

PUBLIC HEARING
TUESDAY, AUGUST 9, 2011 at 6:00 PM
County Board Room
Walworth County Government Center
100 W. WALWORTH STREET
ELKHORN, WI

A G E N D A
Redistricting Plan for Walworth County: 2011

Board of Supervisors

- Presentation of 2011 Redistricting Plan for Walworth County
- Public Input and General Discussion

WALWORTH COUNTY BOARD OF SUPERVISORS
MEETING
TUESDAY, AUGUST 9, 2011
(To immediately follow the Public Hearing)
County Board Room
Walworth County Government Center
100 W. WALWORTH STREET
ELKHORN, WI
Nancy Russell – Chair
Dan Kilkenny – Vice Chair

A G E N D A – AMENDED AUGUST 2, 2011

Call to Order

Pledge of Allegiance

Invocation

- Richard Brandl, Walworth County Board Supervisor, District #9

Roll Call

Withdrawals from Agenda, if any

Approval of the Agenda

Approval of the Minutes

- July 12, 2011 Walworth County Board Meeting
- July 20, 2011 Walworth County Board Special Meeting

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

Special Order of Business

- Government Finance Officers Association (GFOA) Distinguished Budget Presentation Award for Fiscal Year 2011

Appointments/Elections

1. Children with Disabilities Education Board (CDEB)
 - Dave Weber – Re-election to serve a three year term to begin retroactive to April 19, 2011 and end on April 19, 2014
(Recommended by the Executive Committee 5-0)
2. East Troy Lions Community Library
 - Philip Taugher – Three year term to begin upon Board reappointment and end on June 30, 2014
(Recommended by the Executive Committee 5-0)
3. Honey Lake Management District
 - Robert McIndoe – Term to begin upon Board appointment and continue until a successor is named.
(Recommended by the Land Conservation Committee 4-0)
4. Southeastern Wisconsin Regional Planning Commission (SEWRPC)
 - Allen Morrison
 - Charles Colman

(The Executive Committee will meet prior to the County Board meeting to vote to recommend a list containing the names of both candidates to be forwarded to Governor Walker)

Communications and Matters to Be Referred

1. Claims Received After Agenda Mailing
2. Communication from the University of Wisconsin Colleges/University of Wisconsin-Extension thanking the board for supporting Res. No. 29-06/11, in support of the Wisconsin Idea Partnership (to be placed on file)
3. Correspondence from the Wisconsin Historical Society regarding the Elkhorn Band Shell in Sunset Park being nominated to the Wisconsin State Register of Historic Places and National Register of Historic Places (to be placed on file)
4. Correspondence from the Wisconsin Historical Society regarding the Elkhorn Municipal Building located at 9 South Broad Street in Elkhorn, WI being nominated to the Wisconsin State Register of Historic Places and National Register of Historic Places (to be placed on file)
5. Correspondence from the Wisconsin Department of Natural Resources Approving the Amendment to the Regional Water Quality Management Plan for the Sanitary Sewer Service Area for the Walworth County Metropolitan Sewerage District – City of Elkhorn (to be placed on file)
6. Correspondence from Gene Pulera, Town of Richmond, Proposal re: Public Health and the Use of Spray Irrigation for Liquid Manure Disposal, including Center Pivots (to be referred to the County Zoning Agency)
7. Town of Richmond Resolution No. 7/19/2011 – Resolution Concerning Center Pivot Manure and Manure By-Product Application (to be referred to the County Zoning Agency)
8. Communication from David A. Bretl, County Administrator, regarding a 5-minute presentation by the Fairest of the Fair, Hannah Eucker. (To be placed on file)(It is anticipated that the County Board will suspend its rules and

consider the request and permit the Fairest of the Fair to make a short presentation at tonight's meeting)

9. Outagamie County Resolution 27--2011-12 – Opposing State of Wisconsin 2011 Assembly Bill 173 – To be referred to the Executive Committee
10. Correspondence from Bruce T. Block, Reinhart Attorneys at Law, regarding the proposed HUD Section 108 Financing for Senior Housing Project in the Town of Geneva, Wisconsin – To be referred to the Finance Committee
11. Correspondence from Brian A. Schuk, Wassel, Harvey & Schuk, LLP, regarding the Town of Bloomfield, Farmland Preservation – To be referred to the Land Conservation Committee
12. Report of the County Clerk Concerning Communications Received by the Board and Recommended to be Placed on File
13. Report of County Clerk Concerning Communications Received by the Board After the Agenda Mailing
14. Report of County Clerk Concerning Zoning Petitions (To be referred to the County Zoning Agency)

Unfinished Business

1. Res. No. 35-07/11 - Directing the Treasurer To Reject Settlement of a Special Assessment in the City of Whitewater Relative to Tax Incremental Financing (TIF) District No. 4 – *Vote Required: Majority* (Recommended by the Finance Committee 4 - 0) – Tabled from July 12, 2011 County Board meeting.

New Business

1. Res. No. 42-08/11 – Supporting a Supervisory District Plan for Walworth County-*Vote required: Majority* (The County Board will vote on this plan on August 9, 2011)

Reports of Standing Committees

County Zoning Agency Report of Proposed Zoning Amendments

1. Ord. No. 684-08/11 - Amending Sections 74-28, 74-131, 74-153 and 74-263 of the Walworth County Code of Ordinances Relating to Environmental Corridors - *Vote required: Majority* (Recommended County Zoning Agency 6-0) Amendment to Walworth County Code of Ordinances, Walworth County, Wisconsin, Chapter 74-28 and 74-131 of the Zoning Ordinance and Chapter 74-153 and 74-263 of the Shoreland Zoning Ordinance – approved 6-0 (June 16, 2011 public hearing)
2. Ord. No. 685-08/11 - Amending Sections 74-53, 74-55, 74-56, 74-64, 74-65, 74-66, 74-74, 74-180, 74-182, 74-183, 74-191, 74-192, 74-193, 74-203 of the Walworth County Code of Ordinances Relating to Shared Parking - *Vote required: Majority* (Recommended County Zoning Agency 6-0) Amendment to Walworth County Code of Ordinances, Walworth County, Wisconsin, Chapter 74-53, 74-55, 74-56, 74-64, 74-65, 74-66, 74-74 of the Zoning Ordinance and Chapter 74-180, 74-182, 74-183, 74-191, 74-192, 74-193, 74-203 of the Shoreland Zoning Ordinance – approved 6-0 (June 16, 2011 public hearing)
3. Ord. No. 686-08/11 - Amending Sections 74-38 and 74-163 of the Walworth County Code of Ordinances Relating to Accessory Structures - *Vote required: Majority* (Recommended County Zoning Agency 6-0) Amendment to Walworth County Code of Ordinances, Walworth County, Wisconsin, Chapter 74-38 of the

Zoning Ordinance and Chapter 74-163 of the Shoreland Zoning Ordinance – approved 6-0 (June 16, 2011 public hearing)

4. Clayton & Mary French, Town of Lafayette, Rezone approximately 5.99 acres of the parcel from A-1 Prime Agricultural to C-2 Upland Conservation District for creation of a separate lot for an existing residence - approved 6-0 (July 21, 2011 County Zoning Agency public hearing)

5. Fairwyn Trading Company, LLC, Bloomfield Township, Rezone approximately 54 acres of shoreland area from A-1 Prime Agricultural to R-1 Single Family Residential and C-4 Land Resource Conservation District (Shoreland Wetland) for the creation of a residential subdivision. The request includes designation of shoreland area for a navigable stream - approved 6-0 (July 21, 2011 County Zoning Agency public hearing)

6. Joe and Wendy Staller, Richmond Township, Rezone A-1 Prime Agricultural District to A-4 Agricultural Related Manufacturing, Warehousing and Marketing District area, approximately 1.93 acres for an existing winery - approved 6-0 (July 21, 2011 County Zoning Agency public hearing)

Executive Committee

1. Res. No. 40-08/11 - Denying the Claim of Aaron M. Blum – *Vote Required: Majority* (Recommended by the Executive Committee 5-0)

Land Conservation Committee

1. Res. No. 39-08/11 – Adopting a Report of the Land Conservation Committee Recommending Approval of the Petition for Attachment to the Lake Beulah Management District Boundaries – *Vote Required: Majority* (Recommended by the Land Conservation Committee 4-0)

Public Works Committee

1. Res. No. 41-08/11 - Rescinding Resolution No. 73-01/11 Relative to a Lease Agreement between Walworth County and the Children's Service Society of Wisconsin - *Vote required: majority* (Recommended by the Public Works Committee 5-0)

Reports of Special Committees

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

Closed Session

The Board will convene in closed session pursuant to the exemption contained in Section 19.85 (1)(e) of the Wisconsin Statutes, "Deliberating or negotiating the purchasing of public properties, the investing of public funds, or conducting other specified public business, whenever competitive or bargaining reasons require a closed session."

In closed session, the Board will discuss the following item:

- Establishing guidance/parameters for upcoming negotiations with Unions

The Board will reconvene in open session and may take action on the closed session item.

Chairperson's Report

Adjournment

Kimberly S. Bushey

Walworth County Clerk

****Supervisors and Committees: Please submit titles for September 8, 2011 agenda items on or before Thursday, August 25, 2011.**



JULY 12, 2011
WALWORTH COUNTY BOARD OF SUPERVISORS
MEETING

The Walworth County Board of Supervisors meeting was called to order by Chair Russell at 6:01 p.m. in the County Board Room at the Walworth County Government Center, 100 W. Walworth Street, Elkhorn, Wisconsin.

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

Carl Redenius, Walworth County Board Supervisor, District #5, delivered the invocation.

Amendments, Withdrawals, and Approval of Agenda

On motion by Supervisor Stacey, seconded by Supervisor Brandl, the July 12, 2011 agenda was approved by voice vote.

Approval of the Minutes

On motion by Supervisor Grant, seconded by Supervisor Weber, the minutes of the June 14, 2011 Walworth County Board Meeting was approved by voice vote.

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

There were none

Appointments/Elections

1. Board of Adjustment - Ann Seaver – Three year term to begin upon Board reappointment and end on June 30, 2014 (Recommended by the Executive Committee 5-0)
2. Lakeshores Library System Board - Daniel Necci – Three year term to begin upon Board appointment and end June 30, 2014 (Recommended by the Executive Committee 5-0)

On motion by Supervisor Weber, seconded by Supervisor Schaefer, Ann Seaver was reappointed to the Board of Adjustment Board; and Daniel Necci was appointed to the Lakeshores Library System Board.

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
2. Claims: a) Summons and Complaint-Marjorie L. Geiger vs Walworth County Public Works (To be referred to the Executive Committee)
3. Walworth County Metropolitan Sewerage District Year 2010 Annual Report and Transmittal Letter (The complete report is on file in the County Clerk's office)

4. Outagamie County Resolution No. 20--2011-12 – The Outagamie County Board of Supervisors does request that the state legislators eliminate the non fiscal provisions 16-28 of the Omnibus Transportation Motion (Amendment 352), and maintain current law (To be referred to the Executive Committee)
5. Communications received from Governor Scott Walker, acknowledging receipt of Walworth County resolution(s) (To be placed on file)
6. Report of the County Clerk Concerning Communications Received by the Board and Recommended to be Placed on File
7. Report of County Clerk Concerning Communications Received by the Board After the Agenda Mailing
 - Memo from County Administrator, David Bretl regarding 2011 Senate Bill 130 - To be referred to the County Zoning Agency
 - Correspondence from Carl Redenius, County Board Supervisor Dist. 5 regarding Center Pivot Nutrient Application - To be referred to the County Zoning Agency
 - Correspondence from Carl Redenius, County Board Supervisor Dist. 5 regarding Land Management Dept. Policies and Procedures - To be referred to the County Zoning Agency
 - Correspondence from Brian A. Schuk, Wassel, Harvey & Schuk, LLP, regarding zoning amendments for the Town of Bloomfield – To be referred to the County Zoning Agency
 - Adams County Resolution 33-2011 – Supporting Wisconsin Counties Association (WCA) and Wisconsin Counties Human Services Association (WCHSA) Income Maintenance Model - To be referred to the Health and Human Services Board
 - Correspondence from Kevin P. Reilly, President of University of Wisconsin thanking the Board for supporting Wisconsin Idea Partnership and the preservation of a unified UW System as expressed on Res. No. 29-06/11 - To be placed on file
 - Correspondence from Kenosha County, Department of Planning and Development regarding amendments to the Kenosha County Comprehensive Plan – To be placed on file
 - SEWRPC correspondence and amendment to the Regional Water Quality Management Plan Walworth County Metropolitan Sewerage District/Elkhorn Sanitary Sewer Service Area - The complete Plan is on file in the County Clerk’s office
 - Correspondence from Joseph R. Korpalski, Jr., P.E., Director of Transportation of McHenry County, IL regarding Five Year Highway Improvement Program for 2011 through 2015 – To be placed on file
 - SEWRPC Commission Calendar Year 2012 Budget adopted on June 15, 2011. The complete Budget is on file in the County Clerk’s office
 - *Walworth County Aging & Disability Resource Center News*, June 2011 – To be placed on file
 - Ord. No. 683-07/11 –Amending Section 30-172 of the Walworth County Code of Ordinances Relating to Committed Funds for Unrealized Investment Income- Vote Required: Majority (The Finance Committee will consider at a meeting prior to the July 12, 2011 County Board meeting.) – Not available for agenda packet/will be considered at meeting
 - Res. No. 36-07/11 – Authorizing Write Off of Uncollectible Real Estate Taxes- Vote Required: Two-Thirds (The Finance Committee will consider at a meeting prior to the July 12, 2011 County Board meeting.) – Not available for agenda packet/will be considered at meeting
 - Res. No. 37-07/11 – Committing Fund Balance for Unrealized Investment Income-Vote Required: Two-Thirds (The Finance Committee will consider at a meeting prior to the July 12, 2011 County Board meeting.) – Not available for agenda packet/will be considered at meeting

- June 14, 2011 County Board Meeting Minutes, change was made to include the zoning petitions that were referred.
- Correspondence from Jerry Grant, County Board Supervisor Dist. 4, regarding the Concealed Carry Law and Walworth County Buildings – To be referred to the Executive Committee
- 8. Report of County Clerk Concerning Zoning Petitions (To be referred to the County Zoning Agency)
 - Clayton & Mary French, Town of LaFayette, A-1 to C-2
 - Fairwyn Trading Company, LLC, Town of Bloomfield, A-1 to R-1 & C-4
 - Joe & Wendy Staller, Town of Richmond, A-1 to A-4

Unfinished Business

New Business

Reports of Standing Committees

County Zoning Agency Report of Proposed Zoning Amendments

1. Hold Your Horses LLC c/o Lakeland Animal Shelter, Town of Delavan, Rezone Approximately 13.31 acres from A-1, R-1 and M-1 to A-4. Approved 5-0 (June 16, 2011 public hearing)
2. Various Owners, Town of Bloomfield, Rezone portions of Nippersink Park from B-5 to R-1. Approved 5-0 (June 16, 2011 public hearing)

On motion by Supervisor Stacey, seconded by Supervisor Weber, item 1, Hold Your Horses LLC c/o Lakeland Animal Shelter; and item 2, Various Owners, Town of Bloomfield, were approved by voice vote as recommended by the County Zoning Agency.

Executive Committee

1. Ord. No. 682 - 07/11 - Amending Sub-paragraph 9 of Section 2-131 (a) of the Walworth County Code of Ordinances Relative to Duties of the Executive Committee-*Vote Required: Two-thirds* (Recommended by the Executive Committee 5-0)
2. Res. No. 30 - 07/11 - Endorsing Preparation by the Milwaukee 7 and the Southeastern Wisconsin Regional Planning Commission of a Comprehensive Economic Development Strategy and the Potential Designation of the 7-County Southeastern Wisconsin Region as an Economic Development District- *Vote Required: Majority* (Recommended by the Executive Committee 4-1)
3. Res. No. 31-07/11 - Authorizing Walworth County to Act as the Grant Recipient for a State Community Development Block Grant for Economic Development (CDBG-ED) to Assist in the Creation of Jobs by Birds Eye Foods in Darien- *Vote Required: Majority* (Recommended by the Executive Committee 5-0)
4. Res. No. 32 - 07/11 - Denying the Claim of AT & T for Damage to a Telephone Pedestal Located on County Highway A and Kraus Road in the Town of Richmond - *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. 682 - 07/11. On motion by Supervisor Grant, seconded by Supervisor Weber, **Ordinance No. 682 - 07/11** was approved by unanimous consent.

On motion by Supervisor Schaefer, seconded by Supervisor Weber, item 2, **Resolution No. 30-07/11**; and item 4, **Res. No 32-07/11** were approved by voice vote.

With regard to Res. 31-07/11, Administrator Bretl explained that the grant the State of Wisconsin is proposing is for the creation of jobs by Birds Eye Foods in Darien and it is necessary for a governmental unit be the grant recipient. The Executive Committee designated the Walworth County Economic Development Association (WCEDA) as the recipient of the grant which we are unable to do. We will need to competitively bid the administration of the grant through our purchasing procedures.

Steve Sabatke, Senior Underwriter with the Wisconsin Economic Development Corporation (WEDC), stated they are requesting Walworth County to act as the grant recipient for Birds Eye Foods in the Town of Darien. Birds Eye Foods is looking to expand its frozen vegetable and frozen food operations by expanding the facility, creating jobs and adding equipment. Through the Community Development Block Grant program, Birds Eye Foods was offered a forgivable loan in the amount of 1.3 million dollars to help them in purchasing equipment for their expansion. The grant requires a governmental unit to accept the funds and disperse them to Birds Eye Foods, aka Pinnacle Foods, when they make those requests. Birds Eye Foods would have to create 127 new jobs in Darien, over and above a threshold of 348 existing full-time positions and invest at least 29 million dollars in new equipment at the site. The loan is then deferred, both principal and interest payments, until the end of 2015. At that time, WEDC will decide if they have met the deliverables for job creation and retention, and capital investment. If they've met those deliverables at that time the loan will then be completely forgiven. If they do not meet the deliverables, they have agreed to repay the loan, plus accrued interest with payments for the next 2 years. There is no liability to the county, the county will be acting as the recipient of the funds and competitively bid out administration of the grant funds. Also included with the grant is an additional \$6000 from the Federal Community Block Grant Funds for administration of this grant.

Administrator Bretl stated that the county would competitively bid out administration of the grant. The county will work with whoever is selected to administer the grant. Supervisor Grant commented that his understanding is there would be a slight cost to the county. Steve Sabatke explained that most of the labor will be provided by the entity the county contracts with, but there may be some auditing done by the county

Supervisor Stacey made a motion to approve Item 3, Resolution No. 31-07/11, seconded by Supervisor Weber. Supervisor Wardle voiced his concern about taking federal money and what the implications could be. **Resolution No. 31-07/11** was approved by voice vote. Supervisor Wardle requested that his vote be recorded as No.

Finance Committee

1. Ord. No. 683 - 07/11 Amending Section 30-172 of the Walworth County Code of Ordinances Relating to Committed Funds for Unrealized Investment Income -*Vote Required: Majority* (Recommendations concerning this ordinance will be made at the Finance Committee meeting on July 12, 2011 preceding the County Board Meeting)
2. Res. No. 35-07/11 - Directing the Treasurer To Reject Settlement of a Special Assessment in the City of Whitewater Relative to Tax Incremental Financing (TIF) District No. 4 – *Vote Required: Majority* (Recommended by the Finance Committee 4 - 0)
3. Res. No. 36-07/11 Authorizing Write Off of Uncollectible Real Estate Taxes
Vote Required: Two-thirds (Recommendations concerning this resolution will be made at the Finance Committee meeting on July 12, 2011 preceding the County Board Meeting)
4. Res. No. 37-07/11 Committing Fund Balance for Unrealized Investment Income *Vote Required: Two-thirds* (Recommendations concerning this resolution will be made at the Finance Committee meeting on July 12, 2011 preceding the County Board Meeting)

On motion by Supervisor Stacey, seconded by Supervisor Schaefer, item 1, **Ordinance No. 683-07/11** was approved by voice vote.

On motion by Supervisor Grant, seconded by Supervisor Weber, item 2, **Resolution No. 35-07/11** was tabled until the August 9, 2011 Walworth County Board of Supervisors meeting.

Supervisor Ingersoll offered a motion, seconded by Supervisor Grant, to approve item 3, Resolution No. 36-07/11. On motion by Supervisor Stacey, seconded by Supervisor Grant, **Resolution No. 36-07/11** was approved by unanimous consent.

Supervisor Grant offered a motion, seconded by Supervisor Weber, to approve item 4, Resolution No. 37-07/11. On motion by Supervisor Stacey, seconded by Supervisor Weber, **Resolution No. 37-07/11** was approved by unanimous consent.

Human Resources Committee

1. Res. No. 33-07/11 - Approving an Affirmative Action Plan for Walworth County for Plan Year July 1, 2011 to June 30, 2013 – *Vote Required: Majority* (Recommended by the Human Resources Committee 4-0)
2. Res. No. 34-07/11 - Adopting Pay Ranges for Certain Management Positions – *Vote Required: Majority* (The Human Resources Committee recommended against any pay range changes by a vote of 3-2)

On motion by Supervisor Grant, seconded by Supervisor Brandl, item 1, **Resolution No. 33-07/11** was approved by voice vote.

Supervisor Weber made a motion to approve Item 2, Resolution No. 34-07/11, seconded by Supervisor Grant. A motion was made by Supervisor Ingersoll, seconded by Supervisor Schaefer to amend Resolution No. 34-07/11, as follows: delete lines 13 through 23 and replace with the following:

Now, therefore, be it resolved that the proposed pay for performance pay plan for non-represented, FLSA-exempt employees be and the same is hereby approved effective January 1, 2012, provided that the overall County wages, including overtime, that are proposed in the County Administrator's 2012 budget do not exceed actual 2011 wages, which are estimated to be \$42,174,521 and also on page 2 delete the 1st line in "Budget and Fiscal Impact" under Policy and Fiscal Note.

Administrator Bretl explained that since 2005 management has had a pay for performance plan which goes to the county board every year. The Human Resources committee gathered information from comparable counties, evaluated the data and adjusted if necessary; this has not been done since 2005. The amendment that Supervisor Ingersoll presented would attempt to strike a balance between economic times and the need of the county to retain and attract qualified employees. If this is approved, it would enact the pay for performance plan, contingent on the budget, giving you a wage line at the 2011 level. Based on the matrix, it will provide marginally higher raises for managers who are performing at above average or superior performance. Supervisor Stacey asked if this is a wage freeze until 2012. Administrator Bretl stated that this would not freeze individual wages. If you adopt this resolution there would be six individuals who would be eligible for a marginally higher raise.

Supervisor Wardle state that if we are agreeing to freeze wages then part of the equation needs to be a guarantee of no tax increase. Administrator Bretl said you could add, as a second amendment, a 0% increase. Supervisor Kilkenny stated he felt there would be no need to amend the amended resolution given the terms of the budget and what the administrator and Finance Director have indicated.

Supervisor Russell recommended a roll call vote on the amendment to Item 2 - Resolution No. 34-07/11. A roll call vote was conducted. Total vote: 11; Ayes: 9 – Rick Stacey, Joe Schaefer, Jerry A. Grant, Carl Redenius, Kathy Ingersoll, Dave Weber, Dan Kilkenny, Randy A. Hawkins, Chair-Nancy Russell; Noes: 2 – Russ Wardle and Richard Brandl. The amendment to **Resolution No. 34-07/11** was approved.

Resolution No. 34-07/11 was approved as amended by voice vote. Supervisor Wardle and Supervisor Brandl requested that their vote be recorded as No.

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

There was none.

Adjournment

On motion by Supervisor Stacey, seconded by Supervisor Ingersoll, the meeting was adjourned at 6:51 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 July 12, 2011 meeting.

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

JULY 20, 2011
WALWORTH COUNTY BOARD OF SUPERVISORS
SPECIAL MEETING

The Walworth County Board of Supervisors meeting was called to order by Chair Russell at 12:32 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, Kathy Ingersoll, Vice-Chair Daniel G. Kilkenny, Carl Redenius, Joe Schaefer, Rick Stacey, Russ Wardle, David A. Weber, and Chair Nancy Russell. A quorum was established. Supervisor Hawkins arrived at the meeting at 12:37 p.m.

Amendments, Withdrawals, and Approval of Agenda

On motion by Supervisor Weber, seconded by Supervisor Brandl, the agenda was approved.

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

There were none.

Unfinished Business

Reports of Standing Committees

Finance/Public Works Committees

1. Res. No. 38-07/11 - Waiving the Requirements of Competitive Bidding for Repair of County-Owned Salt Storage Structures Pursuant to Sec. 59.52(29)(b) of the Wisconsin Statutes and Establishing a Budget for the Project - *Vote required: Two-thirds* (Recommended by the Finance Committee 5-0 and Public Works Committees 5-0)

Supervisor Grant offered a motion, seconded by Supervisor Weber to approve Item 1, **Resolution No. 38-07/11**. Administrator David Bretl said that approval of this resolution has the effect of declaring an emergency which will permit the county to waive the competitive bidding process and it also permits the establishment of budget accounts for this purpose. Administrator Bretl explained that failure to promptly repair the storage structures could potentially endanger the public health and welfare both by potential run off of salt into the ground water and because we soon will have to place our salt order for next winter and at this time we would be unable to store sufficient road salt for the coming winter season. Bretl also noted that he believed most of the repair cost would be covered by property insurance and that the deductible for items like this is \$5000.

Shane Crawford, Deputy County Administrator-Central Services showed a video recording of the damage occurring.

A roll call vote was conducted. Total vote: 11; Ayes: 11 - Richard Brandl, Jerry A. Grant, Randy Hawkins, Kathy Ingersoll, Vice-Chair Daniel G. Kilkenny, Carl Redenius, Joe Schaefer, Rick Stacey, Russ Wardle, David A. Weber, and Chair Nancy Russell; Noes: 0; Absent: 0. **Resolution No. 38-07/11** was approved by roll call vote

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

There were none.

Chairperson's Report

There was none.

Adjournment

On motion by Supervisor Brandl, seconded by Supervisor Wardle, the meeting was adjourned at 12:45 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 July 20, 2010 special meeting.

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

SPECIAL ORDER OF BUSINESS

I, the undersigned County Board Supervisor, do hereby request a Special Order of Business to be held at the session of the Walworth County Board of Supervisors to be held on:

August 9, 2011

Name or description of Special Order:

Government Finance Officers Association (GFOA) Distinguished Budget Presentation Award for Fiscal Year 2011

Special order presented by:

Finance Committee

Time requested for Special Order

Following the public comment period



Signature of Chair of Requesting Committee

July 12, 2011

Date

Note: The actual presentation may be handled internally by the county. If a representative from the Government Finance Officers Association (GFOA) is available to present the award at the County Board meeting, the County Clerk's office will be notified as to the presenter's name and title.

Nomination for Committee/Board/Commission Appointment

Committee: Children with Disabilities Education Board (CDEB)

Nominee: Dave Weber

Address: 2789 Theatre Road

Williams Bay, WI 53191

Submitted by: David Bretl, County Administrator

Authority: Section 59.18, Wisconsin Statutes

Who will the nominee replace? Supervisor Weber is being nominated for reappointment.

When did/does the incumbent's current term expire? It ended on April 19, 2011.

Was this vacancy advertised? no

Comment This appointment will be for an additional three-year term of service, retroactive to April 19, 2011 and extending through April 19, 2014, and will be conducted as an election by the County Board.

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

For incumbents, committee attendance, if known:

Nomination for Committee/Board/Commission Appointment

Committee: East Troy Lions Community Library

Nominee: Philip Taugher

Address: N9150 Humphrey Lane
East Troy, WI 53120

Submitted by: David Bretl, County Administrator

Authority: Section 59.18, Wisconsin Statutes

Who will the nominee replace? Dr. Taugher is the incumbent.

When did/does the incumbent's current term expire? June 30, 2011

Was this vacancy advertised? no

Comment Reappointment of Dr. Taugher was recommended by the director of the East
Troy Lions Community Library, Jackie Gotz. His new term would begin upon
County Board appointment and end on June 30, 2014.

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

For incumbents, committee attendance, if known:

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

Name: Philip Taugher
Date: June 21, 2011

Mailing Address: N9150 Humphrey Lane, East Troy WI
53120 Phone: 262 642 3835

I reside in: the Town of EAST TROY
 the Village of _____
 the City of _____

Please consider me for appointment to: EAST TROY LIONS COMMUNITY LIBRARY

I am interested in serving as a citizen representative because: I HAVE ENJOYED MY FIRST TERM AND WOULD LIKE TO SERVE AGAIN. LIBRARIES ARE OUR COLLECTIVE MEMORY AND THEY NEED TO BE IMPROVED AND PRESERVED

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

I HAVE SERVED ON MANY BOARDS

Check one of the following:

RECEIVED

JUN 22 2011

WALWORTH COUNTY ADMINISTRATION

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

I am not a resident of Walworth County.

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

Philip P. Tangher 6/20/2011
Signature of Applicant Date

Feel free to attach any additional documentation to this form.

RECEIVED

JUN 22 2011

WALWORTH COUNTY ADMINISTRATION

WALWORTH COUNTY
NOTICE OF INTEREST TO SERVE AS A LAKE DISTRICT CITIZEN
REPRESENTATIVE

Name: ROBERT E. MCINDOE Date: 7/12/11

Mailing Address: W 670 KEARNEY ROAD Phone: 262-763-4671

BURLINGTON, WI 53105

E-Mail: RMCIINDOE@WI.PR.COM

- I reside in: the Town of SPRING PRAIRIE
 the Village of _____
 the City of _____

Please consider me for appointment to: WALWORTH COUNTY REP. AS COMMISSIONER
ON THE HONEY LAKE PROTECTION & REHABILITATION DISTRICT BOARD

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

TOWN OF SPRING PRAIRIE REP. AS COMMISSIONER ON THIS
BOARD FROM 2002 UNTIL APRIL 2011

Check one of the following:

- I am a resident of Walworth County and reside in the appropriate jurisdiction to serve as the Land Conservation Committee Lake District Representative for which I am applying.
 I am not a resident of Walworth County.

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

Robert E. McIndoe
Signature of Applicant

7/12/11
Date

Feel free to attach any additional documentation to this form.

2011 JUL 13 AM 9:59

June 30, 2011

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

Dear Ms. Bushey:

Thank you for your letter dated June 17, 2011, together with Walworth County's Resolution No. 29-06/11, in support of the Wisconsin Idea Partnership, the UW-Extension, and the entire UW System.

On behalf of the UW Colleges and UW-Extension, I am grateful for the Walworth County Board's support for the University of Wisconsin Extension Cooperative Extension, Walworth County, as well as for the continued partnership between UW-Extension and the University system.

I thank the board for advocating for increased flexibilities for all UW campuses and UW-Extension through the Wisconsin Idea Partnership, and for sharing its belief that all UW System institutions must work together to continue to improve the fiscal and social well-being Wisconsin's citizens.

We very much appreciate the board's willingness to go to bat for our institutions. It clearly made a difference in the outcome of the issues we faced in the 2011-12 biennial budget.

Sincerely,



Ray Cross
Chancellor

Office of the Chancellor

University of Wisconsin Colleges | University of Wisconsin-Extension

432 North Lake Street | Madison, WI 53706 | (608) 262-3786 | (608) 262-6572 fax | 711 (Wisconsin Relay)



WISCONSIN
HISTORICAL
SOCIETY

RECEIVED
WALWORTH COUNTY CLERK

2011 JUL 18 AM 9:14

TO: Local and State Officials

FROM: Michael Stevens, State Historic Preservation Officer

RE: State and National Register of Historic Places nomination

DATE: July 14, 2011

We are pleased to inform you that the *Elkhorn Band Shell in Sunset Park in Elkhorn, Walworth County* will be considered by the Wisconsin Historic Preservation Review Board for nomination to the Wisconsin State Register of Historic Places and National Register of Historic Places.

The nomination will be considered at the Wisconsin Historic Preservation Review Board meeting on *Friday, August 19, 2011* at the Wisconsin Historical Society, 816 State Street, Madison, Wisconsin. The enclosed agenda gives the times of the full board and committee meetings.

Any comments or questions should be directed to Daina Penkiunas at (608) 264-6501.



WISCONSIN
HISTORICAL
SOCIETY

TO: Local and State Officials
FROM: Michael Stevens, State Historic Preservation Officer
RE: State and National Register of Historic Places nomination
DATE: July 14, 2011

We are pleased to inform you that the *Elkhorn Municipal Building at 9 S. Broad Street in Elkhorn, Walworth County* will be considered by the Wisconsin Historic Preservation Review Board for nomination to the Wisconsin State Register of Historic Places and National Register of Historic Places.

The nomination will be considered at the Wisconsin Historic Preservation Review Board meeting on *Friday, August 19, 2011* at the Wisconsin Historical Society, 816 State Street, Madison, Wisconsin. The enclosed agenda gives the times of the full board and committee meetings.

Any comments or questions should be directed to Daina Penkiunas at (608) 264-6501.

State Historic Preservation Review Board Meeting

August 19, 2011

Wisconsin Historical Society

816 State Street, Madison

AGENDA

Times as Noted

COMMITTEE MEETINGS

Individual properties are presented only at the applicable committee meetings. See the list below to determine the committee meeting(s) where a specific nomination will be presented.

9:00-10:00 AM

Architecture Committee (AR), Murphy Board Room, Room 318

Elkhorn Band Shell, Elkhorn, Walworth County (AR)
Elkhorn Municipal Building, Elkhorn, Walworth County (AR, H)
St. John's Lutheran Church, Evansville, Rock County (AR)

9:15-10:00 AM

History Committee (H), Sellery Room, First Floor

Old Indian Agency House (additional documentation and boundary expansion),
Portage, Columbia County (H)
Elkhorn Municipal Building, Elkhorn, Walworth County (AR, H)

9:00-10:00 AM

Anthropology Committee (AN), Cutlip Conference Room, 2nd Floor

Lake Owen Archaeological District, Tn of Drummond, Bayfield County (AN)

10:00-11:45 AM

FULL REVIEW BOARD MEETING, Murphy Board Room, Room 318

Committees provide recommendations on individual properties for consideration by the Review Board. Historic Districts are presented to the board. The board votes on both individual properties and districts.

Individual Nominations (Action on Individual Nominations)

Elkhorn Band Shell, Elkhorn, Walworth County (AR)
Elkhorn Municipal Building, Elkhorn, Walworth County (AR, H)
Old Indian Agency House (additional documentation and boundary expansion),
Portage, Columbia County (H)
St. John's Lutheran Church, Evansville, Rock County (AR)

PRESENTATION OF INDIVIDUAL PROPERTY CERTIFICATES

Historic Districts (Presentation and Action on District Nominations) –

Lake Owen Archaeological District, Tn of Drummond, Bayfield County
Leonard-Leota Park, Evansville, Rock County
Milwaukee River Parkway, Milwaukee, Glendale, Shorewood, & Whitefish Bay, Milwaukee County
Root River Parkway, Greendale, Greenfield, Hales Corners, & Franklin, Milwaukee County
Wauwatosa Avenue Residential Historic District, Wauwatosa, Milwaukee County

11:45 AM-12:15 PM **LUNCH BREAK FOR BOARD MEMBERS**

12:15 PM -

REVIEW BOARD BUSINESS MEETING, Murphy Board Room, Room 318

Call to order
Minutes of Meeting of May 6, 2011
Report by Chairperson David Mollenhoff
Reports by SHPO and Staff
Adjournment

All meetings are open to the Public

***** Action may be taken on any item listed on the agenda*****



State of Wisconsin \ DEPARTMENT OF NATURAL RESOURCES

Scott Walker, Governor
Cathy Stepp, Secretary

WALWORTH COUNTY CLERK
101 S. Webster St.
Box 7921
Madison, Wisconsin 53707-7921
Telephone 608-266-2821
FAX 608-267-3579
TTY Access via relay - 711
2011 JUL 25 PM 5:58

July 20, 2011

DNR File No. SE-0130

Mr. David L. Stroik, Chairman
Southeastern Wisconsin Regional Planning Commission
W239 N1812 Rockwood Drive
P.O. Box 1607
Waukesha, WI 53187-1607

SUBJECT: Amendment to the Regional Water Quality Management Plan -
Walworth County Metropolitan Sewerage District/City of Elkhorn
Sanitary Sewer Service Area

Dear Mr. Stroik:

We have completed our review of the subject amendment request submitted to the Department on July 5, 2011. The Department hereby approves the sewer service area amendment request which adds a total of 168 acres to the Walworth County Metropolitan Sewerage District/City of Elkhorn Sanitary Sewer Service Area

The area proposed to be added encompasses 168 acres in the north half of U.S. Public Land Survey Section 30, Township 3 North, Range 17 East, in the Town of LaFayette in Walworth County. The subject area includes 19 acres of secondary environmental corridors, 146 acres of agricultural and other open land and three acres of road right-of-way. Initially, nine acres would be developed for utility use, including two new municipal wells and a new water supply treatment facility for the City of Elkhorn (see Map 1).

The proposed amendment was requested by the Walworth County Metropolitan Sewerage District on March 7, 2011 and was adopted by SEWRPC per Resolution Number 2011-07 on June 15, 2011.

The approval of this sewer service area amendment does not constitute approval of any other local, state, or federal permit that may be required for sewer construction or associated land development activities.

If you believe that you have a right to challenge this decision, you should know that the Wisconsin statutes and administrative rules establish time periods within which requests to review Department decisions must be filed. For judicial review of a decision pursuant to sections 227.52 and 227.53, Wis. Stats., you have 30 days after the decision is mailed, or otherwise served by the Department, to file your petition with the appropriate circuit court and serve the petition on the Department. Such a petition for judicial review must name the Department of Natural Resources as the respondent.

To request a contested case hearing pursuant to section 227.42, Wis. Stats., you have 30 days after the decision is mailed, or otherwise served by the Department, to serve a petition for hearing on the Secretary of the Department of Natural Resources. All requests for contested case hearings must be made in accordance with section NR 2.05(5), Wis. Adm. Code, and served on the Secretary in accordance with section NR 2.03, Wis. Adm. Code. The filing of a request for a contested case hearing does not extend the 30 day period for filing a petition for judicial review.

Sincerely,



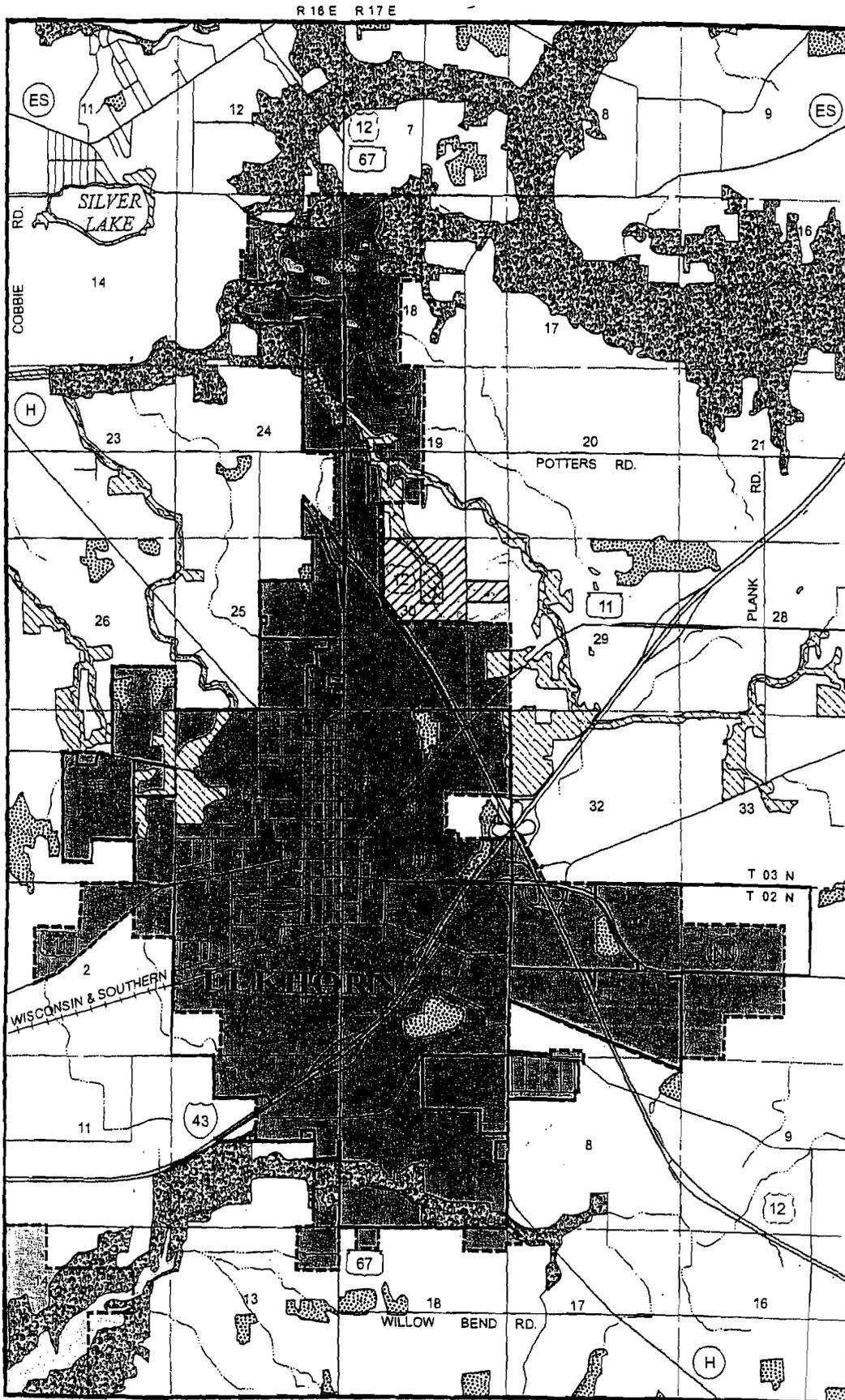
Thomas J. Muga, P.E., Chief
Wastewater Section
Bureau of Watershed Management

cc:

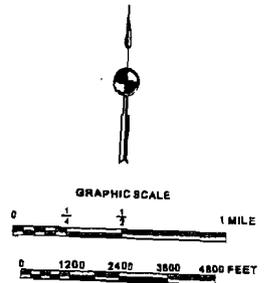
Ms. Karla Eggink, P.E., Administrator, WALCOMET, 975 W. Walworth Ave, Delavan, WI 53115
Ms. Darlene Igl, Clerk, City of Elkhorn, 9 S. Broad Street, Elkhorn, WI 53121
~~Ms. Kimberly Bushey, Clerk, Walworth County Government Center, 100 W. Walworth St, PO Box 1001,
Elkhorn, WI 53121-1001~~
Mr. Michael Cotter, Director, Walworth County Land Use and Resources Management Dept.,
100 W. Walworth St, PO Box 1001, Elkhorn, WI 53121-1001
Mr. James D'Antuono, Basin Supervisor, WDNR – SER - Waukesha
Mr. John Hammen, Acting Regional Director –WDNR - SER – Milwaukee
Ms. Fran Keally – WDNR - WT/3

Map 1

PROPOSED AMENDMENT TO THE ELKHORN SANITARY SEWER SERVICE AREA



-  PRIMARY ENVIRONMENTAL CORRIDOR
-  SECONDARY ENVIRONMENTAL CORRIDOR
-  ISOLATED NATURAL RESOURCE AREAS
-  CURRENTLY ADOPTED ELKHORN SANITARY SEWER SERVICE AREA
-  ELKHORN SANITARY SEWER SERVICE AREA BOUNDARY
-  DELAVAN SANITARY SEWER SERVICE AREA
-  AREA PROPOSED TO BE ADDED TO THE ELKHORN SANITARY SEWER SERVICE AREA



Source: SEWRPC.

July 21, 2011

Secretary Dennis Smith
Wisconsin Department Health Services
1 West Wilson Street
Madison, WI 53703

Secretary Ben Brancel
Wisconsin Department of Agriculture, Trade, and Consumer Protection
2811 Agriculture Drive, P.O. Box 8911
Madison, Wisconsin 53708-8911

Secretary Cathy Stepp
Wisconsin Department of Natural Resources
101 S. Webster Street
PO Box 7921
Madison, Wisconsin 53707-7921

Subject: **Proposal** re Public Health and the Use of Spray Irrigation for Liquid Manure Disposal (including Center Pivots)

Dear Secretary Smith, Secretary Brancel, and Secretary Stepp:

On April 19, 2011 Secretary Brancel and Secretary Stepp said there are "several farms [Concentrated Animal Feeding Operations (CAFOs) in Wisconsin] that have used center pivots to apply manure for many years with no demonstration of environmental or human health impacts." They asked the leaders of the Wisconsin Towns Association and the Wisconsin Counties Association to work with their "... members to make sure they do not adopt local ordinances that restrict the use of approved and accepted technologies unless it can be documented and demonstrated that there are environmental or public health risks associated with them."

According to the DNR's Watershed Management Program, "The use of center pivot systems for untreated liquid manure is not common in Wisconsin...."¹

Recently, several local governments discussed and enacted ordinances to ban or regulate the spraying of raw, untreated manure using center pivots and other spray-based methods.²

¹ See the DNR note from 2/3/11 at <http://dnr.wi.gov/org/es/science/eis/RPD/RPD%20MBF%20%20DNR%20response%20to%20comments.pdf>, p 4.

² Harmony Township, Rock County, Wisconsin, has passed an ordinance banning the use of spraying manure including center pivots. Johnstown Township, also in Rock County, Wisconsin adopted a Conditional Use ordinance regulating center pivots. The Bradford Township Zoning Committee, again in Rock County, Wisconsin has approved a draft of a Conditional Use ordinance similar to that of Harmony Township; it is currently under review by the Bradford Town Board. Additional activity related to regulating center pivots is also underway in other townships. The Johnstown and Harmony ordinances are enclosed.

Please note that DATCP (Wisconsin Department of Agriculture, Trade, and Consumer Protection) said the ban or regulation of center pivots was not in violation of Wisconsin's Livestock Siting Law, because the Livestock Siting Law covers CAFO facilities and not their spreading fields where the manure is to be sprayed.

I am a lifelong resident of Wisconsin³ who believes in a strong agricultural sector – for providing food and contributing to our national security. Economically speaking, agriculture is a shining star in our national balance of trade. Closer to home, it creates jobs and provides food and ingredients for agricultural-related products like ethanol.

Unlike small family farms that spread manure, CAFOs operate on an entirely different **scale, given the enormity of the waste generated by them.** Many CAFOs spread tens of millions of gallons of raw, untreated manure stored in large lagoons for months. It is noteworthy that the chemical nature of the manure changes when it is stored in a lagoon.

Sometimes, CAFO proponents attempt to downplay the insufferable odor of CAFO waste by saying “manure is manure.” They argue that manure has been around for 10,000 years, so people who cannot tolerate being around CAFO manure should not live out in the countryside. That argument ignores the fact that liquid manure that is stored in a CAFO lagoon or pit undergoes radical transformation during storage, which completely alters its chemical nature and creates compounds that are not only foul-smelling *but toxic* (italics added).⁴

We all know someone who has undergone chemotherapy, making him or her susceptible to life-threatening infections. Given there are over 150 pathogens found in livestock manure that are associated with risks to humans,⁵ the likelihood of someone undergoing chemotherapy and getting a life-threatening infection, because he or she lives close to an untreated manure-spraying center pivot, is high – very high. A century ago, municipalities began to treat human waste, because the cornerstone of public health is to put a protective barrier between infectious material (i.e., feces) and people. Let's not look back 30 years from now and say we should have treated animal manure, following an epidemic of an illness caused by a new strain of mutated bacteria from animal waste.

Most CAFOs hose or vacuum hundreds of thousands of gallons of manure out of the long lines of stalls that house their cows one to three times a day when the cows are milked, and store the manure in “lagoons” lined by plastic or clay on their land or leased land. Then it is spread on fields as fertilizer, often sprayed through irrigation systems or dumped by trucks

³ My spouse, a physician and farmer from a 5th generation farming family on the Rock Prairie in Rock County, is also a lifelong Wisconsin resident.

⁴ Francis Thicke, *A New Vision for Iowa Food and Agriculture*, July, 2010.

⁵ Federal Register / Vol. 68, No. 29 / Wednesday, February 12, 2003 / Rules and Regulations, p 7236.

Local residents report nausea, asthma and other breathing problems when manure is being distributed on fields, according to a health survey. Ammonia, the neurotoxin hydrogen sulfide and particulate matter are among the airborne components of manure which are cause for concern.

Kathy Melmoth, a registered nurse and south central Michigan farmer, said serious mental issues including rage and feelings of powerlessness are caused by the constant manure spraying.

"It just hangs in the air, it causes burning eyes and throat and throbbing sinuses," said Melmoth. "I've seen people who get very angry or confused after spraying, or who have suicidal thoughts. I tell people you are breathing feces. It's involuntary exposure, and it's a public health disaster."⁶

Based on scores of comments regarding the Environmental Analysis for a proposed CAFO in Rock County, the DNR asked for an opinion from the Wisconsin Department of Health Services (DHS) regarding the use of center pivots for spreading raw, untreated manure. Dr. Robert Thiboldeaux, the toxicologist who published the opinion in a DHS Memo on February 17, 2011, noted that "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."⁷ He went on to write that a 500 foot setback (to inhabited dwellings – NR 214) is acceptable IF the manure going through center pivots is treated. One of his major requirements is "**to reduce the microbial load** (i.e., pathogens that cause human disease) of the applied material (i.e., the manure)."⁸

On February 3, 2011, the DNR noted that "Center pivot irrigation was not identified as a beneficial management practice (BMP) ..." in reducing ammonia and hydrogen sulfide air emissions – two of the gases mentioned in Dr. Thiboldeaux's memo. This finding is based on a thirteen member, interdisciplinary advisory study sponsored by the State of Wisconsin and published in December 2010.⁹

Because of Dr. Thiboldeaux's DHS Memo, the DNR recently forced a CAFO owner to pull the center pivots from his planned dairy as a necessary though not sufficient condition for getting his Wisconsin Pollutant Discharge Elimination System (WPDES) Permit approved. Indeed, the CAFO owner pulled the center pivots temporarily. In discussions with the DNR, that same CAFO owner plans

⁶ See <http://news.infoshop.org/article.php?story=2007lydersen-cafo>.

⁷ Robert Thiboldeaux, PhD, Public Health setbacks for manure spray irrigation, February 17, 2011, p 3. See www.dnr.state.wi.us/org/es/science/eis/RPD/DHSmemo.pdf.

⁸ *Ibid.*, p4.

⁹ See <http://dnr.wi.gov/org/es/science/eis/RPD/RPD%20MBF%20%20DNR%20response%20to%20comments.pdf>, p 4.

“to propose that they [the CAFO owner who pulled the center pivots] study and monitor their center pivot system in Nebraska this summer so that they can gather data and respond to the items in the DHS memo. They do not plan any liquid manure applications in 2011 in WI. A revised center pivot system request would be submitted this fall.”¹⁰

Any research that is done or used to show that center pivots or other manure spraying applications are safe for the public should be funded by a neutral party that will not benefit from the results, regardless of the outcome. The tests and evaluation of the results must not be preordained or have the appearance of favoring a given outcome; otherwise, the validity of the results and the legitimacy of the conclusions drawn from them will be suspect and not acceptable. This is especially important given the enormous public health risk attached to their use.¹¹

Researchers have noted that researching this is a complex process and requires the involvement of many disciplines – including but not limited to medical clinicians,¹² toxicologists,¹³ aerobiologists, clinical microbiologists, epidemiologists, animal scientists, risk modelers,¹⁴ veterinarians, and others.

A comprehensive and thorough assessment of the health risks attendant with the spraying of raw, untreated manure requires multiple disciplines. It would be difficult, if not impossible, to accomplish this over the course of a year let alone a summer. If it were easy, it would have been done already. It is highly unlikely that a CAFO owner, however well-intentioned, who wants to install center pivots to spray raw, untreated manure, can assess their health risk comprehensively in a short period of time.

Given the serious health risk and the need to establish regulations for **reducing the microbial load** related to the spraying of raw, untreated manure, other agencies, **especially the Wisconsin Department of Health Services**, must be involved in establishing these regulations. While the DNR may be the ‘screening and enforcement’ agency, it **is not, and should not be, the final arbiter on developing the regulations for this important public health issue**. In the absence of such regulations, the DNR should not approve any manure spraying applications going forward until such regulations are developed and approved by the agency responsible for public health, namely, the Wisconsin Department of Health Services.

¹⁰ Letter from Mark Cain, DNR to Andrew Craig, Kenneth Johnson, and Susan Josheff – all of the DNR -- March 11, 2011.

¹¹ I am in no way suggesting or implying any impropriety on the part of any CAFO owner or the DNR.

¹² Dr. Chakoian, a family practice physician from Viroqua, Wisconsin, has written extensively on the health risks associated with CAFOs. A single page excerpt from his work is enclosed.

¹³ Dr. Thiboldeaux (noted previously) is a toxicologist.

¹⁴ R. S. Dungan said: “... emphasis must be placed on research addressing the airborne transport of pathogens because there is a lack of information on this topic. Furthermore, there is a surprising lack of information concerning the infectivity of aerosolized pathogens, especially enteric pathogens.... To advance our understanding of risks associated with airborne pathogens from animal feeding operations, it will be necessary for a variety of scientists, including but not limited to aerobiologists, clinical microbiologists, epidemiologists, animal scientists, and risk modelers, to convene under a common setting to address these issues in more detail and work toward a common goal of standardizing of variety of bioaerosol collection and analytical methodologies.” See Dungan, R. S. 2010. BOARD-INVITED REVIEW: Fate and transport of bioaerosols associated with livestock operations and manures. *J. Anim Sci.* 88:3693-3706.

Proposal

I propose we appoint an interdisciplinary, advisory team of people under the aegis of the Wisconsin Department of Health Services to establish regulations for reducing the microbial load of raw, untreated sprayed manure. Wisconsin can lead the nation in defining the treatment conditions, including enforcement, in which spray applications for the spreading of manure are regulated for the public. The appointments to this advisory team should not be done in a way that 'stacks the deck' in favor of a given outcome. They should be strictly non-partisan, non-ideological appointments.

Until this is done, the spraying of raw, untreated manure should be removed from all CAFO applications. The CAFO owner in Rock County, whose center pivot proposal was taken out of his application, said he could go forward with his CAFO without center pivots.¹⁵

Respectfully submitted,



Gene Pulera (Richmond Township, Walworth County)

Addr: W9539 McFarlane Road
Darien, WI 53114-1208

eMail: ITAmerica@aol.com
Cell: 323-363-8686

¹⁵ DNR - NOTICE OF FINAL DETERMINATION TO ISSUE A WISCONSIN POLLUTANT DISCHARGE ELIMINATION SYSTEM (WPDES) PERMIT No. WI-0064807-01-0.

Enclosures:

Harmony Township, Rock County, Wisconsin – Ordinance Relating to The Prohibition of Liquid Manure Application by Airborne Emission (including spray irrigation / center pivots as well as any other spraying applications)

Johnstown Township, Rock County, Wisconsin, Conditional Use Permit for the Use of Center Pivot Manure Distribution Systems

One page excerpt from Dr. David Chakolian's paper on *Odors and Confinement Animal Feeding Operations: Human Health Risks, a Review of the Current Medical Literature* submitted to the Wisconsin Natural Resources Board, December 6, 2007

c: Richard J. Stadelman (Wisconsin Towns Association)
Mark D. O'Connell (Wisconsin Counties Association)

Lloyd Eagan, Wisconsin DNR
Russell Rasmussen, Wisconsin DNR
Susan Josheff, Wisconsin DNR
Mark Cain, Wisconsin DNR
Andrew Craig, Wisconsin DNR
Jeff Brauer, Wisconsin DNR

Board Members, Wisconsin Department of Agriculture, Trade, and Consumer Protection
Mike Murray, Wisconsin Department of Agriculture, Trade, and Consumer Protection

Sandra Breitborde, Wisconsin Department of Health Services
Charles Warzecha, Wisconsin Department of Health Services
Mark Werner, Wisconsin Department of Health Services
Henry Nehls-low, Wisconsin Department of Health Services
Dr. Robert Thibodeaux, Wisconsin Department of Health Services

Attorney Michael Cotter, Walworth County, Wisconsin
Attorney David Bretl, Walworth County, Wisconsin
Walworth County Board of Supervisors
Walworth County Zoning and Planning Agency Committee
Walworth County Township Chairmen
Walworth County Health Department

Rock County Board of Supervisors
Rock County Township Chairmen
Johnstown Township Town Board, Rock County, Wisconsin
Harmony Township Town Board, Rock County, Wisconsin
Bradford Township Town Board, Rock County, Wisconsin
Rock County Health Department

Pete Hardin, Publisher, The Milkweed
Jim Massey, Editor, The Country Today
Carla Gunst, Editor, The Wisconsin State Farmer
Editor, Agri-View

Attorney David Moore, Janesville, Wisconsin
Interested Citizens

Passed Unanimously by Harmony Town Board on June 6, 2011

TOWN OF HARMONY ORDINANCE NO. _____

AN ORDINANCE AMENDING CHAPTER 1 OF THE CODE OF ORDINANCES OF THE TOWN OF HARMONY, THE ZONING ORDINANCE, RELATING TO THE PROHIBITION OF LIQUID MANURE APPLICATION BY AIRBORNE EMISSION IN THE TOWN OF HARMONY.

RECITALS

A. The Town of Harmony recognizes the need to balance the right to use certain property for agricultural purposes and the need to protect the general public from offensive, obnoxious, or unhealthful odors;

B. According to studies including, without limitation, a pamphlet entitled *Application of Liquid Animal Manures Using Center Pivot Irrigation Systems* published by the University of Nebraska – Lincoln Extension, the application of manure by Center Pivot Manure Distribution Systems offers a large potential for significant odor release during short periods of time;

C. A Memorandum prepared by Robert Thiboldeaux, PhD., a toxicologist for the Wisconsin Division of Public Health, and dated February 17, 2011, raises the potential for substantial health concerns resulting from the land application of liquid manure using center pivot sprinkler technology;

D. The Town Board of the Town of Harmony believes that the prohibition of Center Pivot Manure Distribution Systems and the prohibition of any liquid manure application by airborne emission promotes the public health, safety and welfare of the citizens of the Town of Harmony.

NOW, THEREFORE, the Town of Harmony, County of Rock, State of Wisconsin, ordains as follows:

SECTION 1. Subsection 2(A) of the Agricultural District One (A-1) of Section 4 of Chapter 1 of the Harmony Municipal Code shall be amended to read as follows:

“General farming including dairying, livestock and poultry raising, nurseries, and other similar agricultural enterprises or uses, except fur farms and farms operated for the disposal or reduction of garbage, sewage, rubbish, or offal, provided that such permitted uses shall not include the use of Center Pivot Manure Distribution Systems or the application of liquid manure by airborne emission, and further provided that no buildings for the housing of livestock or poultry shall be located within 100 feet of any boundary of a residential or commercial lot other than that of the owner or lessee of such buildings containing such livestock or poultry.”

SECTION 2. Subsection 2(A) of the Transitional Agricultural District One (A-1a) of Section 4 of Chapter 1 of the Harmony Municipal Code shall be amended to read as follows:

"General farming including dairying, livestock and poultry raising, nurseries, and other similar agricultural enterprises or uses, except fur farms and farms operated for the disposal or reduction of garbage, sewage, rubbish, or offal, provided that such permitted uses shall not include the use of Center Pivot Manure Distribution Systems or the application of liquid manure by airborne emission, and further provided that no buildings for the housing of livestock or poultry shall be located within 100 feet of any boundary of a residential or commercial lot other than that of the owner or lessee of such buildings containing such livestock or poultry."

SECTION 3. Subsection 2(A) of the General Agricultural District Two (A-2) of Section 4 of Chapter 1 of the Harmony Municipal Code shall be amended to read as follows:

"General farming including dairying, livestock and poultry raising, nurseries and other similar enterprises or uses, but not fur farms or farms operated for the disposal or reduction of garbage, sewage, rubbish, or offal, provided that such permitted uses shall not include the use of Center Pivot Manure Distribution Systems or the application of liquid manure by airborne emission, and further provided that such permitted uses shall not include the spreading of sewage sludge unless a conditional use permit is obtained as described in subsection (3)(F) below, and further provided that no buildings for the housing of livestock or poultry shall be located within 100 feet of any boundary of a residential or commercial lot other than that of the owner or lessee of such buildings containing such livestock or poultry."

SECTION 4. Subsection 2(B) of the Small Scale Agricultural District Three (A-3) of Section 4 of Chapter 1 of the Harmony Municipal Code shall be amended to read as follows:

"General farming including livestock and poultry raising, nurseries, and other similar enterprises or uses, except fur farms and farms operated for the disposal or reduction of garbage, sewage, rubbish, or offal, provided that such permitted uses shall not include the use of Center Pivot Manure Distribution Systems or the application of liquid manure by airborne emission, and further provided that no buildings for the housing of livestock or poultry shall be located within 100 feet of any boundary of a residential or commercial lot other than that of the owner or lessee of such buildings containing such livestock or poultry."

SECTION 5. Section 11.7 of Chapter 1 of the Harmony Municipal Code shall be amended to read as follows:

"No activity shall emit any odorous matter of such nature or quantity as to be offensive, obnoxious, or unhealthful outside its premises. The guide for determining odor measurement and control shall be Section NR 429.03 of the Wisconsin Administrative Code. Agricultural odors associated with normal agricultural activities are exempted from this section except for odors caused by the use of Center Pivot Manure Distribution Systems or the application of liquid manure by airborne emission, which activities are strictly prohibited in the Town of Harmony."

SECTION 6. Section 13.2 of Chapter 1 of the Harmony Municipal Code shall be amended to add the following definition:

"Center Pivot Manure Distribution Systems. A system for spreading manure which involves spraying the manure in liquid form through nozzles attached to a pivoting arm located in a farm field."

CERTIFICATION

I hereby certify that the above ordinance number _____ was adopted by the Town Board of the Town of Harmony on the _____ day of _____, 2011, and that on the _____ day of _____, 2011, a copy of the above ordinance was posted in three places in the Town as follows:

Lisa Tollefson, Town Clerk,
Town of Harmony
Rock County, Wisconsin

Subscribed and sworn to before me this _____ day of _____, 2011.

Notary Public, Rock County, Wisconsin
My Commission expires: _____



Town of Johnstown, Wisconsin

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- Site Map

Ordinances

Town of Johnstown Comprehensive Plan 2035

Smart Growth Plan- Town of Johnstown

[Link to below information](#)

ORDINANCE NO. 11-2

AN ORDINANCE AMENDING CHAPTER 1 OF THE CODE OF ORDINANCES OF THE TOWN OF JOHNSTOWN, THE ZONING ORDINANCE, RELATING TO THE CREATION OF A CONDITIONAL USE PERMIT FOR THE USE OF CENTER PIVOT MANURE DISTRIBUTION SYSTEMS IN THE TOWN OF JOHNSTOWN

RECITALS

- A. The Town of Johnstown recognizes the need to balance the right to use certain property for agricultural purposes and the need to protect the general public from offensive, obnoxious, or unhealthful odors and pollutants;
- B. According to studies including, without limitation, a pamphlet entitled *Application of Liquid Animal Manures Using Center Pivot Irrigation Systems* published by the University of Nebraska – Lincoln Extension, the application of manure by Center Pivot Manure Distribution Systems offers a large potential for significant odor release during short periods of time;
- C. A Memorandum prepared by Robert Thiboldeaux, PhD., a toxicologist for the Wisconsin Division of Public Health, and dated February 17, 2011, raises the potential for substantial health concerns resulting from the land application of liquid manure using center pivot sprinkler technology and recommends certain restrictions on the use of such technology in order to protect public health;
- D. The potential for significant odor release using Center Pivot Manure Distribution Systems can be greatly reduced if certain safeguards, protections, and restrictions are put in place;
- E. The Town Board of the Town of Johnstown believes that the regulation of Center Pivot Manure Distribution Systems by the use of a Conditional Use Permit will allow the Board to reduce the potential for the creation and proliferation of offensive, obnoxious, and unhealthful odors and disease created by such Systems.

NOW, THEREFORE, the Town of Johnstown, County of Rock, State of Wisconsin, ordains as follows:

SECTION 1. Subsection 2(A) of the Agricultural District One (A-1) of Section 1 of Chapter 1 of the Johnstown Municipal Code shall be amended to read as follows:

“General farming including dairying, livestock and poultry raising, nurseries, and other similar agricultural enterprises or uses, except fur farms and farms operated

for the disposal or reduction of garbage, sewage, rubbish, or offal, provided that such permitted uses shall not include the use of Center Pivot Manure Distribution Systems unless a conditional use permit is obtained as described in Section 3(R) below, and further provided that no buildings for the housing of livestock or poultry shall be located within 100 feet of any boundary of a residential or commercial lot other than that of the owner or lessee of such buildings containing such livestock or poultry.”

SECTION 2. Subsection 3(R) of the Agricultural District One (A-1) of Section 1 of Chapter 1 of the Johnstown Municipal Code shall be added and shall read as follows:

“Application of liquid manure by the use of Center Pivot Manure Distribution Systems.”

SECTION 3. Subsection 2(A) of the General Agricultural District Two (A-2) of Section 1 of Chapter 1 of the Johnstown Municipal Code shall be amended to read as follows:

“General farming including dairying, livestock and poultry raising, nurseries and other similar enterprises or uses, but not fur farms or farms operated for the disposal or reduction of garbage, sewage, rubbish, or offal, provided that such permitted uses shall not include the spreading of sewage sludge unless a conditional use permit is obtained as described in subsection (3)(F) below, and provided that such permitted uses shall not include the use of Center Pivot Manure Distribution Systems, and further provided that no buildings for the housing of livestock or poultry shall be located within 100 feet of any boundary of a residential or commercial lot other than that of the owner or lessee of such buildings containing such livestock or poultry.”

SECTION 4. Subsection 2(B) of the Small Scale Agricultural District Three (A-3) of Section 1 of Chapter 1 of the Johnstown Municipal Code shall be amended to read as follows:

“General farming including livestock and poultry raising, nurseries, and other similar enterprises or uses, except fur farms and farms operated for the disposal or reduction of garbage, sewage, rubbish, or offal, provided that such permitted uses shall not include the use of Center Pivot Manure Distribution Systems, and further provided that no buildings for the housing of livestock or poultry shall be located within 100 feet of any boundary of a residential or commercial lot other than that of the owner or lessee of such buildings containing such livestock or poultry”.

SECTION 5. Subsection 5.4(1)(H) of Section 5.0 of Chapter 1 of the Johnstown Municipal Code shall be added and shall read as follows:

“The potential release of offensive, obnoxious, or unhealthful odors and pollutants. When considering what constitutes an offensive, obnoxious, or unhealthful odor and/or pollutant, the Planning and Zoning Committee or the Town Board may consider the duration and intensity of the odor or pollutant and the proximity of residential and/or business dwellings, and may require provisions for monitoring and/or measurement of odors or pollutants by olfactometer or other means. The Committee or the Board may make reference to Section NR 429.03 of the Wisconsin Administrative Code or any other standards it may deem to be reasonable.”

SECTION 6. Subsection 5.5(1)(J) of Section 5.0 of Chapter 1 of the Johnstown Municipal Code shall be added and shall read as follows:

“The potential release of offensive, obnoxious, or unhealthful odors.”

SECTION 7. Section 12.7 of Chapter 1 of the Johnstown Municipal Code shall be amended to read as follows:

"No activity shall emit any odorous matter or pollutant of such nature or quantity as to be offensive, obnoxious, or unhealthful outside its premises. When providing for odor measurement and control, the Town may use as a guide Section NR 429.03 of the Wisconsin Administrative Code. The Town may also provide for use of scent monitoring and measurement devices that from time to time may be developed and/or recommended under or by government regulation or scientific studies. Agriculture odors associated with normal agricultural activities are exempted from this section, except those odors created by the use of Center Pivot Manure Distribution Systems, the use of which is prohibited in all zoning districts except for Agricultural District One (A-1), in which said systems require the issuance of a Conditional Use Permit."

SECTION 6. Section 14.2 of Chapter 1 of the Johnstown Municipal Code shall be amended to add the following definition:

"Center Pivot Manure Distribution Systems. A system for spreading manure which involves spraying the manure in liquid form through nozzles attached to a pivoting arm located in a farm field."

CERTIFICATION

I hereby certify that the above ordinance number _____ was adopted by the Town Board of the Town of Johnstown on the _____ day of _____, 2011, and that on the _____ day of _____, 2011, a copy of the above ordinance was posted in three places in the Town as follows:

Mary Mawhinney, Town Clerk,
Town of Johnstown
Rock County, Wisconsin

All rights reserved

. . .

Odors and Confinement Animal Feeding Operations:
Human Health Risks, a Review of the Current Medical Literature

Submitted to the Wisconsin Natural Resources Board
December 6, 2007

Submitted by Dr. David Chakoian, MD
Vernon Memorial Healthcare
Viroqua, Vernon County, WI

"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.

* 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.

B. Recommendations

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. Permanent rules to severely restrict odors beyond the property line of CAFO operations, with adequate penalties to ensure compliance, should be implemented immediately.

**RESOLUTION CONCERNING CENTER PIVOT MANURE AND MANURE BY-
PRODUCT APPLICATION**

TOWN OF RICHMOND

WALWORTH COUNTY, WISCONSIN

RESOLUTION NO. 7/19/2011

A RESOLUTION REQUESTING THAT THE WALWORTH COUNTY BOARD USE ITS ZONING POWERS TO CONTROL LAND APPLICATION OF MANURE AND MANURE BY-PRODUCTS BY THE USE OF CENTER PIVOT IRRIGATORS.

RECITALS

A. The Town Board of the Town of Richmond has become aware of proposals filed with the Wisconsin Department of Natural Resources for the use of center pivot irrigator systems to land-apply manure and manure by-products ("Center Pivot Manure Application Systems") on land located near the Town in Rock County;

B. According to studies including, without limitation, a pamphlet entitled *Application of Liquid Animal Manures Using Center Pivot Irrigation Systems* published by the University of Nebraska - Lincoln Extension, the application of manure by Center Pivot Manure Distribution Systems offers a large potential for significant odor release during short periods of time;

C. A Memorandum prepared by Robert Thiboldeaux, PhD., a toxicologist for the Wisconsin Division of Public Health, and dated February 17, 2011, raises the potential for substantial health concerns resulting from the land application of liquid manure using center pivot sprinkler technology and recommends certain restrictions on the use of such technology in order to protect public health;

D. While certain towns located in Rock County have adopted or are in the process of adopting ordinances requiring conditional use permits as a precondition to the use of Center Pivot Manure Application Systems, towns in Walworth County lack independent zoning powers such as exist for towns in Rock County;

F. While the Wisconsin Department of Natural Resources is studying the ramifications of use of Center Pivot Manure Application Systems, no regulations or standards are presently in place to control such use, and residents of the Town of Richmond and the County of Walworth have no immediate assurance that their concerns about the use of Center Pivot Manure Application Systems are being adequately addressed;

G. The Town Board of the Town of Richmond believes that the regulation of Center Pivot Manure Distribution Systems by use of Walworth County's zoning powers will allow a means

to address the potential for the creation and proliferation of offensive, obnoxious, and unhealthful odors and disease created by such Systems;

H. The passage of an ordinance requiring conditional use permits for the use of Center Pivot Manure Application Systems will not necessarily require the creation of particular standards for such systems, but may require any applicant for such a permit to assure that the legitimate health and safety concerns of the citizens of Walworth County have been met a precondition for the issuance of the permit;

I. The Town Board intends to adopt or has adopted an ordinance declaring Center Pivot Manure Application Systems to be public nuisances in the Town of Richmond, but has done so with the intent that such ordinance should be obviated and repealed if the Walworth County Board adopts an ordinance adequately regulating the use of Center Pivot Manure Application Systems by conditional use permit or other appropriate means.

NOW, THEREFORE, BE IT RESOLVED as follows:

That the Town Board of the Town of Richmond strongly encourages the Walworth County Board to adopt an ordinance using its zoning powers to regulate the use of Center Pivot Manure Application Systems by conditional use permit or other similar effective means, and that such ordinance be put in place pending the creation of standards for Center Pivot Manure Application Systems by the Wisconsin Department of Natural Resources or other authorities to assure that appropriate protections are in place for the health and safety of the citizens of Walworth County.

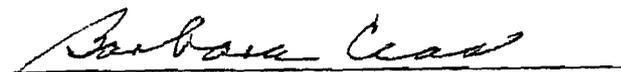
CERTIFICATE

I hereby certify that the above Resolution was adopted by the Town Board of the Town of Richmond on the 19th day of July, 2011, and that on the 20th day of July, 2011, a copy of the above Resolution was posted in three places in the town as follows:

Town Hall Posting Box, W9046 County Road A

Richmond Park Posting Box

Turtle Lake Boat Landing



Barbara Ceas, Town Clerk

Town of Richmond



Memorandum

Administration

David A. Bretl
County Administrator

Suzanne Harrington
Administrative Assistant

Tammy L. Werblow
Administrative Assistant

To: Walworth County Board of Supervisors

From: David A. Bretl, County Administrator *DAB*

Date: August 2, 2011

Re: Fairest of the Fair Presentation

It has been a tradition that the Fairest of the Walworth County Fair address the Board each year to talk about the upcoming event. This year's Fairest of the Fair, Hannah Eucker, would like to give a very brief presentation to the Board on what will be happening at the 162nd Walworth County Fair. I would ask that the Board suspend the rules and permit Ms. Eucker to give a five-minute presentation at the meeting.

Thank you.

DAB/tlw

100 W. Walworth
P.O. Box 1001
Elkhorn, WI 53121
262.741.4357 Tel
262.741.4390 Fax

OUTAGAMIE COUNTY BOARD MEETING
JULY 12, 2011

RESOLUTION NO. 27 -2011-12

Supervisor Hirte moved, seconded by Mahan, for adoption.
RESOLUTION NO. 27 -2011-12 IS ADOPTED.

1 C. SCHMIDT	NO	19 VANDENHEUVEL	YES
2 H. NAGLER	YES	20 M. TRENTLAGE	YES
3 J. MAHAN	YES	21 L. HAMMEN	YES
4 W. DEFFERDING	YES	22 P. HIRTE	YES
5 J. IVERSON	YES	23 D. SCHOMMER	YES
6 T. RABEC	YES	24 J. McDANIEL	YES
7 J. MUELLER	NO	25 M. McANDREWS	YES
8 P. BECKLEY	Not Present	26 VANDER HEIDEN	YES
9 P. STUECK	YES	27 C. KRAMER	YES
10 A. STRAUCH	YES	28 N. AUSTIN	YES
11 K. GROAT	YES	29 J. SCHUETTE	YES
12 R. GOSSE	Not Present	30 R. WEYENBERG	YES
13 D. JANSSEN	YES	31 N. HOFACKER	YES
14 D. BUECHEL	YES	32 A. SCHMIDT	YES
15 J. PLEUSS	YES	33 D. CULBERTSON	YES
16 V. CALLIES	YES	34 S. GRIESBACH	YES
17 J. DUNCAN	YES	35 R. THERN	YES
18 D. DE GROOT	YES	36 C. ANTHONY	YES
Results	Item 8 Passed (32 YES - 2 NO)		Maj

RESOLUTION NO.: 27--2011-12

TO THE HONORABLE, THE OUTAGAMIE COUNTY BOARD OF SUPERVISORS

LADIES AND GENTLEMEN:

MAJORITY

1 The Wisconsin State Legislature has introduced a bill which will require a law
2 enforcement officer to have a federal agency or a person authorized by a federal agency,
3 determine whether a person who is arrested for or charged with a crime or civil violation
4 is lawfully present in the state if the officer has reasonable suspicion that the person is not
5 lawfully present. The bill states that if a person refuses or fails to provide identification
6 at the time he or she is arrested for or charged with a crime or civil violation, that refusal
7 or failure can give rise to reasonable suspicion that the person is not lawfully present. A
8 person who cannot prove his or her lawful presence may be held in secure custody for up
9 to 48 hours to allow the person to obtain documentation of his or her lawful presence. If
10 the person produces the required documentation, he or she may be released. The bill
11 states that a law enforcement agency must transport a person who cannot produce
12 documentation that he or she is lawfully present to a federal immigration or a border
13 patrol agency. This can be done before the person is tried for a crime or if the person is
14 convicted of a crime, after the person's discharge from jail or prison. The bill allows
15 counties to seek reimbursement for jail costs from a person who was held in secured
16 custody because he or she could not provide proof of lawful presence. This bill prohibits
17 a city, town, village or county (political subdivision) from enacting an ordinance,
18 adopting a resolution or establishing a policy that would prohibit an employee from
19 inquiring whether an individual who receives public services is lawfully present in the
20 state, notifying the federal government of the presence of aliens who are not lawfully
21 present, or acting according to or complying with state law regarding arrested persons
22 who are not lawfully present. If a court finds that a political subdivision has failed to
23 comply, the political subdivision must forfeit \$500 for each day of noncompliance.

24
25 NOW THEREFORE, the undersigned members of the Public Safety Committee recommend
26 adoption of the following resolution.

27 BE IT RESOLVED, that the Outagamie County Board of Supervisors does oppose AB 173 in
28 current or amended forms as well as any proposed legislation which would require a law enforcement
29 officer to have a federal agency or a person authorized by a federal agency, determine whether a person
30 who is arrested for or charged with a crime or civil violation is lawfully present in the state if the officer
31 has reasonable suspicion that the person is not lawfully present, and

32 BE IT FURTHER RESOLVED, that the Outagamie County Board of Supervisors does oppose
33 legislation that would prohibit a city, town, village or county (political subdivision) from enacting an

1 ordinance, adopting a resolution or establishing a policy that would prohibit an employee from inquiring
2 whether an individual who receives public services is lawfully present in the state, notifying the federal
3 government of the presence of aliens who are not lawfully present, or acting according to or complying
4 with state law regarding arrested persons who are not lawfully present, and

5 BE IT STILL FURTHER RESOLVED, that the Outagamie County Board of Supervisors does
6 oppose legislation which would require a political subdivision to forfeit \$500 for each day of
7 noncompliance if a court finds that a political subdivision has failed to comply, and

8 BE IT FINALLY RESOLVED, that the Outagamie County Clerk be directed to forward a copy
9 of this resolution to the Outagamie County Sheriff, the Outagamie County Executive, the Outagamie
10 County Lobbyist, all Wisconsin Counties, the Governor and members of the State Legislature.

11 Dated this 12 day July, 2011

12 Respectfully Submitted,
13 PUBLIC SAFETY COMMITTEE

14
15
16 

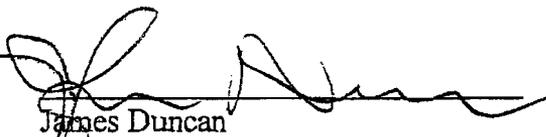
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18 Paul Hirte

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22 Mark McAndrews

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26 Lee W. Hammen

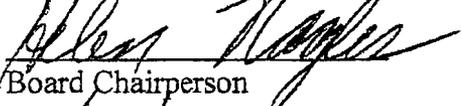
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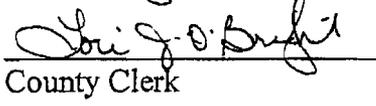
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30 James Duncan

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34 Anne Strauch

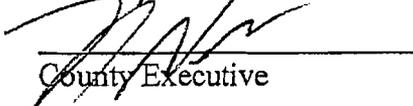
35 Duly and officially adopted by the County Board on: July 12, 2011

36 Signed: 
Board Chairperson


County Clerk

Approved: 7/12/11

Vetoed: _____

Signed: 
County Executive



State of Wisconsin
2011 - 2012 LEGISLATURE



LRB-1116/4
PJH&MES:cjsjg

2011 ASSEMBLY BILL 173

June 8, 2011 - Introduced by Representatives PRIDEMORE, WYNN, LEMAHIEU, KLEEFISCH, STEINEKE and JACQUE, cosponsored by Senator LASEE. Referred to Committee on Homeland Security and State Affairs.

1 AN ACT to amend 302.372 (2) (a) (intro.) and 302.372 (3); and to create 66.0408
2 and 175.55 of the statutes; relating to: local ordinances, determining the
3 lawful presence of a person arrested for or charged with a crime or certain civil
4 violations, and providing a penalty.

Analysis by the Legislative Reference Bureau

This bill requires a law enforcement officer to have a federal agency, or a person authorized by a federal agency, determine whether a person who is arrested for or charged with a crime or civil violation is lawfully present in the state if the officer has reasonable suspicion that the person is not lawfully present. Under the bill, a law enforcement officer may not consider a person's race, color, or national origin except as permitted under the U.S. and the Wisconsin constitutions. The bill states that if a person refuses or fails to provide identification at the time he or she is arrested for or charged with a crime or civil violation, that refusal or failure can give rise to reasonable suspicion that the person is not lawfully present.

Under the bill, a person who cannot prove his or her lawful presence may be held in secured custody for up to 48 hours to allow the person to obtain documentation of his or her lawful presence. The bill specifies the kinds of documentation that are satisfactory to prove lawful presence. Under the bill, no state or local law enforcement officer may verify a person's lawful presence unless he or she has been authorized by the federal government to do so. If the person produces the required documentation, he or she may be released.

2011 - 2012 Legislature

- 2 -

LRB-1116/4
PJH&MES:c:ajf

ASSEMBLY BILL 173

Under the bill, a law enforcement agency must transport a person who cannot produce documentation that he or she is lawfully present to a federal immigration or border patrol agency. Under the bill, this can be done before the person is tried for a crime or, if the person is convicted of a crime, after the person's discharge from jail or prison. The bill allows counties to seek reimbursement for jail costs from a person who was held in secured custody because he or she could not provide proof of lawful presence.

Further, the bill prohibits a city, village, town, or county (political subdivision) from enacting an ordinance, adopting a resolution, or establishing a policy that would prohibit an employee from inquiring whether an individual who receives public services is lawfully present in the state, notifying the federal government of the presence of aliens who are not lawfully present, or acting according to or complying with state law regarding arrested persons who are not lawfully present. Under the bill, a private citizen who believes that a political subdivision is not complying with these requirements may petition for a writ of mandamus requiring compliance, and, if a court finds that a political subdivision has failed to comply, the political subdivision must forfeit \$500 for each day of noncompliance.

For further information see the *state and local* fiscal estimate, which will be printed as an appendix to this bill.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

1 SECTION 1. 66.0408 of the statutes is created to read:

2 66.0408 Local ordinances, immigration status, illegal aliens. (1)

3 DEFINITIONS. In this section:

4 (a) "Illegal alien" means an individual who is not a U.S. citizen and who is not
5 lawfully present in the United States.

6 (b) "Political subdivision" means a city, village, town, or county.

7 (c) "Satisfactory immigration status" means immigration status under which
8 an individual who is not a U.S. citizen is lawfully present in this country.

9 (2) INQUIRIES ABOUT IMMIGRATION STATUS; REPORTING ILLEGAL ALIENS. (a) A
10 political subdivision may not enact an ordinance, adopt a resolution, or establish a
11 policy that prohibits an employee of that political subdivision from doing any of the
12 following:

2011 - 2012 Legislature
ASSEMBLY BILL 173

- 3 -

LRB-1116/4
PJH&MES:cj:jf
SECTION 1

1 1. Inquiring whether an individual seeking or receiving public services from
2 the political subdivision has satisfactory immigration status.

3 2. Notifying the federal government of the presence of illegal aliens in the
4 political subdivision.

5 3. Acting according to or complying with s. 175.55.

6 (b) If a political subdivision has in effect on the effective date of this paragraph
7 [LRB inserts date], an ordinance or resolution that is inconsistent with par. (a),
8 the ordinance or resolution does not apply and may not be enforced.

9 (3) PRIVATE RIGHT OF ACTION. (a) If a resident of this state believes that an
10 employee of a political subdivision is acting in a way that is inconsistent with sub.
11 (2) (a), the resident may file a writ of mandamus with the circuit court of the county
12 in which the activity is alleged to have occurred to compel the political subdivision
13 to comply with sub. (2).

14 (b) If the court finds that the political subdivision has failed to comply with sub.
15 (2) (a), the political subdivision shall forfeit \$500 for each day after the filing of an
16 action under par. (a) that it was noncompliant.

17 SECTION 2. 175.55 of the statutes is created to read:

18 175.55 Determination of lawful presence. (1) In this section, "law
19 enforcement officer" has the meaning given in s. 165.85 (2) (c).

20 (2) If a law enforcement officer has reasonable suspicion that a person who is
21 arrested for or charged with a crime or with a violation of state law that may result
22 in the imposition of a fine, forfeiture, or period of imprisonment is not lawfully
23 present in this state, a person authorized under sub. (7) shall determine the lawful
24 presence of the person before the person is released. For the purposes of this
25 subsection, a person's refusal or failure to provide identification at the time he or she

2011 - 2012 Legislature
ASSEMBLY BILL 178

- 4 -

LRB-1116/4
PJH&MES:cjsjl
SECTION 2

1 is arrested for or charged with the crime or the violation may give rise to reasonable
2 suspicion that the person is not lawfully present in this state.

3 (8) For the purposes of this section, proof of lawful presence may be any of the
4 following:

5 (a) A U.S. passport.

6 (b) A birth certificate bearing an official seal or other mark of authentication
7 and issued by a state, county, or municipality within the United States or by a
8 territory or possession of the United States.

9 (c) A certification of birth abroad issued by the federal department of state.

10 (d) A certificate of naturalization

11 (e) A certificate of U.S. citizenship.

12 (f) A permanent resident card or alien registration receipt card, along with the
13 person's bureau of citizenship and immigration services alien registration number.

14 (g) Any other proof specified in 49 CFR 883.71 (a) (9), along with the person's
15 bureau of citizenship and immigration services alien registration number.

16 (h) Documentary proof of conditional permanent resident status in the United
17 States.

18 (i) A valid, unexpired nonimmigrant visa or nonimmigrant visa status for entry
19 into the United States.

20 (j) An approved application for asylum in the United States or documentary
21 proof that the person has entered into the United States in refugee status.

22 (k) A pending application for asylum in the United States.

23 (L) A pending or approved application for temporary protected status in the
24 United States.

25 (m) An approved deferred action status.

2011 - 2012 Legislature
ASSEMBLY BILL 173

- 5 -

LRB-1116/4
PJH&MES:cjsj
SECTION 2

1 (n) A pending application for adjustment of status to that of an alien lawfully
2 admitted for permanent residence in the United States or conditional permanent
3 resident status in the United States.

4 (o) A valid Wisconsin operator's license or a valid identification card issued
5 under s. 343.50.

6 (4) Any person who does not provide proof of his or her lawful presence in this
7 state as provided under sub. (3) may be held in secured custody for no more than 48
8 hours. If the person provides proof of his or her lawful presence during that time,
9 the person may be released. If the person is not being held in secured custody
10 pursuant to another statute and does not provide proof of his or her lawful presence
11 during that time, the law enforcement agency shall proceed under sub. (5).

12 (5) The law enforcement agency shall notify the U.S. Immigration and
13 Customs Enforcement or the U.S. Customs and Border Protection that a person who
14 has not provided proof of his or her lawful presence in this state has been identified
15 and shall securely transport the person to a federal facility in this state or to any
16 other point of transfer into federal custody. A law enforcement officer shall obtain
17 judicial authorization before securely transporting a person under this section to a
18 point of transfer that is outside of this state.

19 (6) If a person who does not provide proof of his or her lawful presence is
20 convicted of a crime and is imprisoned, upon the person's discharge from jail or from
21 confinement in prison, the sheriff or the department of corrections shall proceed
22 under sub. (5).

23 (7) For the purposes of this section, a person's lawful presence may be
24 determined by:

2011 - 2012 Legislature

- 6 -

LRB-1116/4
PJH&MES:cjsjf

ASSEMBLY BILL 173

SECTION 2

1 (a) A law enforcement officer who is authorized by the federal government to
2 verify or ascertain a person's immigration status or lawful presence.

3 (b) The U.S. Immigration and Customs Enforcement or the U.S. Customs and
4 Border Protection pursuant to 8 USC 1373 (c).

5 (8) A law enforcement officer may not consider race, color, or national origin
6 in the enforcement of this section except to the extent permitted by the U.S. and
7 Wisconsin constitutions.

8 SECTION 3. 302.372 (2) (a) (intro.) of the statutes is amended to read:

9 302.372 (2) (a) (intro.) Except as provided in pars. (c) and (d), a county may seek
10 reimbursement for any expenses incurred by the county in relation to holding a
11 person in secured custody under s. 175.55 (4) or to the crime for which a person was
12 sentenced to a county jail, or for which the person was placed on probation and
13 confined in jail, as follows:

14 SECTION 4. 302.372 (3) of the statutes is amended to read:

15 302.372 (3) LIST OF PRISONERS; INFORMATION; REPORTS. Upon request of the
16 district attorney or the corporation counsel for the county, the jailer shall provide the
17 district attorney or corporation counsel with a list containing the name of each
18 person held pursuant to s. 175.55, and each sentenced prisoner or prisoner confined
19 as a condition of probation, the term of sentence or confinement, and the date of
20 admission, together with information regarding the financial status of each prisoner
21 to enable the county to obtain reimbursement under this section.

22

(END)



Reinhart Boerner Van Deuren s.c.
P.O. Box 2965
Milwaukee, WI 53201-2965

1000 North Water Street
Suite 1700
Milwaukee, WI 53202

Telephone: 414-298-1000
Fax: 414-298-8097
Toll Free: 800-553-6215
reinhartlaw.com

July 29, 2011

Mr. David Bretl
County Administrator, Walworth County
P.O. Box 1001
Elkhorn, WI 53121

Dear Mr. Bretl:

Re: Proposed HUD Section 108 Financing for
Senior Housing Project in the Town of
Geneva, Wisconsin

Following up on my meeting with you earlier this week, I would like to formally request that the Walworth County Board consider (and hopefully approve) my client's application to the U.S. Department of Housing and Urban Development ("HUD") for a Community Development Block Grant loan guaranty under Section 108 of HUD's loan programs. As we discussed, the Section 108 program allows a local governmental body to utilize future Community Development Block Grants from HUD to stand as security for HUD-insured loans issued for specific projects. In this instance, the HUD-insured loan would be used to finance a proposed 144 unit senior housing project to be located in the Geneva Ridge property in the Town of Geneva. More details regarding this project are included in the copy of the loan application that I left with you after our meeting.

Since Walworth County is a "nonentitlement" community for Community Development Block Grant purposes, it is the State of Wisconsin that would be the entity utilizing its future Block Grant funds as security for the loan to the proposed project. Under HUD regulations, however, Walworth County must first approve the application and then it will be forwarded to the State of Wisconsin and then to HUD for final approval. If the loan is approved and the project proceeds, Walworth County will have some administrative oversight obligations, but its cost for fulfilling those obligations will be reimbursed through the loan for the project.

Ideally, we would like the County Board to address this request at its next meeting on August 9 and refer the matter to the Finance Committee for consideration at the Finance Committee meeting on August 18. Assuming approval by the Finance Committee, final approval by the Board could occur at the Board meeting on September 8. We would be present at all of the above meetings to fully explain our

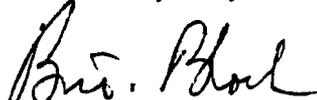
Mr. David Bretl
July 29, 2011
Page 2

proposed project as well as the Section 108 program and the County's responsibilities with respect thereto.

Lastly, as we discussed, the project will require conditional use approval from the Town of Geneva, from the County and from the Extra-Territorial Zoning Committee of the Town of Geneva and the Village of Williams Bay. We will be commencing the applications to obtain such approvals during the month of August. (I met with Mike Cotter and his staff this past Wednesday to review the zoning requirements for the project; he and his staff were extremely helpful.) The County Board's action approving the Section 108 loan application would not in any way bind the County to approve the conditional use application. The resolution approving the Section 108 application can be conditioned upon the subsequent approval of the conditional use application. However, in order for this project to move forward in an expeditious manner, we need to work on our various approvals simultaneously. Each approval process will take several months to complete.

Thank you very much for your assistance in this matter. If you have any questions, please do not hesitate to give me a call.

Yours very truly,


Bruce T. Block

77549612BTB:JJS

RECEIVED
WALWORTH COUNTY CLERK
WASSEL, HARVEY & SCHUK, LLP
2011 JUL 29 PM 4:49

1034D 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

July 29, 2011

Re: Town of Bloomfield, Farmland Preservation

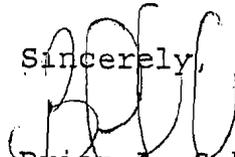
Dear Sir/Madam:

Enclosed herewith please find eight (8) copies of the Farmland Preservation Ordinance Certification Application, memo, Town of Bloomfield Zoning code ordinance and color map. Please refer to zoning for review, recommendation and signature in the above matter.

I understand that you do not need "[t]he spatial location date used to create each map."

Should you need something further, please do not hesitate to contact my office.

Sincerely,



Brian A. Schuk

hsh
enclosure

To: Walworth County Clerk
Via hand-delivery

FORM #2, #2A, 2B

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.

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 were referred to the County Zoning Agency for
public hearing:

NAME	TOWN	CHANGE REQUESTED	DATE REFERRED
KHD Investments, LLC Kevin & Heidi Dawson	LaFayette, K LF3600005	Approx. 17 acres A-2 to A-4	August 9 th , 2011
Susan K. & Warren E. Miller	Richmond, CA224800001	Approx. .18 acres A-3 to A-4	August 9 th , 2011
John & Kristine Kendall	Troy, LA198100002	Approx. 3.09 acres C-3 to A-5	August 9 th , 2011
Mario Deluca	LaFayette, K LF2900007	Approx. 2.51 acres A-1 to A-4	August 9 th , 2011
Gary & Donan M. Johnson	Troy, LA250400002	Approx. 3.02 acres C-3 to A-5	August 9 th , 2011
Matthew Polyock	Linn, I L 3300004A	Approx. .18 acres A-1 to A-4	August 9 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) Wisconsin
Statutes. That copies of said petitions are available for review on the Walworth County
Website at (www.co.walworth.wi.us).

Dated this _ day of __, 2011.

County Clerk

cc. County Board Supervisors:
Randy A. Hawkins
Joe Schaefer
Rick Stacey
Carl Redenius

Policy and Fiscal Note
Resolution No. 35 - 07/11

- I. **Title:** Directing the Treasurer to Reject Settlement of a Special Assessment in the City of Whitewater Relative to Tax Incremental Financing (TIF) District No. 4
- II. **Purpose and Policy Impact Statement:** The purpose of this resolution is to direct the County Treasurer to reject settlement of a special assessment submitted by the City of Whitewater in regard to a payment in lieu of taxes in Whitewater TIF District No. 4 in the amount of \$124,000.
- III. **Budget and Fiscal Impact:** Passage of this resolution would cause the City of Whitewater to bear the loss of the failure of this property owner to fulfill its payment in lieu of taxes (PILOT) obligation. Failure to pass this resolution would mean that the County would treat this PILOT as a special assessment and settle with the City of Whitewater for the full amount of the unpaid pilot.

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

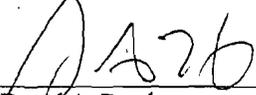
Committee: Finance

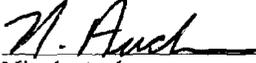
Meeting Date: April 28, 2011

Vote: 4 - 0

County Board Meeting Date: July 12, 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.

 7/5/11
David A. Bretl Date
County Administrator/Corporation Counsel

 7/5/11
Nicole Andersen Date
Deputy County Administrator - Finance

Resolution No. 42 – 08/11
Supporting a Supervisory District Plan for Walworth County

1 Moved/Sponsored by: Walworth County Board of Supervisors

2
3 **WHEREAS**, on January 11, 2011, the Walworth County Board of Supervisors adopted
4 Resolution no. 71-01/11 Establishing Criteria To Be Used in Developing a Redistricting Plan,
5 Selecting the Southeastern Wisconsin Regional Planning Commission (SEWRPC) To Prepare
6 the Plan and Providing Guidelines To Be Followed in the Redistricting Process; and,
7

8 **WHEREAS**, on April 19, 2011, the proposed redistricting plan developed by SEWRPC was
9 delivered to County Board Supervisors for review; and,
10

11 **WHEREAS**, a public hearing on the 2011 Tentative Walworth County Redistricting Plan was
12 held on May 10, 2011 at 5:00 PM.
13

14 **WHEREAS**, on May 10, 2011, the Walworth County Board of Supervisors adopted the tentative
15 supervisory district plan as developed by SEWRPC; and,
16

17 **WHEREAS**, pursuant to the direction given by the Board, the Walworth County Clerk
18 transmitted this plan to each municipal governing body within Walworth County in accordance
19 with the provisions of Section 59.10(3)(b)1 of the Wisconsin Statutes; and,
20

21 **WHEREAS**, Section 59.10(3)(b) of the Wisconsin Statutes requires county boards to hold a
22 public hearing and adopt a final supervisory district plan within 60 days after every municipality
23 in the county adjusts its wards; and,
24

25 **WHEREAS**, a public hearing on the 2011 Final Walworth County Redistricting Plan was held
26 on August 9, 2011 at 6:00 PM.
27

28 **NOW, THEREFORE, BE IT RESOLVED** that the Walworth County Board of Supervisors
29 supports the final supervisory district plan for Walworth County as set forth in the “Walworth
30 County Redistricting Plan: August 2011”; and
31

32 **BE IT FURTHER RESOLVED** by the Walworth County Board of Supervisors that the County
33 Clerk is directed to send a copy of this supervisory district plan to the State of Wisconsin and all
34 municipalities and townships in Walworth County.
35
36
37

38 _____
39 Nancy Russell
40 County Board Chair

Kimberly S. Bushey
County Clerk

41
42 County Board Meeting Date: August 9, 2011
43

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:

<u> DAB </u>	<u> 8/1/11 </u>	<u> Nicole Andersen </u>	<u> 8/2/11 </u>
David A. Bretl	Date	Nicole Andersen	Date
County Administrator/Corporation Counsel		Deputy County Administrator - Finance	

Policy and Fiscal Note
Resolution No. 42 – 08/11

- I. **Title:** Supporting a Supervisory District Plan for Walworth County
- II. **Purpose and Policy Impact Statement:** The purpose of this resolution is to approve the supervisory district plan for Walworth County.
- 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: The Walworth County Board of Supervisors adopted the tentative plan on May 10, 2011.

County Board Meeting Date: August 9, 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 8/1/11
Date
County Administrator/Corporation Counsel

N. Andersen 8/2/11
Date
Deputy County Administrator – Finance

ORDINANCE NO. 684 – 08/11

AMENDING SECTIONS 74-28, 74-131, 74-153 AND 74-263 OF THE WALWORTH COUNTY CODE OF ORDINANCES RELATING TO ENVIRONMENTAL CORRIDORS

THE WALWORTH COUNTY BOARD OF SUPERVISORS DOES ORDAIN AS FOLLOWS:

1 PART I: That Section 74-28 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. 74-28. Purpose.
6

7 The purpose of this ordinance is to promote the comfort, health, safety, prosperity,
8 aesthetics, and general welfare of the county and its communities and to protect the natural and
9 agricultural resources and environmental corridors, as identified and mapped in the County Land
10 Use Plan, the Regional Natural Areas and Critical Species Habitat Protection and Management
11 Plan for Southeastern Wisconsin, the County Park and Open Space Plan, and/or on the County
12 Zoning Map.”
13

14 PART II: That Section 74-131 of the Walworth County Code of Ordinances is hereby
15 amended to read as follows (additions shown by underline; deletions shown by strike-
16 through):
17

18 “Sec. 74-131. Definitions.
19

20 Isolated Natural Resource Areas: Smaller concentrations of natural resource base
21 elements, as detailed in the 2035 Land Use Plan, which are at least five acres in size and that are
22 separated physically from the environmental corridors by intensive urban or agricultural land
23 uses. Although separated from the environmental corridor network, these isolated natural
24 resource areas contain other smaller pockets of wetlands, woodlands, surface water, or wildlife
25 habitat existing within the Region. Widely scattered throughout the County, isolated natural
26 resource areas may provide the only available wildlife habitat in an area, usually provide good
27 locations for local parks, and lend unique aesthetic character and natural diversity to an area.
28

29 Primary Environmental Corridors: The primary environmental corridors in Walworth
30 County include a variety of important natural resource and resource-related elements, as detailed
31 in the 2035 Land Use Plan and are at least 400 acres in size, two miles in length, and 200 feet in
32 width and are primarily located along major stream valleys, around major lakes, and along the
33 Kettle Moraine. These primary environmental corridors contain almost all of the best remaining
34 woodlands, wetlands, and wildlife habitat areas in the County, and represent a composite of the
35 best remaining elements of the natural resource base.
36

1 Secondary Environmental Corridors: Secondary environmental corridors also contain a
2 variety of resource elements, as detailed in the 2035 Land Use Plan, often remnant resources
3 from primary environmental corridors which have been developed for intensive urban or
4 agricultural purposes and generally connect with the primary environmental corridors and are at
5 least 100 acres in size and one mile in length.. Secondary environmental corridors are generally
6 located along the small perennial and intermittent streams within the County. Secondary
7 environmental corridors facilitate surface-water drainage, maintain pockets of natural resource
8 features, and provide corridors for the movement of wildlife, as well as for the movement and
9 dispersal of seeds for a variety of plant species.”

10
11 **PART III: That Section 74-153 of the Walworth County Code of Ordinances is hereby**
12 **amended to read as follows (additions shown by underline; deletions shown by strike-**
13 **through):**

14
15 **“Sec. 74-153. Purpose.**

16
17 The purpose of this ordinance is to promote the comfort, health, safety, prosperity,
18 aesthetics, and general welfare of the county and its communities and to protect the natural and
19 agricultural resources and environmental corridors, as identified and mapped in the County Land
20 Use Plan, the Regional Natural Areas and Critical Species Habitat Protection and Management
21 Plan for Southeastern Wisconsin, the County Park and Open Space Plan, and/or on the County
22 Zoning Map.”

23
24 **PART IV: That Section 74-263 of the Walworth County Code of Ordinances is hereby**
25 **amended to read as follows (additions shown by underline; deletions shown by strike-**
26 **through):**

27
28 **“Sec. 74-263. Definitions.**

29
30 Isolated Natural Resource Areas. Isolated natural Resource Areas are smaller
31 concentrations of natural resource base elements, as detailed in the 2035 Land Use Plan, which
32 are at least five acres in size and that are separated physically from the environmental corridors
33 by intensive urban or agricultural land uses. Although separated from the environmental corridor
34 network, these isolated natural resource areas contain other smaller pockets of wetlands,
35 woodlands, surface water, or wildlife habitat existing within the Region. Widely scattered
36 throughout the County, isolated natural resource areas may provide the only available wildlife
37 habitat in an area, usually provide good locations for local parks, and lend unique aesthetic
38 character and natural diversity to an area.

39
40 Primary Environmental Corridors. The primary environmental corridors in Walworth
41 County include a variety of important natural resource and resource-related elements, as detailed
42 in the 2035 Land Use Plan and are at least 400 acres in size, two miles in length, and 200 feet in
43 width and are primarily located along major stream valleys, around major lakes, and along the
44 Kettle Moraine. These primary environmental corridors contain almost all of the best remaining

1 woodlands, wetlands, and wildlife habitat areas in the County, and represent a composite of the
2 best remaining elements of the natural resource base.

3
4 Secondary Environmental Corridors. Secondary environmental corridors also contain a
5 variety of resource elements, as detailed in the 2035 Land Use Plan, often remnant resources
6 from primary environmental corridors which have been developed for intensive urban or
7 agricultural purposes and generally connect with the primary environmental corridors and are at
8 least 100 acres in size and one mile in length.. Secondary environmental corridors are generally
9 located along the small perennial and intermittent streams within the County. Secondary
10 environmental corridors facilitate surface-water drainage, maintain pockets of natural resource
11 features, and provide corridors for the movement of wildlife, as well as for the movement and
12 dispersal of seeds for a variety of plant species."

13
14 **PART V: This Ordinance shall become effective upon passage.**

15
16 **PASSED and ADOPTED** by the Walworth County Board of Supervisors this 9th day of August,
17 2011.

18
19
20
21
22
23 _____
24 Nancy Russell
25 County Board Chair

23 _____
24 Kimberly S. Bushey
25 Attest: County Clerk

26 **County Board Meeting Date:** August 9, 2011

27
Action Required: X Majority Vote 2/3 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 7/29/11
Date
County Administrator/Corporation Counsel

N. Andersen 8/1/11
Date
Deputy County Administrator - Finance

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

Ordinance No. 684-08/11
Fiscal Note and Policy Impact Statement

I. **Title:** Amending Sections 74-28, 74-131, 74-153 and 74-263 of the Walworth County Code of Ordinances Relating to Environmental Corridors

II. **Purpose and Policy Impact Statement:** This ordinance amendment was initiated by the County Zoning Agency to incorporate definitions associated with Environmental Corridors. The definitions of Isolated Natural Resource Areas, Primary Environmental Corridors and Secondary Environmental Corridors were taken from the existing 2035 Land Use Plan. The amendment also references a recently endorsed Regional Water Supply Plan for Southeastern Wisconsin published by SEWRPC.

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:**

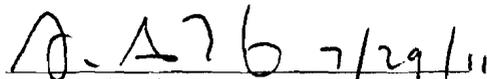
Committee: County Zoning Agency

Date: July 21, 2011

Vote: 6 - 0

County Board Meeting Date: August 9, 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.



Date

David A. Bretl
County Administrator/Corporation Counsel



Date

Nicole Andersen
Deputy County Administrator - Finance

ORDINANCE NO. 685 – 08/11

AMENDING SECTIONS 74-53, 74-55, 74-56, 74-64, 74-65, 74-66, 74-74, 74-180, 74-182,
74-183, 74-191, 74-192, 74-193, 74-203 OF THE WALWORTH COUNTY CODE OF
ORDINANCES RELATING TO SHARED PARKING

THE WALWORTH COUNTY BOARD OF SUPERVISORS DOES ORDAIN AS
FOLLOWS:

1 PART I: That Section 74-53 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. 74-53. Park districts.
6

7 *P-1 Recreational park district.* The P-1 district is used to provide for areas where the
8 open space and recreational needs, both public and private, of the citizens can be met without
9 undue disturbance of natural resources and adjacent uses.
10

11 (2) *Conditional uses.* (See division 4.)
12

13 (aa) Shared parking.
14

15 *P-2 Institutional park districts.* The P-2 district is intended to eliminate the ambiguity of
16 maintaining, in unrelated use districts, areas which are under public or public-related ownership
17 and where the use for public purpose is anticipated to be permanent.
18

19 (2) *Conditional uses.* (See division 4.)
20

21 (y) Shared parking.”
22

23 PART II: That Section 74-55 of the Walworth County Code of Ordinances is hereby
24 amended to read as follows (additions shown by underline; deletions shown by strike-
25 through):
26

27 “Sec. 74-55. Business districts.
28

29 *B-1 Local business district.* The B-1 district is intended to generally provide for orderly
30 and appropriate regulations to insure the compatibility of the diverse uses of retail and customer
31 service establishments typically found in a localized general downtown type area.
32

33 (2) *Conditional uses.*
34

35 (p) Shared parking.
36

1 *B-2 General business district.* The B-2 General Business District is intended to provide
2 for more business and trades of a more general nature, normally serving a larger trade area.

3
4 (2) *Conditional uses.*

5
6 (ee) Shared parking.

7
8 *B-3 Waterfront business district.* The B-3 district is intended to generally provide for
9 orderly and appropriate regulations to insure the compatibility of the diverse uses of retail and
10 customer service establishments typically found on waterfront property.

11
12 (2) *Conditional uses.*

13
14 (ff) Shared parking.

15
16 *B-4 Highway business district.* The B-4 district is intended to provide for orderly and
17 appropriate regulations at appropriate locations along principal highway routes to those
18 businesses and customer services which are logically related to and dependent upon highway
19 traffic or which are specifically designed to serve the needs of such traffic.

20
21 (2) *Conditional uses.*

22
23 (dd) Shared parking.

24
25 *B-5 Planned commercial-recreational business district.* The primary purpose of this
26 district is to permit on a planned basis major commercial-recreation development projects,
27 including recreation-related residential land uses. Such planned development projects are likely
28 to include a large number of different individual land uses which are needed to carry on and
29 support the primary commercial-recreational venture.

30
31 (2) *Conditional uses.*

32
33 ~~v. Single family and multiple family dwelling units when located on the~~
34 ~~same site with health or recreational resorts provided, however, that the~~
35 ~~transfer of ownership of any dwelling units may only include therewith a~~
36 ~~fractional interest in the site on which the dwelling units is located, and~~
37 ~~such transfer shall not result in a subdivision or minor subdivision as~~
38 ~~defined under the Walworth County Land Division Ordinance. Any~~
39 ~~permitted dwelling units may be used either for the accommodation of~~
40 ~~transient guests or exclusively for living quarters for one family.~~

41
42 ~~w y.~~ Animal hospitals, shelters and kennels.

43
44 ~~* w.~~ Golf courses and country clubs.

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- x. Ski hills.
- y. Yachting clubs and marinas.
- pp. Drive-in theaters.
- qq. Motels, hotels and tourist courts.
- qq rr. Vehicle sales and services.
- rr ss. Public parking lots.
- ss tt. Taxi stands.
- tt uu. Sewage disposal plants.
- uu. ~~Governmental and cultural uses such as fire and police stations, community centers, libraries, public emergency shelters, parks, playgrounds, museums, and park and ride facilities.~~
- vv. Airports, airstrips, landing fields, and heliports.
- ww. Utilities, provided all principal structures and uses associated with the utility are not less than 50 feet from all district lot lines except business, park and industrial.
- xx. Schools and churches.
- yy. Commercial water slides.
- zz. Single-family and multiple family dwelling units when located on the same site with health or recreational resorts provided, however, that the transfer of ownership of any dwelling units may only include therewith a fractional interest in the site on which the dwelling units is located, and such transfer shall not result in a subdivision or minor subdivision as defined under the Walworth County Land Division Ordinance. Any permitted dwelling units may be used either for the accommodation of transient guests or exclusively for living quarters for one family.
- aaa. Governmental and cultural uses such as fire and police stations, community centers, libraries, public emergency shelters, parks, playgrounds, museums, and park and ride facilities.
- bbb. Shared parking.”

1 **PART III: That Section 74-56 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. 74-56. Industrial districts.**

6
7 *M-1 Industrial district.* The M-1 district is intended to provide for manufacturing,
8 industrial and related uses.

9
10 (2) *Conditional uses.*

11
12 u. Shared parking.”

13
14 *M-2 Heavy industrial district.* The M-2 district is intended to provide for more intense
15 manufacturing and industrial development.

16
17 (2) *Conditional uses.*

18
19 t. Shared parking.”

20
21 **PART IV: That Section 74-64 of the Walworth County Code of Ordinances is hereby**
22 **amended to read as follows (additions shown by underline; deletions shown by strike-**
23 **through):**

24
25 **“Sec. 74-64. Commercial and related uses.**

26
27 (16) Shared Parking. County Zoning Agency may grant conditional use approval for
28 Shared Parking in the B-1, B-2, B-3, B-4, and B-5 districts after public hearing and review. The
29 Committee may authorize as much as a forty percent (40%) reduction in the area to be paved for
30 non-residential off-street parking stalls when parking is shared by two (2) or more uses
31 provided:

32
33 a. The uses that are sharing parking have peak parking demand at different
34 times.

35
36 b. Pedestrian sidewalks or paths are provided as safe connections between
37 any uses sharing the parking area.

38
39 c. Land-Banking of Reserved Area: When a parking reduction has been
40 authorized, the Committee shall require that sufficient area on the property
41 be held in reserve for the potential future development of paved off-street
42 parking to meet the full requirements. When required, this reserve off-
43 street parking area shall be shown and noted on the site plan, maintained
44 as open space, and developed with paved off-street parking spaces when
45 the County determines that such off-street parking is necessary due to

1 parking demand on the property which exceeds original expectations. The
2 reserve area may not be counted as part of any required green space area.
3 The County may require that a letter of credit or other approved financial
4 surety be provided at the time of permit issuance in an amount not to
5 exceed 125% of the estimated cost of parking lot completion, to be
6 exercised at County discretion, should the need for parking lot completion
7 be determined.

8
9 d. If shared parking is approved by the Committee, a shared parking
10 agreement, signed by all parties, shall be recorded with the Register of
11 Deeds. The agreement shall state a minimum time frame for the
12 agreement to be in force; provide for ingress/egress easements; and state
13 safe and proper maintenance provisions for driveways, parking and
14 pedestrian connections.

15
16 e. Compliance with all other provisions of this ordinance shall be required of
17 all conditional uses (Section 74-59/74-186)."

18
19 ***Note to codifier: Please number the current language in Sec. 74-64, beginning with *Drive-***
20 ***in theaters* as 1 and ending with *Off-season storage facilities* as 15.**

21
22 **PART V: That Section 74-65 of the Walworth County Code of Ordinances is hereby**
23 **amended to read as follows (additions shown by underline; deletions shown by strike-**
24 **through):**

25
26 **"Sec. 74-65. Industrial and related uses.**

27
28 (16) Shared Parking. County Zoning Agency may grant conditional use approval for
29 Shared Parking in the M-1 and M-2 districts after public hearing and review. The
30 Committee may authorize as much as a forty percent (40%) reduction in the area
31 to be paved for non-residential off-street parking stalls when parking is shared by
32 two (2) or more uses provided:

33
34 a. The uses that are sharing parking have peak parking demand at different
35 times.

36
37 b. Pedestrian sidewalks or paths are provided as safe connections between
38 any uses sharing the parking area.

39
40 c. Land-Banking of Reserved Area: When a parking reduction has been
41 authorized, the Committee shall require that sufficient area on the property
42 be held in reserve for the potential future development of paved off-street
43 parking to meet the full requirements. When required, this reserve off-
44 street parking area shall be shown and noted on the site plan, maintained
45 as open space, and developed with paved off-street parking spaces when

1 the County determines that such off-street parking is necessary due to
2 parking demand on the property which exceeds original expectations. The
3 reserve area may not be counted as part of any required green space area.
4 The County may require that a letter of credit or other approved financial
5 surety be provided at the time of permit issuance in an amount not to
6 exceed 125% of the estimated cost of parking lot completion, to be
7 exercised at County discretion, should the need for parking lot completion
8 be determined.

9
10 d. If shared parking is approved by the Committee, a shared parking
11 agreement, signed by all parties, shall be recorded with the Register of
12 Deeds. The agreement shall state a minimum time frame for the
13 agreement to be in force; provide for ingress/egress easements; and state
14 safe and proper maintenance provisions for driveways, parking and
15 pedestrian connections.

16
17 e. Compliance with all other provisions of this ordinance shall be required of
18 all conditional uses (Section 74-59/74-186)."

19
20 **PART VI: That Section 74-66 of the Walworth County Code of Ordinances is hereby**
21 **amended to read as follows (additions shown by underline; deletions shown by strike-**
22 **through):**

23
24 **"Sec. 74-66. Public and semi-public uses.**

25
26 (11) Shared Parking. County Zoning Agency may grant conditional use approval for
27 Shared Parking in the P-1 and P-2 districts after public hearing and review. The
28 Committee may authorize as much as a forty percent (40%) reduction in the area
29 to be paved for non-residential off-street parking stalls when parking is shared by
30 two (2) or more uses provided:

31
32 a. The uses that are sharing parking have peak parking demand at different
33 times.

34
35 b. Pedestrian sidewalks or paths are provided as safe connections between
36 any uses sharing the parking area.

37
38 c. Land-Banking of Reserved Area: When a parking reduction has been
39 authorized, the Committee shall require that sufficient area on the property
40 be held in reserve for the potential future development of paved off-street
41 parking to meet the full requirements. When required, this reserve off-
42 street parking area shall be shown and noted on the site plan, maintained
43 as open space, and developed with paved off-street parking spaces when
44 the County determines that such off-street parking is necessary due to
45 parking demand on the property which exceeds original expectations. The

1 reserve area may not be counted as part of any required green space area.
2 The County may require that a letter of credit or other approved financial
3 surety be provided at the time of permit issuance in an amount not to
4 exceed 125% of the estimated cost of parking lot completion, to be
5 exercised at County discretion, should the need for parking lot completion
6 be determined.

7
8 d. If shared parking is approved by the Committee, a shared parking
9 agreement, signed by all parties, shall be recorded with the Register of
10 Deeds. The agreement shall state a minimum time frame for the
11 agreement to be in force; provide for ingress/egress easements; and state
12 safe and proper maintenance provisions for driveways, parking and
13 pedestrian connections.

14
15 e. Compliance with all other provisions of this ordinance shall be required of
16 all conditional uses (Section 74-59/74-186)."

17
18 **PART VII: That Section 74-74 of the Walworth County Code of Ordinances is hereby**
19 **amended to read as follows (additions shown by underline; deletions shown by strike-**
20 **through):**

21
22 **"Sec. 74-74. Parking requirements.**

23
24 (2) *Combinations* of any of the above uses shall provide the total of the number of
25 stalls required for each individual use, unless shared parking is reviewed and
26 approved by the Committee in accordance with the conditional use process. (see
27 Div. 4).

28
29 (5) *Location* to be on the same lot as the principal use, or on a lot not over 400 feet
30 from the principal use. Parking stalls and interior driveways located in the A-4, P-
31 1, P-2, R-4, R-5, R-6, R-7, R-8, B-1, B-2, B-3, B-4, B-5, B-6, M-1, M-2 districts
32 shall be located at least 25 feet from any public right-of-way. ~~Parking stalls and~~
33 ~~interior driveways located in the A-4, P-1, P-2, R-4, R-5, R-6, R-7, R-8, B-1, B-2,~~
34 ~~B-3, B-4, B-5, B-6, M-1, M-2 districts shall be located at least 25 feet from any~~
35 ~~public right-of-way.~~ Parking stalls and driveways in the A-4, P-1, P-2, R-4, R-8,
36 B-1, B-2, B-3, B-4, B-5, M-1, M-2, M-3, and M-4 districts shall be located at
37 least 25 feet from any R-1, R-2, R-2A, R-3, R-5, R-6, R-7, and A-5 district lot
38 line and at least five feet from any property line. No parking stall or driveway is
39 permitted within the shoreyard."
40

41 **PART VIII: That Section 74-180 of the Walworth County Code of Ordinances is hereby**
42 **amended to read as follows (additions shown by underline; deletions shown by strike-**
43 **through):**

44
45 **"Sec. 74-180. Park districts.**

1
2 *P-1 Recreational park district.* The P-1 district is used to provide for areas where the
3 open space and recreational needs, both public and private, of the citizens can be met without
4 undue disturbance of natural resources and adjacent uses.

5
6 (2) *Conditional uses.* (See division 4.)

7
8 aa. Shared parking.

9
10 *P-2 Institutional park districts.* The P-2 district is intended to eliminate the ambiguity of
11 maintaining, in unrelated use districts, areas which are under public or public-related ownership
12 and where the use for public purpose is anticipated to be permanent.

13
14 (2) *Conditional uses.* (See division 4.)

15
16 (y) Shared parking.”

17
18 **PART IX: That Section 74-182 of the Walworth County Code of Ordinances is hereby**
19 **amended to read as follows (additions shown by underline; deletions shown by strike-**
20 **through):**

21
22 **“Sec. 74-182. Business districts.**

23
24 *B-1 Local business district.* The B-1 district is intended to generally provide for orderly
25 and appropriate regulations to insure the compatibility of the diverse uses of retail and customer
26 service establishments typically found in a localized general downtown type area.

27
28 (2) *Conditional uses.* (See division 4.)

29
30 a. Off-season storage facilities.

31
32 b. Lodges and fraternal buildings.

33
34 c. Nursing homes.

35
36 d. Nursery and day care centers.

37
38 e. Retirement homes.

39
40 e f. Vehicle sales and service.

41
42 ~~f. Public parking lots.~~

43
44 g. Gasoline service stations, provided all gas pumps are not less than 30 feet
45 from any side or rear lot line and 20 feet from any existing or proposed

1 street right of way and further provided that canopy posts over gas pumps
2 shall be at least 30 feet from any side or rear lot line and shall not be less
3 than 20 feet from any existing or proposed street right of way. Canopies
4 shall not be permitted to overhang past the property line. No canopy shall
5 exceed 20 feet in height.

6
7 h. Public parking lots.

8
9
10 h i. Taxi stands.

11
12 i j. Sewage disposal plants.

13
14 j k. Governmental and cultural uses such as fire and police stations,
15 community centers, public emergency shelters, parks, playgrounds, and
16 park-and-ride facilities.

17
18 l. Utilities, provided all principal structures and uses associated with the
19 utility are not less than 50 feet from all district lot lines except business,
20 park and industrial.

21
22 m. Schools and churches.

23
24 k n. Car wash.

25
26 l o. Planned unit developments. Building separation: The minimum building
27 separation shall be 30 unless modified by the committee, provided the
28 minimum building separation is never reduced below 20 feet.

29
30 p. Shared parking.

31
32 *B-2 General business district.* The B-2 general business district is intended to provide for
33 more business and trades of a more general nature, normally serving a larger trade area.

34
35 (2) *Conditional uses.* (See division 4.)

36
37 ee. Shared parking.

38
39 *B-3 Waterfront business district.* The B-3 district is intended to generally provide for
40 orderly and appropriate regulations to insure the compatibility of the diverse uses of retail and
41 customer service establishments typically found on waterfront property.

42
43 (2) *Conditional uses.* (See division 4.)

44
45 ff. Shared parking.

1
2 *B-4 Highway business district.* The B-4 district is intended to provide for orderly and
3 appropriate regulations at appropriate locations along principal highway routes to those
4 businesses and customer services which are logically related to and dependent upon highway
5 traffic or which are specifically designed to serve the needs of such traffic.
6

7 (2) *Conditional uses.* (See division 4.)
8

9 dd. Shared parking.
10

11 *B-5 Planned commercial--Recreation business district.* The primary purpose of this
12 district is to permit on a planned basis major commercial-recreation development projects,
13 including recreation-related residential land uses. Such planned development projects are likely
14 to include a large number of different individual land uses which are needed to carry on and
15 support the primary commercial-recreational venture.
16

17 (2) *Conditional uses.* (See division 4.)
18

19 bbb. Shared parking.
20

21 **PART X: That Section 74-183 of the Walworth County Code of Ordinances is hereby**
22 **amended to read as follows (additions shown by underline; deletions shown by strike-**
23 **through):**
24

25 **“Sec. 74-183. Industrial districts.**
26

27 *M-1 Industrial district.* The M-1 district is intended to provide for manufacturing,
28 industrial and related uses.
29

30 (2) *Conditional uses.* (See division 4.)
31

32 u. Shared parking.
33

34 *M-2 Heavy industrial district.* The M-2 district is intended to provide for more intense
35 manufacturing and industrial development.
36

37 (2) *Conditional uses.* (See division 4.)
38

39 t. Shared parking.”
40

41 **PART XI: That Section 74-191 of the Walworth County Code of Ordinances is hereby**
42 **amended to read as follows (additions shown by underline; deletions shown by strike-**
43 **through):**
44

45 **“Sec. 74-191. Commercial and related uses.**

1
2 (16) Shared Parking. County Zoning Agency may grant conditional use approval for
3 Shared Parking in the B-1, B-2, B-3, B-4, and B-5 districts after public hearing
4 and review. The Committee may authorize as much as a forty percent (40%)
5 reduction in the area to be paved for non-residential off-street parking stalls when
6 parking is shared by two (2) or more uses provided:

7
8 a. The uses that are sharing parking have peak parking demand at different
9 times.

10
11 b. Pedestrian sidewalks or paths are provided as safe connections between
12 any uses sharing the parking area.

13
14 c. Land-Banking of Reserved Area: When a parking reduction has been
15 authorized, the Committee shall require that sufficient area on the property
16 be held in reserve for the potential future development of paved off-street
17 parking to meet the full requirements. When required, this reserve off-
18 street parking area shall be shown and noted on the site plan, maintained
19 as open space, and developed with paved off-street parking spaces when
20 the County determines that such off-street parking is necessary due to
21 parking demand on the property which exceeds original expectations. The
22 reserve area may not be counted as part of any required green space area.
23 The County may require that a letter of credit or other approved financial
24 surety be provided at the time of permit issuance in an amount not to
25 exceed 125% of the estimated cost of parking lot completion, to be
26 exercised at County discretion, should the need for parking lot completion
27 be determined.

28
29 d. If shared parking is approved by the Committee, a shared parking
30 agreement, signed by all parties, shall be recorded with the Register of
31 Deeds. The agreement shall state a minimum time frame for the
32 agreement to be in force; provide for ingress/egress easements; and state
33 safe and proper maintenance provisions for driveways, parking and
34 pedestrian connections.

35
36 e. Compliance with all other provisions of this ordinance shall be required of
37 all conditional uses (Section 74-59/74-186)."

38
39 **PART XII: That Section 74-192 of the Walworth County Code of Ordinances is hereby**
40 **amended to read as follows (additions shown by underline; deletions shown by strike-**
41 **through):**

42
43 **"Sec. 74-192. Industrial and related uses.**
44

1 (16) Shared Parking. County Zoning Agency may grant conditional use approval for
2 Shared Parking in the M-1 and M-2 districts after public hearing and review. The
3 Committee may authorize as much as a forty percent (40%) reduction in the area
4 to be paved for non-residential off-street parking stalls when parking is shared by
5 two (2) or more uses provided:
6

7 a. The uses that are sharing parking have peak parking demand at different
8 times.
9

10 b. Pedestrian sidewalks or paths are provided as safe connections between
11 any uses sharing the parking area.
12

13 c. Land-Banking of Reserved Area: When a parking reduction has been
14 authorized, the Committee shall require that sufficient area on the property
15 be held in reserve for the potential future development of paved off-street
16 parking to meet the full requirements. When required, this reserve off-
17 street parking area shall be shown and noted on the site plan, maintained
18 as open space, and developed with paved off-street parking spaces when
19 the County determines that such off-street parking is necessary due to
20 parking demand on the property which exceeds original expectations. The
21 reserve area may not be counted as part of any required green space area.
22 The County may require that a letter of credit or other approved financial
23 surety be provided at the time of permit issuance in an amount not to
24 exceed 125% of the estimated cost of parking lot completion, to be
25 exercised at County discretion, should the need for parking lot completion
26 be determined.
27

28 d. If shared parking is approved by the Committee, a shared parking
29 agreement, signed by all parties, shall be recorded with the Register of
30 Deeds. The agreement shall state a minimum time frame for the
31 agreement to be in force; provide for ingress/egress easements; and state
32 safe and proper maintenance provisions for driveways, parking and
33 pedestrian connections.
34

35 e. Compliance with all other provisions of this ordinance shall be required of
36 all conditional uses (Section 74-59/74-186)."
37

38 **PART XIII: That Section 74-193 of the Walworth County Code of Ordinances is hereby**
39 **amended to read as follows (additions shown by underline; deletions shown by strike-**
40 **through):**
41

42 **"Sec. 74-193. Public and semi-public uses.**
43

44 (11) Shared Parking. County Zoning Agency may grant conditional use approval for
45 Shared Parking in the P-1 and P-2 districts after public hearing and review. The

1 Committee may authorize as much as a forty percent (40%) reduction in the area
2 to be paved for non-residential off-street parking stalls when parking is shared by
3 two (2) or more uses provided:

4
5 a. The uses that are sharing parking have peak parking demand at different
6 times.

7
8 b. Pedestrian sidewalks or paths are provided as safe connections between
9 any uses sharing the parking area.

10
11 c. Land-Banking of Reserved Area: When a parking reduction has been
12 authorized, the Committee shall require that sufficient area on the property
13 be held in reserve for the potential future development of paved off-street
14 parking to meet the full requirements. When required, this reserve off-
15 street parking area shall be shown and noted on the site plan, maintained
16 as open space, and developed with paved off-street parking spaces when
17 the County determines that such off-street parking is necessary due to
18 parking demand on the property which exceeds original expectations. The
19 reserve area may not be counted as part of any required green space area.
20 The County may require that a letter of credit or other approved financial
21 surety be provided at the time of permit issuance in an amount not to
22 exceed 125% of the estimated cost of parking lot completion, to be
23 exercised at County discretion, should the need for parking lot completion
24 be determined.

25
26 d. If shared parking is approved by the Committee, a shared parking
27 agreement, signed by all parties, shall be recorded with the Register of
28 Deeds. The agreement shall state a minimum time frame for the
29 agreement to be in force; provide for ingress/egress easements; and state
30 safe and proper maintenance provisions for driveways, parking and
31 pedestrian connections.

32
33 e. Compliance with all other provisions of this ordinance shall be required of
34 all conditional uses (Section 74-59/74-186)."

35
36 **PART XIV: That Section 74-203 of the Walworth County Code of Ordinances is hereby**
37 **amended to read as follows (additions shown by underline; deletions shown by strike-**
38 **through):**

39
40 **"Sec. 74-203. Parking requirements.**

41
42 (2) *Combinations.* Combinations of any of the above uses shall provide the total of
43 the number of stalls required for each individual use, unless Shared Parking is
44 reviewed and approved by the Committee in accordance with the conditional use
45 process. (see Div. 4)."

ORDINANCE NO. 686 – 08/11

AMENDING SECTIONS 74-38 AND 74-163 OF THE WALWORTH COUNTY CODE
OF ORDINANCES RELATING TO ACCESSORY STRUCTURES

THE WALWORTH COUNTY BOARD OF SUPERVISORS DOES ORDAIN AS
FOLLOWS:

1 PART I: That Section 74-38 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. 74-38. Use regulations.
6

- 7 (2) Accessory uses and structures are permitted in any district but not until their
8 principal structure is present or under construction. Uses accessory to residential
9 district developments shall not involve the conduct of any business, trade or
10 industry except for home occupations, minor home occupations and professional
11 home office as defined and permitted herein. An accessory structure cannot
12 contain a separate dwelling unit.
13

14 The size (square footage at ground floor elevation) of accessory structures shall be
15 based on lot area. The lot area shall be considered the net area less areas zoned C-
16 1 and C-4.
17

18 The total accessory structure floor area shall be calculated as follows:
19

20 Parcel from 0 to 12,000 square foot is limited to 10% of lot area in
21 accessory structures;
22

23 Parcel 12,001 sq. ft. to ~~1.99 acres~~ 40,000 sq. ft. is limited to ~~1,200~~ 1,650
24 sq. ft. of accessory structures;
25

26 Parcel 40,001 sq. ft. to 1.99 acres is limited to 2,150 sq. ft. of accessory
27 structures;
28

29 Parcel ~~two~~ 2 acres to 2.99 acres is limited to ~~1,700~~ 2,650 sq. ft. of
30 accessory structures;
31

32 Parcel ~~three~~ 3 acres to 3.99 acres is limited to ~~2,200~~ 3,150 sq. ft. of
33 accessory structures;
34

35 Parcel ~~four~~ 4 acres to 4.99 acres is limited to ~~2,700~~ 3,650 sq. ft. of
36 accessory structures;
37

1 Parcel ~~five~~ 5 acres or more is limited to ~~1.5%~~ 2% of lot area in accessory
2 structures.

3
4 The height and location of accessory structures shall be as follows:

5
6 Accessory structures are permitted in the rear and side yards of all lots,
7 and in the street yards of waterfront lots, flag lots, through lots, corner lots
8 and lots of one acre or more in size. When located in the side yard and the
9 street yard, they shall not be closer than the minimum required side yard,
10 rear yard and street yard setback. Only boathouses, boat hoists, and piers
11 shall be permitted in the shoreyard.

12
13 Accessory structures 1,200 square feet or less in size shall not exceed 17
14 feet in height, and accessory structures 1,201 square feet to 1,650 square
15 feet in size shall not exceed 20 feet in height. When located in the side
16 yard they shall conform to the setbacks required by the zone district and/or
17 division 7 of this article. When located in the street yard, they shall not be
18 closer than the minimum required side yard, rear yard and street yard
19 setback except an alley which shall be at least five feet. When located in
20 the street yard on waterfront lots, they shall not be located closer than
21 three feet to the lot line, five feet to an alley line, nor ten feet to the road
22 right-of-way. When located in the rear yard they shall not be located
23 closer than three feet to the lot line.

24
25 Accessory structures greater than ~~1,200~~ 1,650 square feet shall not exceed
26 25 feet in height, and shall maintain the setbacks required by the zone
27 district for the principal structure.”

28
29 **PART II: That Section 74-163 of the Walworth County Code of Ordinances is hereby**
30 **amended to read as follows (additions shown by underline; deletions shown by strike-**
31 **through):**

32
33 **“Sec. 74-163. Use regulations.**

- 34
35 (2) Accessory uses and structures are permitted in any district but not until their
36 principal structure is present or under construction. Uses accessory to residential
37 district developments shall not involve the conduct of any business, trade or
38 industry except for home occupations, minor home occupations and professional
39 home office as defined and permitted herein. An accessory structure cannot
40 contain a separate dwelling unit.

41
42 The size (square footage at ground floor elevation) of accessory structures shall be
43 based on lot area. The lot area shall be considered the net area less areas zoned C-
44 1 and C-4.

1 The total accessory structure floor area shall be calculated as follows:
2

3 Parcel from 0 to 12,000 square foot is limited to 10% of lot area in
4 accessory structures;
5

6 Parcel 12,001 sq. ft. to ~~1.99 acres~~ 40,000 sq. ft. is limited to ~~1,200~~ 1,650
7 sq. ft. of accessory structures;
8

9 Parcel 40,001 sq. ft. to 1.99 acres is limited to 2,150 sq. ft. of accessory
10 structures;
11

12 Parcel ~~two~~ 2 acres to 2.99 acres is limited to ~~1,700~~ 2,650 sq. ft. of
13 accessory structures;
14

15 Parcel ~~three~~ 3 acres to 3.99 acres is limited to ~~2,200~~ 3,150 sq. ft. of
16 accessory structures;
17

18 Parcel ~~four~~ 4 acres to 4.99 acres is limited to ~~2,700~~ 3,650 sq. ft. of
19 accessory structures;
20

21 Parcel ~~five~~ 5 acres or more is limited to ~~1.5%~~ 2% of lot area in accessory
22 structures.
23

24 The height and location of accessory structures shall be as follows:
25

26 Accessory structures are permitted in the rear and side yards of all lots,
27 and in the street yards of waterfront lots, flag lots, through lots, corner lots
28 and lots of one acre or more in size. When located in the side yard and the
29 street yard, they shall not be closer than the minimum required side yard,
30 rear yard and street yard setback. Only boathouses, boat hoists, and piers
31 shall be permitted in the shoreyard.
32

33 Accessory structures 1,200 square feet or less in size shall not exceed 17
34 feet in height, and accessory structures 1,201 square feet to 1,650 square
35 feet in size shall not exceed 20 feet in height. When located in the side
36 yard they shall conform to the setbacks required by the zone district and/or
37 division 7 of this article. When located in the street yard, they shall not be
38 closer than the minimum required side yard, rear yard and street yard
39 setback except an alley which shall be at least five feet. When located in
40 the street yard on waterfront lots, they shall not be located closer than
41 three feet to the lot line, five feet to an alley line, nor ten feet to the road
42 right-of-way. When located in the rear yard they shall not be located
43 closer than three feet to the lot line.
44

45 Accessory structures greater than ~~1,200~~ 1,650 square feet shall not exceed

Ordinance No. 686-08/11
Fiscal Note and Policy Impact Statement

- I. **Title:** Amending Sections 74-38 and 74-163 of the Walworth County Code of Ordinances Relating to Accessory Structures
- II. **Purpose and Policy Impact Statement:** This ordinance amendment was initiated by the County Zoning Agency with the intent of increasing the size of accessory structures permitted on a parcel.

The proposed amendment would permit the following:

Parcel from 12,001 sq. ft. to 40,000 sq. ft. is limited to 1,650 sq. ft. of accessory structures;
Parcel 40,001 sq. ft. to 1.99 acres is limited to 2,150 sq. ft. of accessory structures;
Parcel 2 acres to 2.99 acres is limited to 2,650 sq. ft. of accessory structures;
Parcel 3 acres to 3.99 acres is limited to 3,150 sq. ft. of accessory structures;
Parcel 4 acres to 4.99 acres is limited to 3,650 sq. ft. of accessory structures;
Parcel 5 acres or more is limited to 2% of lot area in accessory structures.
Since the size is amended from 1,200 sq. ft. to 1,650 sq. ft., the amendment also reflects the 17' height limit to the new 1,650 sq. ft. size.

- 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:**

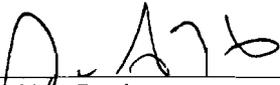
Committee: County Zoning Agency

Date: July 21, 2011

Vote: 6 - 0

County Board Meeting Date: August 9, 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
County Administrator/Corporation Counsel

7/29/11
Date



Nicole Andersen
Deputy County Administrator - Finance

8/1/11
Date

July 25, 2011
July 25, 2011 - expanded

Please include the following County Zoning Agency items on the August 9, 2011, County Board agenda:

Amendment to Walworth County Code of Ordinances, Walworth County, Wisconsin, Chapter 74-28 and 74-131 of the Zoning Ordinance and Chapter 74-153 and 74-263 of the Shoreland Zoning Ordinance. Approved: 6 – 0. (June 16, 2011, public hearing)

Amendment to Walworth County Code of Ordinances, Walworth County, Wisconsin, Chapter 74-53, 74-55, 74-56, 74-64, 74-65, 74-66, 74-74 of the Zoning Ordinance and Chapter 74-180, 74-182, 74-183, 74-191, 74-192, 74-193, 74-203 of the Shoreland Zoning Ordinance. Approved: 6 – 0. (June 16, 2011, public hearing)

Amendment to Walworth County Code of Ordinances, Walworth County, Wisconsin, Chapter 74-38 of the Zoning Ordinance and Chapter 74-163 of the Shoreland Zoning Ordinance. Approved: 6 – 0. (June 16, 2011, public hearing)

Rezones:

1) Clayton & Mary French, Town of Lafayette, Rezone approximately 5.99 acres of the parcel from A-1 Prime Agricultural to C-2 Upland Conservation District for creation of a separate lot for an existing residence.

Approved: 6 – 0 at the July 21, 2011, County Zoning Agency public hearing.

CONFORMANCE WITH COUNTY LAND USE PLAN:

The rezone area is substantially forested, shown on the Land Use Plan as mostly PEC, and has not been historically farmed.

2) Fairwyn Trading Company LLC, Bloomfield Township, Rezone approximately 54 acres of shoreland area from A-1 Prime Agricultural to R-1 Single Family Residential and C-4 Land Resource Conservation District (Shoreland Wetland) for the creation of a residential subdivision. The request includes designation of shoreland area for a navigable stream.

The non-shoreland portions of the properties are to be presented for rezone by the Town of Bloomfield and acted on by County Board.

Approved: 6 – 0 at the July 21, 2011, County Zoning Agency public hearing.

CONFORMANCE WITH COUNTY LAND USE PLAN:

The Land Use Plan identifies the proposed R-1 area as Urban Density Residential (less than 5 acres per dwelling), the proposed wetland area is identified as part Secondary Environmental Corridor and part Prime Agricultural Lands use categories.

3) Joe and Wendy Staller, Richmond Township, Rezone A-1 Prime Agricultural District to A-4 Agricultural Related Manufacturing, Warehousing and Marketing District area, approximately 1.93 acres for an existing winery.

Approved: 6 – 0 at the July 21, 2011 County Zoning Agency public hearing.

CONFORMANCE WITH COUNTY LAND USE PLAN:

A-4 zoning in the Prime Agricultural Land Use Category is allowed consistent with the farmland preservation statutes.

Policy and Fiscal Note
Resolution No. 40 – 08/11

- I. **Title:** Denying the Claim of Aaron M. Blum

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

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

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

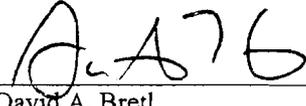
Committee: Executive

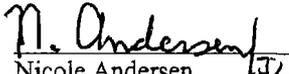
Meeting Date: July 18, 2011

Vote: 5 - 0

County Board Meeting Date: August 9, 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.

 7/20/11
Date
David A. Bretl
County Administrator/Corporation Counsel

 7/25/11
Date
Nicole Andersen
Deputy County Administrator - Finance

Resolution No. 39 – 08/11
**Adopting a Report of the Land Conservation Committee Recommending Approval of the
Petition for Attachment to the Lake Beulah Management District Boundaries**

1 Moved/Sponsored by: Land Conservation Committee

2
3 **WHEREAS**, on June 7, 2011 the Lake Beulah Management District (“District”) filed a
4 resolution with the Walworth County Board of Supervisors petitioning for the attachment of
5 certain property to the District; and,

6
7 **WHEREAS**, on June 14, 2011, the Walworth County Board of Supervisors appointed its Land
8 Conservation Committee (“Committee”) to conduct a hearing on this matter; and,

9
10 **WHEREAS**, on July 18, 2011, the Committee held a public hearing on the petition for
11 attachment; and,

12
13 **WHEREAS**, on July 18, 2011, the Committee discussed this matter and developed reasons for
14 approving this petition for attachment,

15
16 **WHEREAS**, the Committee reduced their reasoning to a written Report, and this Report is
17 attached to this Resolution listed as EXHIBIT A; and,

18
19 **WHEREAS**, the proposed lands to be added to the Lake Beulah Management District are shown
20 on a map included with this Resolution entitled EXHIBIT B; and,

21
22 **WHEREAS**, the Walworth County Board of Supervisors reviewed the Report and the
23 accompanying map and is fully advised in this matter.

24
25 **NOW, THEREFORE, BE IT RESOLVED** by the Walworth County Board of Supervisors that
26 the Report of the Land Conservation Committee be and the same is hereby accepted as if fully
27 set forth herein, and it is hereby, **ORDERED** that the resolution of the District petitioning for the
28 attachment of certain land to the District be and the same is hereby approved.

29
30
31
32 _____
33 Nancy Russell
34 County Board Chair

Kimberly S. Bushey
County Clerk

35
36 Action Required: Majority X Two-thirds _____ Other _____

37
38 County Board Meeting Date: August 9, 2011

Policy and Fiscal Note is attached.

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

 JCB 36 7/22/11
David A. Bretl Date
County Administrator/Corporation Counsel

 Nicole Andersen 7/25/11
Nicole Andersen Date
Deputy County Administrator - Finance

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

EXHIBIT A

Report of the Land Conservation Committee Concerning a Petition for Attachment of Property to the Lake Beulah Management District July 18, 2011

The Walworth County Land Conservation Committee ("Committee") duly appointed to hear the above-stated matter pursuant to section 33.26 of the Wisconsin Statutes, finds as follows:

1. On June 7, 2011 the Lake Beulah Management District petitioned the Walworth County Board of Supervisors requesting attachment of certain property to said district.
2. The Lake Beulah Management District submitted a Resolution to Expand the Lake Beulah Management District Boundary and the Lake Beulah Management Plan in support of their petition for attachment.
3. On June 17, 2011 the Walworth County Board of Supervisors referred this matter to the Walworth County Land Conservation Committee.
4. Pursuant to section 33.26 of the Wisconsin Statutes, the Walworth County Land Conservation Committee scheduled a public hearing on the proposed expansion and provided notice to the affected property owners.
5. On July 18, 2011 the Walworth County Land Conservation Committee held a public hearing on the proposed attachment.
6. Michael P. Cotter, director of the Walworth County Land Use and Resource Management Department, provided a memorandum to the committee outlining the legal requirements related to petitions for attachments to existing lake districts.
7. On July 18, 2011, two people spoke in favor of the petition for attachment and two people spoke in opposition to the attachment. One couple submitted a written letter of opposition to the petition.
8. At the conclusion of the public hearing the Walworth County Land Conservation Committee deliberated and by a vote of 4 – 0 recommended that the petition be approved based upon the following grounds:
 - A. The proposed addition to the district is necessary. The Lake Beulah Management District provided sufficient evidence that the attachment is necessary. These affected property owners have access to Lake Beulah and should be treated equally as other residents who have direct access to the lake. Additionally, these property owners should have a voice in the

decision making process and they should be able to voice their concerns to district representatives.

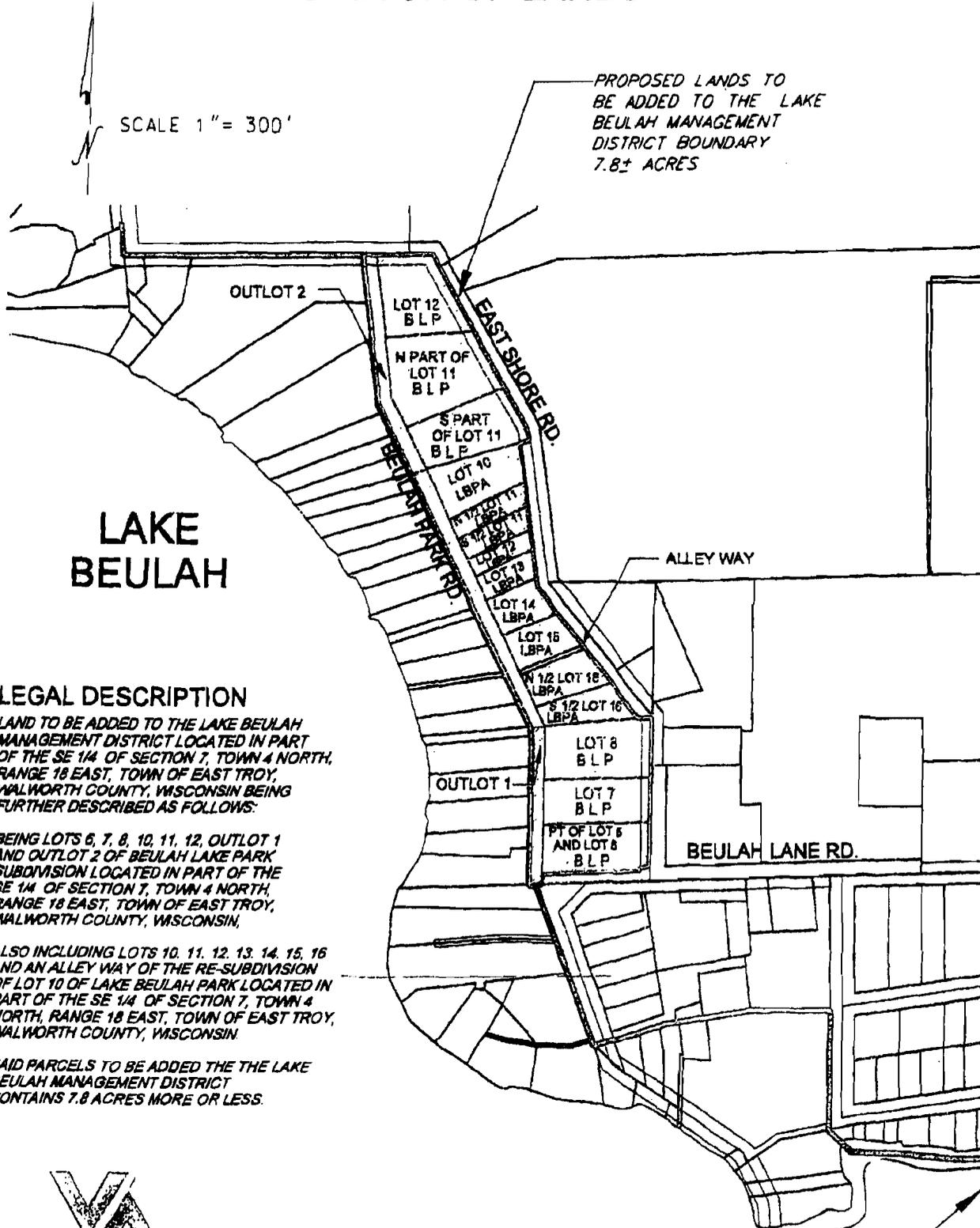
- B. The proposed additional land is needed to promote the public health, comfort, convenience, necessity and public welfare. The district provided enough evidence showing how public welfare would be improved by expanding the boundaries. The expansion of the district allows the district to finance efforts to improve and maintain water quality for those residents having direct access to the lake.

- C. The proposed property to be included in the district will benefit by the establishment of the proposed district. The Lake Beulah Management District demonstrated the benefits received by the property owners in the proposed attachment area. These property owners benefit by the actions of the district including the district's efforts to improve water quality. The district listed numerous benefits in their submittal entitled "Lake Beulah Management Plan."

NOW THEREFORE, it is the recommendation of the Land Conservation Committee that the petition for attachment be approved and that this report is forwarded to the Walworth County Board of Supervisors.

***** End of Report *****

SKETCH OF LANDS



SCALE 1" = 300'

PROPOSED LANDS TO BE ADDED TO THE LAKE BEULAH MANAGEMENT DISTRICT BOUNDARY 7.8± ACRES

LAKE BEULAH

LEGAL DESCRIPTION

LAND TO BE ADDED TO THE LAKE BEULAH MANAGEMENT DISTRICT LOCATED IN PART OF THE SE 1/4 OF SECTION 7, TOWN 4 NORTH, RANGE 18 EAST, TOWN OF EAST TROY, WALWORTH COUNTY, WISCONSIN BEING FURTHER DESCRIBED AS FOLLOWS:

BEING LOTS 6, 7, 8, 10, 11, 12, OUTLOT 1 AND OUTLOT 2 OF BEULAH LAKE PARK SUBDIVISION LOCATED IN PART OF THE SE 1/4 OF SECTION 7, TOWN 4 NORTH, RANGE 18 EAST, TOWN OF EAST TROY, WALWORTH COUNTY, WISCONSIN,

ALSO INCLUDING LOTS 10, 11, 12, 13, 14, 15, 16 AND AN ALLEY WAY OF THE RE-SUBDIVISION OF LOT 10 OF LAKE BEULAH PARK LOCATED IN PART OF THE SE 1/4 OF SECTION 7, TOWN 4 NORTH, RANGE 18 EAST, TOWN OF EAST TROY, WALWORTH COUNTY, WISCONSIN

SAID PARCELS TO BE ADDED THE LAKE BEULAH MANAGEMENT DISTRICT CONTAINS 7.8 ACRES MORE OR LESS.



VANHENKELUM LLC
& ASSOCIATES LLC
BIG BEND, WISCONSIN
262-662-4292

EXISTING LAKE BEULAH MANAGEMENT DISTRICT BOUNDARY 1,370± ACRES

67

Policy and Fiscal Note
Resolution No. 41 - 08/11

- I. **Title:** Rescinding Resolution No. 73-01/11 Relative to a Lease Agreement between Walworth County and the Children's Service Society of Wisconsin
- II. **Purpose and Policy Impact Statement:** The purpose of this resolution is to rescind the lease between the county and the Children's Service Society of Wisconsin, previously approved by the Board on January 11, 2011. The Walworth County Children's Advocacy Center informed the county that it no longer wishes to lease space in the Government Center.
- III. **Budget and Fiscal Impact:** The 2011 County budget had never been amended to reflect the terms of the proposed lease; therefore, rescission of the agreement will not impact the current budget.
- IV. **Referred to the following standing committees for consideration and date of referral:**

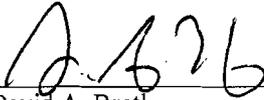
Committee: Public Works

Meeting Date: July 18, 2011

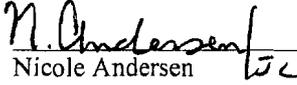
Vote: 5 - 0

County Board Meeting Date: August 9, 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.

 7/22/11

Date
David A. Bretl
County Administrator/Corporation Counsel

 7/25/11

Date
Nicole Andersen
Deputy County Administrator - Finance