cc. County Supervisor Carl Redenius
County Supervisor David A. Weber

ORDINANCE NO. 674 – 04/11

AMENDING SECTION 74-264 OF THE WALWORTH COUNTY CODE OF ORDINANCES RELATING TO THE FLOODPLAIN APPENDIX

THE WALWORTH COUNTY BOARD OF SUPERVISORS DOES ORDAIN AS FOLLOWS:

PART I: That Section 74-264 of the Walworth County Code of Ordinances is hereby amended to read as follows (additions shown by underline; deletions shown by strike-through):

“Sec. 74-264. Floodplain appendix.

2. LOMCs Not Incorporated

The modifications effected by the LOMCs listed below will not be reflected on the revised FIRM panels because of scale limitations or because the LOMC issued had determined that the lot(s) or structure(s) involved were outside the Special Flood Hazard Area, as shown on the FIRM. These LOMCs will remain in effect until the revised FIRM becomes effective. These LOMCs will be revalidated free of charge 1 day after the revised FIRM becomes effective through a single revalidation letter that reaffirms the validity of the previous LOMCs.

LOMC	Case No.	Date Issued	Project Identifier	Old Panel/ Tax key No.	New Panel
<u>LOMA</u>	<u>09-05-2001A</u>	<u>03/26/2009</u>	<u>PORTION OF BLOCK 3, GREEN LAKE PARK – W5616 WEST SHORE DRIVE</u>	<u>HGP 00018J</u>	<u>55127C0065D</u>
<u>LOMA</u>	<u>09-05-3282A</u>	<u>06/04/2009</u>	<u>PORTION OF SECTION 22, T2N, R16E, 3552 HIGHWAY 50</u>	<u>F D 2200003</u>	<u>55127C0305D</u>
<u>LOMA</u>	<u>09-05-4298A</u>	<u>09/03/2009</u>	<u>PORTION OF SECTION 12, T3N, R18E; N6885 COUNTY RD DD</u>	<u>O SP1200002B</u>	<u>55127C0227D</u>
<u>LOMA</u>	<u>09-05-4407A</u>	<u>09/10/2009</u>	<u>GREEN LAKE PARK, BLOCK 2, PORTION OF LOTS 19-21; W5564 WEST SHORE DRIVE</u>	<u>HGP 00018D</u>	<u>55127C0065D</u>
<u>LOMA</u>	<u>10-05-0772A</u>	<u>03/18/2010</u>	<u>PORTION OF SECTON 35, T4N, R16E; W5365 BAYWOOD DR.</u>	<u>H LG3500012I</u>	<u>55127C0065D</u>
<u>LOMA</u>	<u>10-05-3634A</u>	<u>05/11/2010</u>	<u>LOTS 6719 THRU 6723, BLOCK 145</u>	<u>MPL 01466</u>	<u>55127C0361D</u>

			<u>PELL LAKE; W1113 MIGNONETTE RD.</u>		
<u>LOMA</u>	<u>10-05-3976A</u>	<u>05/25/2010</u>	<u>PORTION OF SECTION 28, T4N, R18E; N7784 CARVER SCHOOL RD.</u>	<u>P ET1800010A</u>	<u>55127C0115D</u>
<u>LOMA</u>	<u>10-05-3298A</u>	<u>06/08/2010</u>	<u>LOTS 3 AND 4, BLOCK 7 LAKE GENEVA TERRACE; N1586 WILLIAMS PLAZA</u>	<u>ILGT 00026A2</u>	<u>55127C0336D</u>
<u>LOMA</u>	<u>10-05-4173A</u>	<u>06/10/2010</u>	<u>LOT 20 AND A PORTION OF LOT 17, BLOCK 1, LAKE GENEVA TERRACE; N1625 LINCOLN AVE.</u>	<u>ILGT 00001H4</u>	<u>55127C0336D</u>
<u>LOMA</u>	<u>10-05-3996A</u>	<u>06/24/2010</u>	<u>LOT 21, BLOCK 1 LAKE GENEVA TERRACE; N1617 LINCOLN AVE.</u>	<u>ILGT 00001K</u>	<u>55127C0336D</u>
<u>LOMA</u>	<u>10-05-5552A</u>	<u>08/05/2010</u>	<u>LOTS 8 AND 9, BLOCK 7 SOUTH SHORE MANOR; 4325 EAST DRIVE</u>	<u>FSS 00088</u>	<u>55127C0305D</u>
<u>LOMA</u>	<u>10-05-5182A</u>	<u>10/21/2010</u>	<u>PARCEL 1 CERTIFIED SURVEY MAP NO. 766; W1532 HONEY CREEK RD.</u>	<u>PA 76600001</u>	<u>55127C0094D</u>
<u>LOMA</u>	<u>11-05-0348A</u>	<u>12/16/2010</u>	<u>PORTION OF LAND IN SECTION 35, T4N, R16E, CARSWELLS PARK;</u>	<u>HCA 00012</u>	<u>55127C0065D</u>

1
2 **PART II: This Ordinance shall become effective upon passage.**

3
4 **PASSED and ADOPTED** by the Walworth County Board of Supervisors this 19th day of April,
5 2011.

6
7
8
9
10
11 _____
12 Nancy Russell
13 County Board Chair

11 _____
12 Kimberly S. Bushey
13 Attest: County Clerk

14 **County Board Meeting Date:** April 19, 2011

83.

Ordinance No. 674-04/11
Fiscal Note and Policy Impact Statement

I. Title: Amending Section 74-264 of the Walworth County Code of Ordinance Relating to the Floodplain Appendix

II. Purpose and Policy Impact Statement: During the year 2010, property owners have submitted evidence to the Federal Emergency Management Agency (FEMA) correcting the location of the floodplain. After FEMA has reviewed the information, FEMA makes a determination and sends a letter to each property owner. This amendment compiles a year's worth of Letters of Map Amendment (LOMA) or Letters of Map Corrections (LOMC) received from FEMA, and documents them in the Shoreland Zoning Ordinance on the Appendix page.

III. Is this a budgeted item and what is its fiscal impact: Passage of this ordinance will have no fiscal impact on the County budget.

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

Committee: County Zoning Agency

Date: March 17, 2011

Vote: 7 - 0

County Board Meeting Date: April 19, 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 4/7/11
Date
County Administrator/Corporation Counsel

N. Andersen 4/7/11
Date
Deputy County Administrator - Finance

85.

WALWORTH COUNTY BOARD OF SUPERVISORS 2011-2012 MEETING SCHEDULE

*5:00 p.m., Tuesday, April 19, 2011 Committee of the Whole – Presentation by WMMIC regarding Walworth County’s general liability insurance program

6:00 p.m., Tuesday, April 19, 2011

6:00 p.m., Tuesday, May 10, 2011

6:00 p.m., Tuesday, June 14, 2011

6:00 p.m., Tuesday, July 12, 2011

6:00 p.m., Tuesday, August 9, 2011

5:00 p.m., Thursday, September 8, 2011 Committee of the Whole – Budget Workshop – Presentation of County Administrator’s 2012 Budget

6:00 p.m., Thursday, September 8, 2011

6:00 p.m., Tuesday, October 11, 2011

6:00 p.m., Tuesday, November 1, 2011 – Public Budget Hearing

6:00 p.m., Tuesday, November 8, 2011

6:00 p.m., Tuesday, December 13, 2011

6:00 p.m., Tuesday, January 10, 2012

6:00 p.m., Tuesday, February 14, 2012

February 21, 2012- SPRING PRIMARY

6:00 p.m., Tuesday, March 13, 2012

April 3, 2012-SPRING ELECTION

6:00 p.m., Tuesday, April 17, 2012

6:00 p.m., Thursday, April 19, 2012

*Committee of the Whole Meetings

**Dates & times scheduled by Finance Committee

Resolution No. 01 – 04/11
Recognizing Walworth County Volunteers for Their Service to the County

1 Moved/Sponsored by: Executive Committee

2
3 **WHEREAS**, the week of April 10-16, 2011 was National Volunteer Week, “Celebrating People
4 in Action”; and,

5
6 **WHEREAS**, Walworth County adopted resolution no. 81-03/11 Proclaiming April 10 through
7 April 16, 2011 Volunteer Week in Walworth County; and,

8
9 **WHEREAS**, during National Volunteer Week, all over the nation, service projects were
10 performed and volunteers were recognized for their commitment to service; and,

11
12 **WHEREAS**, Walworth County government is fortunate to work with more than 600 volunteers
13 who generously give of their time and talent to make all Walworth County communities better
14 places to live; and,

15
16 **WHEREAS**, hundreds of volunteers from a variety of ages, diverse professions and
17 backgrounds, and possessing a multitude of skills, donate thousands of hours of their time each
18 year in service to Walworth County and its residents; and,

19
20 **WHEREAS**, County volunteers donated a grand total of 28,136 hours between January and
21 December of 2010, inspiring others and effecting a positive change in Walworth County and its
22 communities; and,

23
24 **WHEREAS**, volunteers in Walworth County are vital to our communities and the future of our
25 county as well as our nation.

26
27 **NOW, THEREFORE, BE IT RESOLVED** that the Walworth County Board of Supervisors
28 recognizes the following Walworth County volunteers for their exceptional service to the county:

29
30 County Jail

31 Gary Relihan – Jail Library

32 Health and Human Services Department

33 Royce Chechowitz

34 Doris “Dodi” DuPont

35 Betty Reynolds

36 Clifford Witte

37 Lakeland Health Care Center

38 Jim Coehoorn

39 Land Use and Resource Management Department

40 Dennis Kosin

41 UW-Extension Office

42 Dr. Henry “Hank” Mol – Family Living Volunteer

43

Policy and Fiscal Note
Resolution No. 01 - 04/11

- I. **Title:** Recognizing Walworth County Volunteers for Their Service to the County

- II. **Purpose and Policy Impact Statement:** The purpose of this resolution is to recognize Walworth County volunteers for their service to the county.

- III. **Budget and Fiscal Impact:** Passage of this resolution will not have any fiscal impact on the County budget.

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

Committee: Executive

Meeting Date: March 14, 2011

Vote: 5 - 0

County Board Meeting Date: April 19, 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.

 3/16/2011

Date
David A. Bretl
County Administrator/Corporation Counsel

 3/17/11

Date
Nicole Andersen
Deputy County Administrator - Finance

Resolution No. 02 – 04/11
**Urging the State Legislature To Rescind Changes Made to the State's
Prevailing Wage Laws by Enactment of the State Budget, 2009 Wisconsin Act 28**

1 Moved/Sponsored by: Executive Committee
2

3 **WHEREAS**, the Wisconsin Legislature made extensive changes to prevailing wage laws
4 (Sections 66.0903 and 103.49, *Wis. Stats.*), effective January 1, 2010, by enactment of the State
5 budget, 2009 Wisconsin Act 28; and,
6

7 **WHEREAS**, under previous law, the prevailing wage requirements applied to public works
8 projects of \$25,000 or more; and,
9

10 **WHEREAS**, under current law, the prevailing wage requirements apply to private projects that
11 receive public financing; and,
12

13 **WHEREAS**, the reduction in the prevailing wage requirements' threshold to \$25,000 has
14 increased the cost of many small public projects previously exempted from the prevailing wage
15 requirements; and,
16

17 **WHEREAS**, the increased costs to pay prevailing wages on all public works projects that cost
18 \$25,000 or more has forced counties and other local governments to either reduce the number
19 and/or size of public works projects or raise taxes to meet the increased costs, further burdening
20 property taxpayers; and,
21

22 **WHEREAS**, the changes that were made to prevailing wage laws, effective January 1, 2010,
23 have added to the cost of projects in Walworth County at a time when the county is operating
24 under numerous financial constraints, including levy limits and tax rate limits.
25

26 **NOW, THEREFORE, BE IT RESOLVED** that the Walworth County Board of Supervisors
27 hereby urges the Wisconsin Legislature to rescind the changes that were made to prevailing wage
28 laws (Sections 66.0903 and 103.49, *Wis. Stats.*), effective January 1, 2010, by enactment of
29 Wisconsin Act 28, the 2009 State budget.
30

31 **BE IT FURTHER RESOLVED** that the Walworth County Clerk is hereby directed to transmit
32 a copy of this resolution to the Governor and to the State legislators representing constituents in
33 Walworth County.
34
35
36
37

38 _____
39 Nancy Russell
40 County Board Chair

38 _____
39 Kimberly S. Bushey
40 County Clerk

41 County Board Meeting Date: April 19, 2011
42

1 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:

DA Bretl 3/21/2011
David A. Bretl Date
County Administrator/Corporation Counsel

N. Andersen 3/22/11
Nicole Andersen Date
Deputy County Administrator - Finance

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

Policy and Fiscal Note
Resolution No. 02 – 04/11

- I. **Title:** Urging the State Legislature To Rescind Changes Made to the State's Prevailing Wage Laws by Enactment of the State Budget, 2009 Wisconsin Act 28

- II. **Purpose and Policy Impact Statement:** The purpose of this resolution is to urge the State Legislature to rescind changes made to the state's prevailing wage laws, effective January 1, 2010 upon passage of Wisconsin Act 28, the 2009 State budget.

- III. **Budget and Fiscal Impact:** This is an advisory resolution to the State Legislature. The county could expect cost savings in an undetermined amount in the event the prevailing wage rate provisions were modified as set forth in this resolution.

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

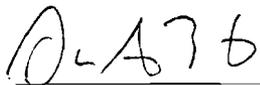
Committee: Executive

Meeting Date: March 14, 2011

Vote: 5 – 0

County Board Meeting Date: April 19, 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.

 3/21/2011

Date
David A. Bretl
County Administrator/Corporation Counsel

 3/22/11

Date
Nicole Andersen
Deputy County Administrator - Finance

Resolution No. 03 – 04/11
**Denying the Claim of TDS Telecommunications Corporation Related to Damage
To a Telephone Pedestal Located on County Highway NN in Elkhorn, Wisconsin**

1 Moved/Sponsored by: Executive Committee

2
3 **WHEREAS**, TDS Telecommunications Corporation (“TDS”) filed a claim against Walworth
4 County in the amount of \$265.00 on account of damage to a pedestal alleged to have been caused
5 by the county’s negligence; and,

6
7 **WHEREAS**, the county’s liability insurance company has investigated the circumstances of the
8 pedestal damage and found that the county has no liability; and,

9
10 **WHEREAS**, based upon a review of the information and investigation of the facts of this claim,
11 the county’s Executive Committee recommends the claim be denied and notice of disallowance
12 be served upon the claimant.

13
14 **NOW, THEREFORE, BE IT RESOLVED** by the Walworth County Board of Supervisors that
15 the claim of TDS be and the same is hereby denied, and that the County Clerk be directed to
16 serve a Notice of Disallowance upon the claimant.

17
18
19 _____
20 Nancy Russell
21 County Board Chair

Kimberly S. Bushey
County Clerk

22
23
24 County Board Meeting Date: April 19, 2011

25
26 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 3/16/11
Date
David A. Bretl
County Administrator/Corporation Counsel

Nicole Andersen 3/16/11
Date
Nicole Andersen
Deputy County Administrator - Finance

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

Policy and Fiscal Note
Resolution No. 03 – 04/11

- I. **Title:** Denying the Claim of TDS Telecommunications Corporation Related to Damage To a Telephone Pedestal Located on County Highway NN in Elkhorn, Wisconsin

- II. **Purpose and Policy Impact Statement:** The purpose of this resolution is to deny the claim of TDS.

- III. **Budget and Fiscal Impact:** Passage of this resolution will have no fiscal impact on the County budget.

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

Committee: Executive Committee

Meeting Date: March 14, 2011

Vote: 5 – 0

County Board Meeting Date: April 19, 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.

DA36 3/16/11
David A. Bretl Date
County Administrator/Corporation Counsel

N. Andersen 3/16/11
Nicole Andersen Date
Deputy County Administrator - Finance

ORDINANCE NO. 675 – 04/11

AMENDING SECTION 15-17 OF THE WALWORTH COUNTY CODE OF ORDINANCES RELATING TO THE REGISTER IN PROBATE POSITION IN THE CLERK OF COURTS OFFICE

1 THE WALWORTH COUNTY BOARD OF SUPERVISORS DOES ORDAIN AS
2 FOLLOWS:

3
4 PART I: That Section 15-17 in Division 2 of Article I of Chapter 15 of the Walworth
5 County Code of Ordinances is hereby amended to read as follows:

6
7 “Sec. 15-17. Authorized positions by department.

8
9 (d) Clerk of Courts

CLASSIFICATION TITLE	FTE
Account Clerk III	1.00
Account Clerk IV	1.00
Calendar Clerk Court	5.00
Clerk II	3.00
Clerk IV	4.00
Clerk of Courts (elected)	1.00
Deputy Clerk Courts	8.00
Deputy Register in Probate	1.00
Family Court Commissioner	1.00
Jury Bailiff	1.93
Office Manager – Courts	1.00
Office Supervisor – Courts	1.00
Register in Probate	1.00
Student Worker	0.68
Total Clerk of Courts FTEs	29.61

10
11
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27
28
29 PART II: This Ordinance shall become effective upon passage.

30
31 PASSED and ADOPTED by the Walworth County Board of Supervisors this 19th day of April
32 2011.
33
34
35
36

37
38 _____
39 Nancy Russell
County Board Chair

Kimberly S. Bushey
Attest: County Clerk

Ordinance No. 675-04/11
Fiscal Note and Policy Impact Statement

I. Title: Amending Section 15-17 of the Walworth County Code of Ordinances Relating to the Register in Probate Position in the Clerk of Courts Office

II. Purpose and Policy Impact Statement: The purpose of this ordinance amendment is to reclassify the vacant Register in Probate position to an Office Supervisor (Courts) position. The duties of Register in Probate, Registrar and Commissioner were added to the Clerk of Courts position as primary and the Office Manager (Courts) position as a backup when the Register in Probate position became vacant last fall. The added responsibilities to the existing positions called for a supervisor to take on more of the day-to-day personnel and office administration.

III. Is this a budgeted item and what is its fiscal impact: This position was funded in the 2011 budget as the Register in Probate position. Due to the vacancy of the position in 2011, the anticipated savings for 2011 will be \$40,799 and on an annual basis will be \$7,072.

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

Committee: Human Resources Committee Date: March 16, 2011

Vote: 4 – 0

County Board Meeting Date: April 19, 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.

 3/25/11

Date
David A. Bretl
County Administrator/Corporation Counsel

 3/30/11

Date
Nicole Andersen
Deputy County Administrator-Finance

ORDINANCE NO. 676 – 04/11

AMENDING SECTION 15-338 OF THE WALWORTH COUNTY CODE
OF ORDINANCES RELATING TO SEVERANCE PAY UPON LAYOFF
OR TERMINATION

THE WALWORTH COUNTY BOARD OF SUPERVISORS DOES ORDAIN AS
FOLLOWS:

1 PART I: That Section 15-338 of the Walworth County Code of Ordinances is hereby
2 amended to read as follows (additions shown by underline; deletions shown by strike-
3 through):
4

5 “Sec. 15-338. Severance pay upon layoff or termination.
6

7 (c) Upon termination of employment severance pay for accrued sick leave shall be paid in a
8 lump sum computed at the pay rate in effect on the employee's last day actually worked
9 for certain grand-fathered employees, subject to the following:
10

11 (1) An employee covered by resolution #14-04/87 who did not elect to be covered by
12 section 15-339, shall receive severance pay for up to 90 days (720 accrued sick
13 hours) paid at ~~100 percent~~ the level specified in the resolution. Hours in excess of
14 720 shall have no severance value.
15

16 (2) Except as provided under paragraph (1), a non-represented employee hired prior
17 to April 21, 1987 who did not elect to be covered by 15-339, shall receive
18 severance pay for up to 90 days paid at 50 percent (maximum of 360 hours).
19 Hours in excess of 720 shall have no severance value.
20

21 (3) An employee hired into a bargaining unit position prior to April 21, 1987 and then
22 transferred to a non-represented position after April 21, 1987 who did not elect to
23 be covered by section 15-339, shall be subject to paragraph (5).
24

25 (4) An employee hired into a bargaining unit position after April 21, 1987 and then
26 transferred to a non-represented position who did not elect to be covered by
27 section 15-339, shall:
28

29 a) For severance purposes, sick leave balances shall be ~~have their sick leave~~
30 ~~balance for severance purposes~~ frozen at the balance in effect on the date
31 of transfer and paid at the formula under paragraph (5);
32

33 b) Sick leave hours earned and accrued after the transfer date are eligible for
34 conversion to health insurance credits as outlined in Section 15-339 if
35 employee is eligible for retiree health insurance as outlined in Section 15-
36 556;
37

1 c) Effective May 1, 2011, all employees promoted from a represented
2 position to a non-represented position will retain the severance/sick credit
3 election made in calendar year 2000 for Lakeland Education Association
4 members and in calendar year 1998 for all other county employees.
5

6 (5) A represented employee hired prior to June 9, 1998 who has not elected to be
7 covered by section 15-339 shall receive severance pay for up to 90 days paid at 50
8 percent (maximum of 360 hours). Hours in excess of 720 shall have no severance
9 value.

10
11 (6) Sick severance is not available to non-represented employees hired after
12 December 1, 2005 or for represented employees on the dates specified in
13 collective bargaining agreements.”
14

15 **BE IT ORDAINED by the Walworth County Board of Supervisors that all previous**
16 **ordinances and resolutions pertaining to Section 15-338 are hereby superseded.**

17
18 **BE IT FURTHER ORDAINED by the Walworth County Board of Supervisors that this**
19 **Ordinance shall become effective upon passage and publication.**

20
21 **PASSED and ADOPTED** by the Walworth County Board of Supervisors this 19th day of April,
22 2011.
23
24
25
26

27 _____
28 Nancy Russell
29 County Board Chair

Kimberly S. Bushey
Attest: County Clerk

30
31 County Board Meeting Date: April 19, 2011

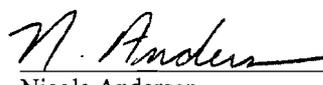
Action Required: Majority Vote X Two-thirds Vote _____ Other _____

Policy and Fiscal Note is attached.

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

 3/25/11

David A. Bretl Date
County Administrator/Corporation Counsel

 3/30/11

Nicole Andersen Date
Deputy County Administrator - Finance

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

Ordinance No. 676 – 04/11
Fiscal Note and Policy Impact Statement

- I. **Title:** Amending Section 15-338 of the Walworth County Code of Ordinances Relating to Severance Pay Upon Layoff or Termination
- II. **Purpose and Policy Impact Statement:** This ordinance updates the manner in which accrued sick leave is processed upon termination.
- 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: March 16, 2011

Vote: 4 – 0

County Board Meeting Date: April 19, 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 Bretl 3/25/11
David A. Bretl Date
County Administrator/Corporation Counsel

N. Andersen 3/30/11
Nicole Andersen Date
Deputy County Administrator - Finance

Resolution No. 04-04/11
Implementing Changes in Wages for Certain Casual Employees

1 Moved/Sponsored by: Human Resources Committee

2
3 **WHEREAS**, the Human Resources Committee (“Committee”) has considered the matter of pay
4 raises for certain casual employees and makes the following recommendation to the county
5 board:

6
7 A 1% pay raise effective retroactively to January 1, 2011, for all job classifications
8 related to casual positions with a counterpart position in a non-represented or bargaining
9 unit classification; including, but not limited to:

- 10
11 a. Certified Nursing Assistant
12 b. Clerk II
13 c. Food Service Worker
14 d. Human Service Specialist I
15 e. Linen Worker
16 f. Receptionist
17 g. Van Driver
18 h. Account Clerk I
19 i. LPN Unit Supervisor
20 j. RN Unit Supervisor

21
22 **NOW, THEREFORE, BE IT RESOLVED** that the Walworth County Board of Supervisors
23 does hereby approve implementation of the Committee’s recommended pay raises.

24
25
26 _____
27 Nancy Russell
28 County Board Chair

Kimberly S. Bushey
County Clerk

29
30
31 Action Required: Majority Two-thirds _____ Other _____

32
33 County Board Meeting Date: April 19, 2011

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

 3/25/11

Date
David A. Bretl
County Administrator/Corporation Counsel

 3/30/11

Date
Nicole Andersen
Deputy County Administrator - Finance

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

Policy and Fiscal Note
Resolution No. 04-04/11

- I. **Title:** Implementing Changes in Wages and Benefits for Certain Casual Employees
- II. **Purpose and Policy Impact Statement:** The purpose of this resolution is to implement changes in pay for casual positions that have a counterpart position in a non-represented or bargaining unit classification, so as to maintain their pay grades with the settled contracts to help the County recruit and retain casual employees.
- III. **Budget and Fiscal Impact:** The 2011 budget includes this 1% pay raise for casual employees. Based on the wages for and number of hours worked by the eighteen casual employees currently employed by the County, this increase will cost approximately \$148 in retroactive raises in 2011, and a total increase of \$1,120 for 2011.

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

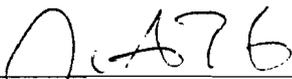
Committee: Human Resources

Meeting Date: March 16, 2011

Vote: 4 – 0

County Board Meeting Date: April 19, 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.

 3/25/11

Date
David A. Bretl
County Administrator/Corporation Counsel

 3/31/11

Date
Nicole Andersen
Deputy County Administrator - Finance