



**WALWORTH COUNTY BOARD OF SUPERVISORS
MEETING**

TUESDAY, FEBRUARY 14, 2012 AT 6:00 P.M.

County Board Room
Walworth County Government Center
100 W. WALWORTH STREET
ELKHORN, WI

Nancy Russell – Chair
Dan Kilkenny – Vice Chair

Board of Supervisors

A G E N D A

Call to Order

Pledge of Allegiance

Invocation

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

Roll Call

Withdrawals from Agenda, if any

Approval of the Agenda

Approval of the Minutes

- January 10, 2012 Committee of the Whole Minutes
- January 10, 2012 County Board Meeting Minutes

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

Appointments/Elections

1. Lakeshores Library System Board
- Brian Broga – Three-year term to begin upon appointment and end on December 13, 2014

Communications and Matters to Be Referred

1. Claims Received After Agenda Mailing
2. Claims: Notice of Claim – Western Culvert & Supply Inc. against Mann Brothers Inc. for the project known as 2011 Walworth Co. Highway Contract (To be referred to the Executive Committee)
3. City of Delavan Resolution R-547 and Ordinance No. RC-314 Adopting Interim Zoning Exercising Extraterritorial Zoning Jurisdiction (To be referred to the County Zoning Agency)
4. Correspondence from Walworth County Metropolitan Sewerage District in regard to re-appointing Brandon Johnson as Commissioner of WalCoMet (To be referred to the Executive Committee)

5. Communication received from Governor Scott Walker acknowledging receipt of Walworth County resolution (To be placed on file)
6. Communication received from Secretary Ben Brancel, Wisconsin Department of Agriculture, Trade and Consumer Protection, acknowledging receipt of Resolution No. 77-01/12 – Opposing Further Land Conservation Staffing Grant Cuts (To be placed on file)
7. Order for Razing the Building received from the Treasurer’s Office for property located at N6718 Lakeshore Drive, Elkhorn, Wisconsin (To be placed on file)
8. Report of the County Clerk Concerning Communications Received by the Board and Recommended to be Placed on File
9. Report of the County Clerk Concerning Communications Received by the Board After Agenda Mailing
10. Report of the County Clerk Concerning Zoning Petitions (To be referred to the County Zoning Agency)

Unfinished Business

New Business

Reports of Standing Committees

County Zoning Agency Report of Proposed Zoning Amendments

1. Dennis Garoutte, Sugar Creek Township, Rezone approximately 2.6 acres of A-4 to A-2 – Approved: 7-0 (January 19, 2012 County Zoning Agency Public Hearing)

Executive Committee

1. Ord. No. 710-02/12 – Amending Chapter 2 of the Walworth County Code of Ordinances Pertaining to Bylaws of the Criminal Justice Coordinating Committee – *Vote Required: Two-Thirds* (Recommended by the Executive Committee 5-0)
2. Ord. No. 711-02/12 – Repealing Sections 66-56, 66-57 and 66-58 of the Walworth County Code of Ordinances and Recreating 66-56 Thereof Relative to the County Highway Safety Commission – *Vote Required: Majority* (Recommended by the Executive Committee 5-0)
3. Res. No. 85-02/12 – Recognizing the UW-Whitewater Warhawks Football Team on the Occasion of Their Fourth NCAA Division III National Championship – *Vote Required: Majority* (Recommended by the Executive Committee 5-0)

Finance Committee

1. Ord. No. 712-02/12 – Amending Section 30-286 of the Walworth County Code of Ordinances Relative to Dog License Fees for License Years Beginning 2013 – *Vote Required: Majority* (Recommended by the Finance Committee 3-1)
2. Ord. No. 713-02/12 – Amending Section 30-145 of the Walworth County Code of Ordinances Relating to Public Service Organization Audit Requirements – *Vote Required: Majority* (Recommended by the Finance Committee 4-0)

3. Res. No. 86-02/12 – Authorizing Use of Contingency Fund Balance to Provide Funding for the Veterans Service Office – *Vote Required: Two-Thirds* (Recommended by the Finance Committee 4-0)
4. Res. No. 87-02/12 – Authorizing Addition of Rural Women’s Alcohol and Other Drug Abuse (AODA) Grant to Pre-Approved Recurring Grants List – *Vote Required: Majority* (Recommended by the Finance Committee 4-0)
5. Res. No. 88-02/12 – Authorizing Transfer of Contingency Fund Balance to the Sheriff’s Office for 911 User Fee Charges for 2012 – *Vote Required: Two-Thirds* (Recommended by the Finance Committee 4-0)
6. Res. No. 89-02/12 – Approving a Loan in the Amount of \$100,000 to the Walworth County Historical Society for the Purpose of Property Acquisition – *Vote Required: Two-Thirds* (The Finance and Public Works Committees will meet jointly prior to the February 14 County Board Meeting to consider this resolution and make a recommendation.)

Human Resources Committee

1. Ord. No. 714-02/12 – Amending Section 15-17 of the Walworth County Code of Ordinances Relating to the Creation of Two AODA Grant Positions in the Health & Human Services Department – *Vote Required: Two-Thirds* (Recommended by the Human Resources Committee 5-0)
2. Ord. No. 715-02/12 – Creating Section 15-1324 of the Walworth County Code of Ordinances Relating to In Charge Pay for the Communications Division – *Vote Required: Majority* (Recommended by the Human Resources Committee 4-1)
3. Ord. No. 716-02/12 – Amending Section 15-17 of the Walworth County Code of Ordinances Relating to the Reclassification of a Machine Operator Position in Public Works – *Vote Required: Majority* (Recommended by the Human Resources Committee 5-0)
4. Ord. No. 717-02/12 – Amending Section 15-18 of the Walworth County Code of Ordinances Relating to the Overfilling of Authorized FTEs – *Vote Required: Majority* (Recommended by the Human Resource Committee 5-0)
5. Ord. No. 718-02/12 – Amending Chapter 15 of the Walworth County Code of Ordinances Relating to Productive and Non-Productive Time and Workers Compensation – *Vote Required: Majority* (Recommended by the Human Resources 5-0)

Reports of Special Committees

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

Chairperson’s Report

Adjournment

**Kimberly S. Bushey
Walworth County Clerk**

**Supervisors and Committees: Please submit titles for March 13, 2012 agenda items on or before Wednesday, February 29, 2012.

**JANUARY 10, 2012 SESSION
OF THE
WALWORTH COUNTY BOARD OF SUPERVISORS
COMMITTEE OF THE WHOLE**

The Walworth County Board Committee of the Whole meeting was called to order by Chair Russell at 5:01 p.m. at the Government Center, 100 W. Walworth Street, Elkhorn, Wisconsin.

Roll Call

Roll Call was conducted and following Supervisors were present: Richard Brandl, Jerry A. Grant, Randy Hawkins, Kathy Ingersoll, Vice-Chair Daniel G. Kilkenny, Carl Redenius, Rick Stacey, Russ Wardle, David A. Weber, and Chair Nancy Russell. Absent: 1 – Joe Schaefer.

• The purpose of the meeting is for a presentation by the Walworth County Finance Department regarding Health Insurance.

Deputy County Administrator-Finance Nicki Andersen said this issue was brought to the Board because it has been a concern to a number of individuals due to the cost of health insurance continuing to escalate. She also said the purpose of this meeting is to give an update on health insurance in general, the status in the marketplace, and things to consider moving forward. She introduced Matthew A. Boray, GBDS, Partner/Sr. Account Executive, from M3 Insurance Solutions, Inc., the county's health insurance consultant.

Mr. Boray distributed handouts to those present. The main topics discussed were the health insurance market, cost of health insurance, and controlling health insurance costs. He explained the difference between fully insured and partially self funded plans. For fully insured, the employer chooses from packaged plan designs. Also, the employer pays a predetermined rate for each employee enrolled regardless of the amount of claims that were incurred in the year and the insurance company retains any profit in a fully insured plan.

A partially self funded plan offers greater opportunity to control costs, and there is also more flexibility with plan design. The employer also contracts with a third party administrator to process claims, and also contracts separately for reinsurance and network providers. A partially self funded plan is not the same as a self-insured plan. Self-insured plans do not have stop loss protection. As partially self funded, Walworth County does have stop loss protection.

Mr. Boray also discussed the health insurance market, and focused on the Southeastern Wisconsin area. He explained the differences between Preferred Provider Organization, Health Management Organization, and Accountable Care Organization. A Preferred Provider Organization (PPO) is a network of providers and the employer is contracted with a provider to receive discounts. If a participant goes out of network for health care, there is lower coverage by the plan. A Health Maintenance Organization (HMO) is a plan where the employer is contracted with a particular delivery system and a participant only has the option to go to that particular delivery system for health care. If a participant would go outside that network, there would be no coverage. HMO's are not common in Southeastern Wisconsin. Accountable Care

Organization (ACO) is a hybrid between a PPO and an HMO, and was introduced due to the changes in health care reform. Aurora Health Care has come out with an ACO, where employees would only be able to use Aurora providers at a higher level of benefits. Employees would be able to go to other providers, but would receive a lower level of benefits.

Mr. Boray also discussed Health Care Reform and the differences between state and federal mandates. The Health Care Reform Law is being implemented in phases over several years. A fully insured plan has to comply with state mandates, which can be limiting depending on what benefits the plan wants to cover.

Mr. Boray discussed the cost of health insurance and the impact of plan design on health insurance costs. He stated that higher deductibles, office visit copays, prescription drug copays, and out-of-pocket maximums will lower the cost of insurance. He also discussed the strategies that Walworth County has implemented to impact health insurance costs, such as multiple plan designs, limited network of providers, and a wellness program. He then discussed other strategies that can be explored to lower health insurance costs, for example, an onsite clinic. He explained the benefits of having an onsite clinic for employees to obtain health care.

Mr. Boray concluded the presentation by answering questions asked by Supervisors.

Adjournment

On motion by Supervisor Hawkins, seconded by Supervisor Brandl, the meeting was adjourned at 5:49 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 January 10, 2012 Committee of the Whole Meeting.

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

**JANUARY 10, 2012
WALWORTH COUNTY BOARD OF SUPERVISORS
MEETING**

The Walworth County Board of Supervisors meeting was called to order by Chair Russell at 6:02 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, Rick Stacey, Russ Wardle, David A. Weber, and Chair Nancy Russell. Joe Schaefer was absent. A quorum was established.

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

Amendments, Withdrawals, and Approval of Agenda

On motion by Supervisor Hawkins, seconded by Supervisor Grant, the agenda was approved by voice vote with no withdrawals. Supervisor Grant offered a motion, seconded by Supervisor Weber, to move Health and Human Services Board, Item #1, Res. No. 82-01/12 – Recognizing the Gateway Technical College Biz Squad, to follow Special Order of Business. Motion carried.

Approval of the Minutes

On motion by Supervisor Brandl, seconded by Supervisor Weber, the December 13, 2011 County Board Meeting minutes were approved by voice vote.

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

There was none.

Special Order of Business

- Government Finance Officers Association (GFOA) Certificate of Achievement for Excellence in Financial Reporting for Fiscal Year 2010

Chair Russell said she is very proud of the Finance Department and staff for receiving this award many times. Chair Russell presented the award to Nicki Andersen, Jessica Lanser, Amanda Lagle, and Aimee Hemmer. Nicki Andersen thanked Chair Russell for the kind words and introduced members present from the Finance Department – Jessica Lanser, Amanda Lagle, and Aimee Hemmer. She said that Andy Lamping, who was not present, is also a key player in financial reporting. She thanked her staff, department heads, and the accountants in each department for their cooperation. She also thanked Administrator Bretl and the County Board for their support over the years.

Health and Human Services Board

1. Res. No. 82-01/12 – Recognizing the Gateway Technical College Biz Squad – *Vote Required: Majority* (Recommended by the Health and Human Services Board 7-0)

On motion by Supervisor Weber, seconded by Supervisor Grant, **Resolution No. 82-01/12 – Recognizing the Gateway Technical College Biz Squad** was approved by voice vote. Chair Russell read the resolution and presented copies of the resolution to Campus Dean of Gateway Technical College Mike O'Donnell to distribute to the students being recognized. Dr. David Thompson of Health and Human

Services (HHS) had the Biz Squad come to HHS to assess their procedures. He said the Biz Squad then developed video presentations and training materials for HHS to use to train new employees. Mr. O'Donnell thanked Dr. Thompson for the opportunity and said he looks forward to future partnerships with the county.

Appointments/Elections

1. Veterans Service Commission
 - Jerry Peters – Three-year term to begin upon re-appointment and end on December 31, 2014 (Recommended by the Executive Committee 4-0)
2. Local Emergency Planning Committee
 - Taylor Vanness (Recommended by the Executive Committee 4-0)
3. Lakeshores Library System Board
 - Royce DeBow – Three-year term to begin upon re-appointment and end on December 31, 2014
 - Jay Karow – Three-year term to begin upon re-appointment and end on December 31, 2014
(Recommended by the Executive Committee 4-0)

On motion by Supervisor Weber, seconded by Supervisor Grant, Jerry Peters was appointed to the Veterans Service Commission; Taylor Vanness was appointed to the Local Emergency Planning Committee; and Royce DeBow and Jay Karow were appointed to the Lakeshores Library System Board. Supervisor Brandl offered a motion, seconded by Supervisor Wardle, to remove Jay Karow as an appointee to the Lakeshores Library System Board. Motion carried.

Communications and Matters to Be Referred

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

1. Claims Received After Agenda Mailing – There were none.
2. Claims: There were none.
3. Correspondence from Chair Russell Urging Adoption of Resolution No. 83-01/12 – Supporting a Land Acquisition in the Town of Troy by the Nature Conservancy for Conservation and Recreational Purposes. (It is anticipated that the County Board will suspend its rules to take action on the resolution at the January 10, 2012 County Board Meeting)
4. Communication from Dorothy C. Burwell in regard to county representation on lake districts (To be referred to the Land Conservation Committee)
5. Calumet County Resolution 2011-23 – Resolution Supporting Niagara Escarpment Legislation (To be Placed on File)
6. Communication from Governor Scott Walker thanking Walworth County for sharing resolution with his office (To be Placed on File)
7. Communication from Mark Gottlieb, Secretary of Wisconsin Department of Transportation, confirming receipt of Resolution No. 67-11/11 – Urging the Wisconsin Department of Transportation to Proceed as Quickly as Possible with the U.S. Highway 12 Environmental Impact Study (To be Placed on File)
8. Correspondence from State Representative Samantha Kerkman confirming receipt of Resolution No. 67-11/11 – Urging the Wisconsin Department of Transportation to Proceed as Quickly as Possible with the U.S. Highway 12 Environmental Impact Study (To be Placed on File)
9. E-mail correspondence from Mark Wuenstel in regard to prohibiting firearms in county buildings (To be Placed on File)

10. United States' Motion to Extend Dispositive Motion Deadline – United States of America, Plaintiff v. Joseph A. Caravette; Kristin S. Caravette a/k/a Kristin Ulanowski Caravette; Walworth County, Wisconsin; and Daddy's Home/Business Improvement, Defendants (To be Placed on File)
11. Report of the County Clerk Concerning Communications Received by the Board and Recommended to be Placed on File
 - There were none.
12. Report of the County Clerk Concerning Communications Received by the Board After Agenda Mailing
 - Communication from Supervisor Rick Stacey regarding the lack of handicapped parking stalls on the square in the Village of East Troy – To be referred to the Public Works Committee
 - Correspondence from State Representative David Craig confirming receipt of resolution regarding the proposed U.S. Highway 12 environmental impact study – To be placed on file
 - *Walworth County Aging & Disability Resource Center News*, January 2012 – To be placed on file
13. Report of the County Clerk Concerning Zoning Petitions (To be referred to the County Zoning Agency)
 - Delavan Lake Enterprises, LLC (Dana Montana – Owner), Town of Delavan, Rezone approx. .88 acres of M-2 Heavy Industrial District to B-4 Highway Business District
 - Lakewood Farms Inc. (Stephen O'Bryan – Owner), Town of East Troy, Rezone and shoreland boundary correction on approx. 1.95 acres of C-2 Upland Resource Conservation and C-4 Lowland Resource Conservation Districts (shoreland) to C-2, C-4, and C-1 Lowland Conservation District (non-shoreland)
 - Dennis Garoutte, Town of Sugar Creek, Rezone approx. 2.6 acres of A-4 Agricultural Related Manufacturing Warehousing and Marketing District to A-2 Agricultural Land District

Supervisor Grant offered a motion, seconded by Supervisor Weber, to suspend the rules in order for the County Board to address Item #3. Supervisor Grant moved for unanimous consent, seconded by Supervisor Weber. Motion carried. On motion by Supervisor Grant, seconded by Supervisor Weber, **Resolution No. 83-01/12 – Supporting a Land Acquisition in the Town of Troy by the Nature Conservancy for Conservation and Recreational Purposes** was approved by voice vote.

Unfinished Business

New Business

Reports of Standing Committees

County Zoning Agency Report of Proposed Zoning Amendments

There were none.

Executive Committee

1. Res. No. 78-01/12 – Authorizing an Increase in the Per Diem Rate for Citizen Members of the Walworth County Board of Canvass – *Vote Required: Majority* (Recommended by the Executive Committee 4-0)
2. Res. No. 79-01/12 – Approving an Agreement by and between Walworth County and Participating Carriers for the Provision of Enhanced 911 Service in Walworth County – *Vote Required: Two-Thirds* (Recommended by the Executive Committee 4-0)

On motion by Supervisor Weber, seconded by Supervisor Grant, Item #1, **Resolution No. 78-01/12 – Authorizing an Increase in the Per Diem Rate for Citizen Members of the Walworth County Board of Canvass**, was approved by voice vote.

Supervisor Weber offered a motion, seconded by Supervisor Ingersoll, to approve Item #2. Supervisor Grant moved for unanimous consent, seconded by Supervisor Ingersoll. Item #2, **Resolution No. 79-01/12 – Approving an Agreement by and between Walworth County and Participating Carriers for the Provision of Enhanced 911 Service in Walworth County**, was approved by unanimous consent.

Finance Committee

1. Ord. No. 705-01/12 – Amending Section 30-259 of the Walworth County Code of Ordinances Relating to Capital Asset Useful Life of Bridges – *Vote Required: Majority* (Recommended by the Finance Committee 5-0)
2. Ord. No. 706-01/12 – Creating Chapter 28 of the Walworth County Code of Ordinances Relating to Economic Development and Loan Administration – *Vote Required: Majority* (Recommended by the Finance Committee 5-0)
3. Res. No. 80-01/12 – Adopting a Revolving Loan Fund Manual – *Vote Required: Majority* (Recommended by the Finance Committee 5-0)

On motion by Supervisor Weber, seconded by Supervisor Stacey, Item #1, **Ordinance No. 705-01/12**; Item #2, **Ordinance No. 706-01/12**; and Item #3, **Resolution No. 80-01/12**, were approved by voice vote.

Health and Human Services Board

1. Res. No. 82-01/12 – Recognizing the Gateway Technical College Biz Squad – *Vote Required: Majority* (Recommended by the Health and Human Services Board 7-0)

This item was discussed and acted upon earlier in the meeting.

Human Resources Committee

1. Ord. No. 707-01/12 – Amending Section 15-17 of the Walworth County Code of Ordinances Relating to the Jail Administration Reorganization Plan – *Vote Required: Majority* (Recommended by the Human Resources Committee 5-0)
2. Ord. No. 708-01/12 – Amending Sections 15-513, 15-514, 15-707, 15-1050 and 15-1323 of the Walworth County Code of Ordinances Relating to Vacation and Sick Leave Accruals, Extended Sick Leave Banks, Absence due to School Closure and Longevity Pay – *Vote Required: Majority* (Recommended by the Human Resources Committee 5-0)
3. Ord. No. 709-01/12 – Amending Chapter 15 of the Walworth County Code of Ordinances Relating to the Elimination of the Position of Deputy County Administrator – Central Services and the Creation of a Director – Central Services – *Vote Required: Majority* (Recommended by the Human Resources Committee 5-0)
4. Res. No. 81-01/12 – Approving a Collective Bargaining Agreement by and between Walworth County and the Deputy Sheriffs Association for the Period of January 1, 2012 to December 31, 2013 – *Vote Required: Majority* (Recommended by the Human Resources Committee 5-0)

Supervisor Brandl offered a motion, seconded by Supervisor Ingersoll, to approve Item #1, Ordinance No. 707-01/12; Item #2, Ordinance No. 708-01/12, and Item #3, Ordinance No. 709-01/12. Supervisor Hawkins requested a separate voice vote for Item #3, Ordinance No. 709-01/12, so that he could abstain. Item #1, **Ordinance No. 707-01/12**, and Item #2, **Ordinance No. 708-01/12**, were approved by voice vote. Item #3, **Ordinance No. 709-01/12** was approved by voice vote with one abstention by Supervisor Hawkins.

Supervisor Grant offered a motion, seconded by Supervisor Weber, to approve Item #4, Resolution No. 81-01/12. Administrator Bretl stated this agreement calls for a wage freeze over the two-year period. He also stated that under the Budget Repair Bill and the state budget, collective bargaining rights were taken away from public employees with the exception of sworn law enforcement, therefore, the sworn law enforcement are exempt from the pension contribution. He said the contract would put sworn law enforcement employees on the second tier health plan effective in 2013. He also said there is litigation pending over the health insurance issue of whether health plan changes need to be negotiated or be done unilaterally by the employer. Item #4, **Resolution No. 81-01/12 - Approving a Collective Bargaining Agreement by and between Walworth County and the Deputy Sheriffs Association for the Period of January 1, 2012 to December 31, 2013** was approved by voice vote.

Land Conservation Committee

1. Res. No. 76-01/12 – Supporting the Aquatic Invasive Species Control Grants Application – *Vote Required: Majority* (Recommended by the Land Conservation Committee 3-0)
2. Res. No. 77-01/12 – Opposing Further Land Conservation Staffing Grant Cuts – *Vote Required: Majority* (Recommended by the Land Conservation Committee 3-0)

On motion by Supervisor Wardle, seconded by Supervisor Weber, Item #1, **Resolution No. 76-01/12**, and Item #2, **Resolution No. 77-01/12**, were approved by voice vote.

Public Works Committee

1. Res. No. 84-01/12 – Approving an Agreement by and between Walworth County and the Walworth County Alliance for Children (WCAC) Relative to the Conveyance of Five Acres of Land from the County to the WCAC for the Construction of a Child Advocacy Center – *Vote Required: Two-Thirds* (Recommended by the Public Works Committee 4-0)

Vice-Chair Kilkenny offered a motion, seconded by Supervisor Weber, to approve Item #1, Resolution No. 84-01/12. Bretl stated if the Board approves the agreement and the Walworth County Alliance for Children (WCAC) complies with the terms and conditions, staff would proceed with the deed. He referred to Section 3 of the agreement, which outlined the three conditions that must be met by the WCAC in order to proceed with the conveyance. He said the three conditions are that the required zoning is obtained, required subdivision approvals are obtained, and the WCAC must furnish proof of sufficient funds or a commitment letter from a lender. He also said another provision found in Section 5 of the agreement states that if the conditions are not met by December 31, 2014, the agreement will be null. He said the reason for this provision is so that the land is not tied up indefinitely. He referred to Section 4 of the agreement, which outlines the Right of First Refusal clause. He said the Board had wanted to add some type of clause that would not interfere with financing but would give the county the ability to reclaim the property in the future. He also said the approximate value of the parcel is \$150,000.

Supervisor Weber suggested setting design criteria of building this project in stages. He also suggested having language in the agreement that would allow the county to deduct the initial value assessment against the future purchase price. Bretl stated he thought that provision would be fine and it would offer some protection to the county; however, the WCAC would be unable to use the land value as collateral for the loan. Vice-Chair Kilkenny suggested the county subordinate to any loans for improvement or construction. He moved to amend the agreement to reflect that in the event of a right of first refusal that the land value as stated in the resolution should be recoverable in a way that would be subordinate or not impair the rights of creditors. Chair Russell asked Vice-Chair Kilkenny if he wanted this language added to both Sections 4.01 and 4.02 of the agreement. Vice-Chair Kilkenny said yes as it would give more flexibility. The amendment was seconded by Supervisor Weber. Amendment was approved by voice

vote. Vice-Chair Kilkenny moved for unanimous consent on the main motion as amended, seconded by Supervisor Grant. **Resolution No. 84-01/12 - Approving an Agreement by and between Walworth County and the Walworth County Alliance for Children (WCAC) Relative to the Conveyance of Five Acres of Land from the County to the WCAC for the Construction of a Child Advocacy Center** and the amendment to the agreement were approved by unanimous consent.

Reports of Special Committees

There were none.

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

There was none.

Chairperson’s Report

Chair Russell stated the Board sent flowers for the funeral of Jerry Byrnes, a former County Board Supervisor who served 20 years on the Board. She said the Board received a card from Marian Byrnes, Mr. Byrnes’ wife, thanking the Board for the beautiful flowers.

Bretl stated that there were County Board Supervisor candidates in the audience and informed them if they should have any questions about what the Board has been working on to contact his office. Chair Russell stated the Budget in Brief books were distributed, and if anyone did not receive a copy to contact her or the Administrator’s office to obtain one.

Supervisor Grant informed the Board that this meeting was Supervisor Ingersoll’s last meeting. He thanked Supervisor Ingersoll for her service on the Board.

Adjournment

On motion by Supervisor Brandl, seconded by Supervisor Weber, the meeting was adjourned at 6:45 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 January 10, 2012 meeting.

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

Nomination for Committee/Board/Commission Appointment

Committee: Lakeshores Library System Board

Nominee: Brian Broga

Address: 339 S. Creek Dr.
Elkhorn, WI 53121

Submitted by: David Bretl, County Administrator

Authority: Section 59.18, Wisconsin Statutes

Who will the nominee replace? Jay Karow

When did/does the incumbent's current term expire? Karow's term ended on 12/31/2011.

Was this vacancy advertised? no

Comment County Board appointment of Mr. Broga would be for a three-year term to begin upon confirmation and end on December 31, 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: BRIAN BROGA

Date: 12/19/11

Mailing Address: 339 S. CREEK DR
ELKHORN, WI 53121

Phone: (262) 723-1419

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

Please consider me for appointment to: LAKE SHORES LIBRARY SYSTEM
BOARD OF TRUSTEES

I am interested in serving as a citizen representative because: I AM A
REGULAR LIBRARY PATRON AND I WANT TO VOLUNTEER
MY TIME TO HELP THE SYSTEM.

Special skills, experience or qualifications I possess related to this appointment are:
MEMBER OF THE WALWORTH COUNTY LIBRARY PLANNING COMMITTEE

Check one of the following:

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

I am not a resident of Walworth County.

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



Signature of Applicant

12/19/11

Date

Feel free to attach any additional documentation to this form.

NOTICE OF CLAIM

RECEIVED
WALWORTH COUNTY CLERK

01/13/12

2012 JAN 24 AM 9:15

WALWORTH COUNTY CLERK
P O BOX 1001
ELKHORN WI 53121

(Owner)

CM: 74653436

MANN BROTHERS INC
P O BOX 48
ELKHORN WI 53121

(Contractor)

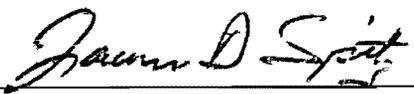
CM: 74653320

B R AMON & SONS INC
W2950 HWY 11
ELKHORN WI 53121

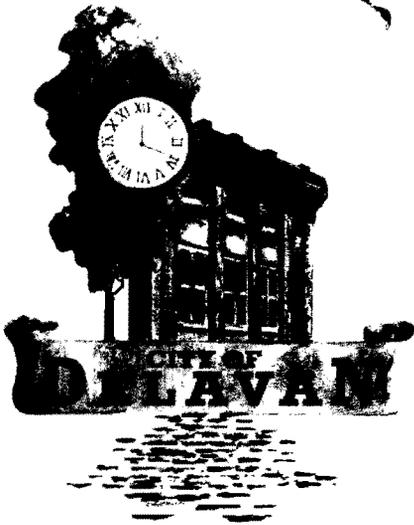
CM: 74653443

Pursuant to Section 779 of the Wisconsin Statutes you are hereby notified that
the undersigned has a claim against MANN BROTHERS INC
in the amount of \$36972.58 for furnishing CULVERT PIPE & MISC MATERIAL
from date 04/19/11 to date 08/31/11 inclusive in the City WALWORTH
County of WALWORTH State of Wisconsin, on the project known as the:
2011 WALWORTH CO HIGHWAY CONTRACT

WESTERN CULVERT & SUPPLY INC

by 

W324 DELAFIELD RD
OCONOMOWOC WI 53066



RECEIVED
WALWORTH COUNTY CLERK

2012 JAN 23 AM 9:11

P.O. Box 465
123 South Second St.
Delavan, Wisconsin 53115
262-728-5585
Fax: 262-728-4566
www.ci.delavan.wi.us

January 20, 2012

Mrs. Kim Bushey
Walworth County
100 W Walworth Avenue
Elkhorn, WI 53121

Mrs. Dixie Bernsteen
Town of Delavan
5621 Town Hall Road
Delavan, WI 53115

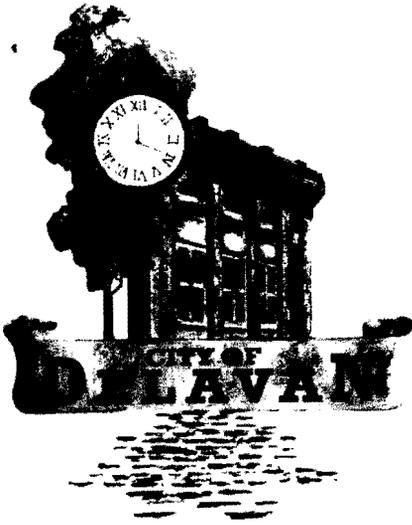
Good Morning!

Enclosed please find a certified copy of the Resolution and Ordinance that were enacted on January 12th, 2012 by the City of Delavan. These documents adopt Interim Zoning Exercising Extraterritorial Zoning Jurisdiction over a portion of the Town of Delavan.

Sincerely,

A handwritten signature in black ink, appearing to read "Susan Kitzman". The signature is fluid and cursive, with a large initial "S" and a long, sweeping tail.

Susan Kitzman
City Clerk



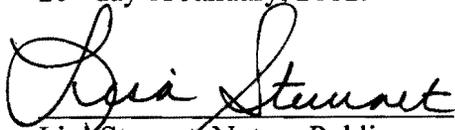
P.O. Box 465
123 South Second St.
Delavan, Wisconsin 53115
262-728-5585
Fax: 262-728-4566
www.ci.delavan.wi.us

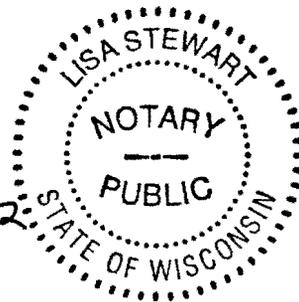
I, Susan Kitzman, City Clerk of the City of Delavan, Walworth County, Wisconsin, do hereby certify that the attached is a true and exact copy of Resolution R-547 and Ordinance RC-314 adopted by the Common Council of the City of Delavan, Walworth County, Wisconsin adopting Interim Zoning Exercising Extraterritorial Zoning Jurisdiction pursuant to Wis. Stats. Section 62.23(7a).

In witness whereof, I have hereunder set my hand and affixed the official seal of the City of Delavan this 20th day of January, 2012.


Susan Kitzman, City Clerk

Personally came before me this
20th day of January, 2012.


Lisa Stewart, Notary Public
My Commission expires 6-10-12



Resolution R-547

A Resolution _____

WHEREAS, the City of Delavan is a municipal corporation in the State of Wisconsin; and

WHEREAS, the City of Delavan has created a City Planning Commission and has adopted a Zoning Ordinance; and

WHEREAS, the area within and around City of Delavan currently has over 1,000 buildable undeveloped lots; and

WHEREAS, on or about the 10th day of November, 2009, the City of Delavan Common Council adopted the City of Delavan Wisconsin Comprehensive Plan which included recommendations for future land use in the City and its extraterritorial jurisdiction; and

WHEREAS, in said Comprehensive Plan, the City provided that lands located South of Interstate 43, East of the City of Delavan Corporate Limits and North of Highway 50 East of Jackson Creek were designated primarily for "Agriculture and Open Space" land use; and

WHEREAS, the Town of Delavan Town Board adopted a Comprehensive Plan for the Town of Delavan on the 19th day of January, 2010 which was subsequently approved by Walworth County on the 15th day of December, 2009; and

WHEREAS, said Comprehensive Plan as adopted by Town of Delavan and Walworth County provided for said lands South of Interstate 43, East of the City of Delavan Corporate Limits, and North of Highway 50 East of Jackson Creek were designated as a combination of primarily "Agricultural" and "Recreational Residential" development; and

WHEREAS, the City of Delavan has exercised its extraterritorial platting jurisdiction pursuant to Wisconsin State Statutes Chapter 236 as set forth in Section 14-1-132 of the City of Delavan Ordinances; and

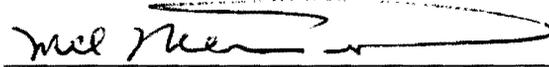
WHEREAS, a proposed re-zone has been recommended for approval by the Town of Delavan Planning Commission in a portion of the area South of Interstate 43, East of the City of Delavan Corporate Limits, and South of Highway 50 East of Jackson Creek which would rezone part of this area R3 and R5A to allow for two-family and multi-family development; and

WHEREAS, the City of Delavan believes it is in the interest of the public's health, safety, and welfare to allow additional time for the City and Town to work together to review the proposed re-zone and to consider appropriate future land uses and zoning throughout this portion of the City's extraterritorial area;

NOW, THEREFORE, BE IT HEREBY RESOLVED:

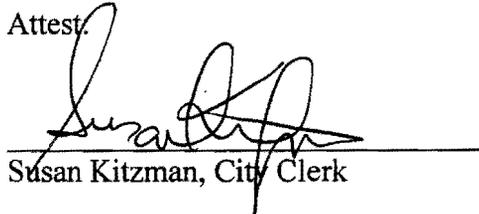
1. That the City of Delavan hereby intends to implement the extraterritorial zoning process within a portion of its extraterritorial area which starts at Interstate 43, and proceeds southbound east of the City of Delavan corporate limits to Highway 50 and eastbound to Jackson Creek.
2. That the City shall follow the requirements of State Statutes in working with the Town to consider extraterritorial zoning issues and regulations.

Dated this 12th day of January, 2012.



Mel Nieuwenhuis, Mayor

Attest.



Susan Kitzman, City Clerk

ORDINANCE NO. RC-314

**Interim Zoning Exercising Extraterritorial
Zoning Jurisdiction pursuant to Wis. Stat. § 62.23(7a)**

The Common Council for the City of Delavan, Walworth County, Wisconsin, does hereby ordain as follows:

WHEREAS, the City of Delavan is a municipal corporation in the State of Wisconsin; and

WHEREAS, the City of Delavan has created a City Planning Commission and has adopted a Zoning Ordinance; and

WHEREAS, the area within and around City of Delavan currently has over 1,000 buildable undeveloped units; and

WHEREAS, on or about the 10th day of November, 2009, the City of Delavan Common Council adopted the City of Delavan Wisconsin Comprehensive Plan which included recommendations for future land use in the City and its extraterritorial jurisdiction; and

WHEREAS, in said Comprehensive Plan, the City provided that lands located South of Interstate 43, East of the City of Delavan Corporate Limits and North of Highway 50 East of Jackson Creek were designated primarily for "Agriculture and Open Space" land use; and

WHEREAS, the Town of Delavan Town Board adopted a Comprehensive Plan for the Town of Delavan on the 23rd day of September, 2009 which was subsequently approved by Walworth County on the 15th day of December, 2009; and

WHEREAS, said Comprehensive Plan as adopted by Town of Delavan and Walworth County provided for said lands South of Interstate 43, East of the City of Delavan Corporate Limits, and North of Highway 50 East of Jackson Creek were designated as a combination of primarily "Agricultural" and "Recreational Residential" development; and

WHEREAS, the City of Delavan has exercised its extraterritorial platting jurisdiction pursuant to Wisconsin State Statutes Chapter 236 as set forth in Section 14-1-132 of the City of Delavan Ordinances; and

WHEREAS, a proposed re-zone has been recommended for approval by the Town of Delavan Planning Commission in a portion of the area South of Interstate 43, East of the City of Delavan Corporate Limits, and South of Highway 50 East of Jackson Creek which would rezone part of this area R3 and R5A to allow for two-family and multi-family development; and

WHEREAS, the City of Delavan believes it is in the interest of the public's health, safety, and welfare to allow additional time for the City and Town to work together to review the proposed re-zone and to consider appropriate future land uses and zoning throughout this portion of the City's extraterritorial area;

NOW THEREFORE, the Common Council of the City of Delavan, Walworth County, Wisconsin, does hereby ordain as follows:

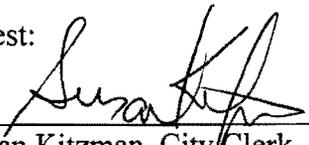
- Section 1. Pursuant to Wis. Stat. § 62.23(7a)(b), the City of Delavan hereby enacts an Interim Zoning Ordinance to preserve existing zoning in that part of the City's extraterritorial zoning jurisdiction within that portion of the City's extraterritorial jurisdiction located South of Interstate 43, East of the City of Delavan Corporate Limits, and North of Highway 50 East to Jackson Creek. This interim zoning ordinance shall be effective no longer than two (2) years after its enactment, unless extended for one (1) additional year upon recommendation of the Zoning Extraterritorial Zoning Committee established under § 62.23(7a)(c) of the Wisconsin Statutes. Enforcement and administration of the zoning and use is preserved by this Ordinance including approval of all conditional use permits, granting variances, enforcement of regulations, zoning district changes and appeals shall be performed by the appropriate City of Delavan Board, Commission or Officer as designated in the City Zoning Code and provided for under § 62.23(7a)(g) of the Wisconsin Statutes.
- Section 2. The City of Delavan shall invite the Town of Delavan to work together to formulate tentative recommendations for the zoning district plan or regulations within that portion of the extraterritorial zoning jurisdiction described above pursuant to § 62.23(7a) of the Wisconsin Statutes.
- Section 3. All ordinances or parts of ordinances in contradiction of the terms of this ordinance are hereby to that extent repealed.
- Section 4. This ordinance shall take effect upon passage and publication as provided by law.

Passed and adopted by the Common Council of the City of Delavan this 12th day of January, 2012.

COMMON COUNCIL OF THE CITY OF DELAVAN

By: 
Mel Nieuwenhuis, Mayor

Attest:


Susan Kitzman, City Clerk
Date adopted: 1-12-2012
Date published: 1-26-2012
Effective date: _____

RECEIVED
WALWORTH COUNTY CLERK
2012 JAN 11 AM 8:52
WALWORTH COUNTY METROPOLITAN SEWERAGE DISTRICT
975 W. Walworth Ave. Delaware WI 53115

January 10, 2012

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

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

Subject: WalCoMet Commissioner Appointment

Dear Ms. Russell and Ms. Bushey:

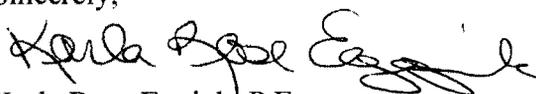
The term of WalCoMet Commissioner Brandon Johnson will expire on February 28, 2012.

At their December 13, 2011 regular meeting the Commissioners of WalCoMet unanimously recommended that Brandon Johnson be reappointed as a Commissioner.

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

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

Sincerely,


Karla Rose Eggink, P.E.
Administrator

WALWORTH COUNTY METROPOLITAN SEWERAGE DISTRICT

975 W. Walworth Ave. • Delavan, WI 53115

January 10, 2012

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

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

Re: WalCoMet Commission Appointment

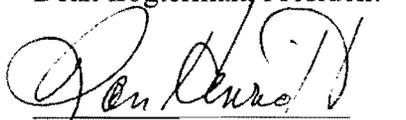
Dear Ms. Russell,

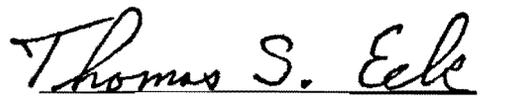
Please be advised that the term of WalCoMet Commissioner Brandon Johnson will end on February 28, 2012. The Commissioners of the Walworth County Metropolitan Sewerage District, at their Regular Meeting held on December 13, 2011, unanimously adopted a recommendation that Brandon Johnson be re-appointed to another five-year term (March 1, 2012 to February 28, 2017) as a Commissioner of WalCoMet.

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

Sincerely,


Dean Logterman, President


Ron Henriott, Commissioner


Thomas Eck, Commissioner Secretary


Harold Shortenhaus, Commissioner

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

Name: Brandon Johnson

Date: 12-13-2011

Mailing Address: 2131 Deer Run

Phone: 262/903-4894

Delavan, WI 53115

I reside in: **the Town of** DELAVAN

the Village of _____

the City of _____

Please consider me for appointment to: Walworth County Metropolitan
Sewerage District Commission

I am interested in serving as a citizen representative because: I FEEL A
SENSE OF DUTY TO THE POPULATION SERVED BY
WALCOMET TO ENSURE THEY'RE SERVED BY THE
PLANT IN THE BEST WAY POSSIBLE.

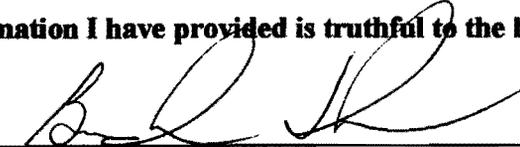
Special skills, experience or qualifications I possess related to this appointment are:

PREVIOUS TO BEING A COMMISSIONER FOR THE PAST 5 YRS, MY
BACKGROUND IS IN ENGINEERING. I AM ALSO A SMALL BUSINESS OWNER
+ KNOW THE IMPORTANCE OF BEING FISCALLY CONSERVATIVE.
Check one of the following:

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

I am not a resident of Walworth County.

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



Signature of Applicant 12/13/11
Date

Feel free to attach any additional documentation to this form.



SCOTT WALKER
OFFICE OF THE GOVERNOR
STATE OF WISCONSIN

RECEIVED
WALWORTH COUNTY CLERK
P.O. Box 7863
2012 JAN 28 AM 9:14

January 27, 2012

Ms. Kimberly S. Bushey
Walworth County Clerk
PO Box 1001
Elkhorn, WI 53121-1001

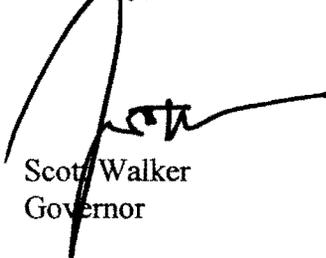
Dear Ms. Bushey,

Thank you for contacting my office with your resolution. I appreciate the chance to hear from communities all across Wisconsin.

As a former county executive, I appreciate all of the day to day work that is done to keep government functioning at the local level. Furthermore, I am committed to staying up-to-date on the many issues facing Wisconsin.

Thank you again for sharing your resolution with me. I will keep your thoughts and ideas in mind. Please stay in touch as we work together to move Wisconsin forward.

Sincerely,



Scott Walker
Governor



State of Wisconsin
Governor Scott Walker

Department of Agriculture, Trade and Consumer Protection
Ben Brancel, Secretary

RECEIVED
WALWORTH COUNTY CLERK
2012 JAN 23 AM 9:22

January 18, 2012

Walworth County Board of Supervisors
c/o Kimberly S. Bushey, County Clerk
100 W. Walworth
PO Box 1001
Elkhorn, WI 53121

Dear Board Members:

This will acknowledge receipt of your resolution of January 10, 2012 expressing concerns about our agency's required lapse and its impact on the 2012 allocation for staffing grants. While I fully understand why you might be interested in using other funds to backfill the loss of staffing grant funds, I want to share with you the challenges we face in managing this issue.

While the 2011-13 biennial budget maintained conservation funding on many levels, the budget also contained a provision requiring state agencies to lapse \$174 Million in additional revenues. The portion of the lapse that belongs to the Department of Agriculture, Trade and Consumer Protection (DATCP) was determined by the Department of Administration (DOA) to be \$2.3 million for 2012. This was outlined in an October 14, 2011 memorandum from the DOA to state agencies, (<http://thewheelerreport.com/releases/October11/1018/1018doa.pdf>). As the letter indicates, the lapses "may not be taken from segregated appropriations" (SEG) and the lapse allocations "may only be taken from sum certain GPR or PR appropriations that have a positive cash balance."

Under these constraints, state agencies such as ours had to explore grant and other external programs funded by GPR. Given the makeup of the programs we fund, we had little choice but to look at the GPR appropriation for county staffing grants to meet our lapse requirement. Having made this difficult decision, we are working diligently to identify the fairest way to share this \$1.1 million reduction among the counties who receive grant funds to pay for conservation staff.

On its own, DATCP does not have the ability to backfill the loss of GPR funds by using the SEG appropriation for nutrient management—sec. 20.115(7)(qf), Stats. As it stands currently, the (qf) appropriation text clearly states (below), DATCP cannot use any of these SEG funds to pay for county staff:

Soil and water management; aids. From the environmental fund, the amounts in the schedule for cost-sharing grants and contracts under the soil and water resource management program under s. 92.14, but not for the support of local land conservation personnel.

Agriculture generates \$59 billion for Wisconsin

It is our understanding that the legislature could transfer funds from the nutrient management appropriation to the account that covers staffing grants. With this transfer, DATCP would have additional funds available for its staffing grant allocation, making up for the lapse in GPR funds.

To place in perspective the scope of the actions we were required to take, we are looking to other DATCP-funded programs to share in our required lapse, including the Agriculture Development and Diversification grants (\$321,000), Buy Local, Buy Wisconsin (\$200,000), Farmland Preservation Planning Grants (\$374,200) and John's testing (\$211,200). In certain cases, these lapses will eliminate funding for entire programs. Before our recommended lapses become final, we must receive approval of the Legislature's Joint Committee on Finance, which is slated to review the state lapse plan in the near future.

Understanding the importance of this issue to all of us, I have tried to keep an open mind, been actively engaged in listening to alternatives, and will directly work with county and other groups to best manage the impacts of this lapse.

Kindly share this response with Board members including the Land Conservation Committee.

Sincerely,



Ben Brancel
Secretary

2

Document Number

Order for Razing the Building Located at
N6718 Lakeshore Drive, Elkhorn, Wisconsin
53121 Under §66.0413

Document Title



Doc # 829984

Recorded
January 10, 2012 3:49 PM

CONNIE J WOLEVER
REGISTER OF DEEDS
WALWORTH COUNTY, WI
Fee Amount: \$30.00
Total Pages: 2

Recording Area

Name and Return Address

Attorney Steven A. Koch
Seymour, Kremer, Koch & Lochowicz LLP
P.O. Box 470
Elkhorn, WI 53121-0470

GBW 00002A1

Parcel Identification Number (PIN)

Drafted by: Attorney Steven A. Koch, SBN 01000281
Elkhorn, Wisconsin 53121

This information must be completed by submitter: document title, name & return address, and PIN (if required). Other information such as the granting clauses, legal description, etc. may be placed on this first page of the document or may be placed on additional pages of the document. **Note:** Use of this cover page adds one page to your document and \$2.00 to the recording fee. Wisconsin Statutes, 59.517.WRDA 2/96

**ORDER FOR RAZING THE BUILDING LOCATED AT N6718 LAKESHORE DRIVE,
ELKHORN, WISCONSIN, 53121 UNDER § 66.0413**

WHEREAS, DELFT, LLC is the owner of the property located at N6718 Lakeshore Drive, Elkhorn, Wisconsin 53121; and is legally described as follows:

“Lots Eleven (11) and Twelve (12), Block 1 of Blue Wings Estates, a subdivision located in Section 5, Town 3 North, Range 16 East, Walworth County, Wisconsin.”

with the following Tax Key No. GBW 00002A1

WHEREAS, DELFT, LLC has failed to comply and correct the deficiencies associated with the property located at N6718 Lakeshore Drive, Elkhorn, Wisconsin 53121; and

WHEREAS, Wis. Stat. § 66.0413(1)(b) gives the building inspector the right to issue an order to the owner of the building to raze the building; and

WHEREAS, Wis. Stat. § 66.0413(1)(c) provides that if a building inspector determines that the cost of repairs of a building such as the building located at N6718 Lakeshore Drive, Elkhorn, Wisconsin 53121, would exceed 50 % of the assessed value of the building divided by the ratio of the assessed value to the recommended value as last published by the Department of Revenue for the Town of Sugar Creek, the repairs are presumed unreasonable; and

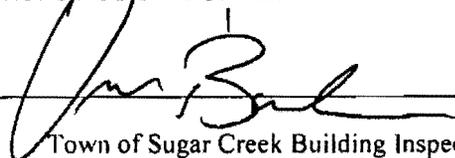
WHEREAS, the building inspector for the Town of Sugar Creek has made said determination; and

WHEREAS, the building located at N6718 Lakeshore Drive, Elkhorn, Wisconsin 53121, is old, dilapidated, or out of repair, and consequently dangerous, unsafe, or otherwise unfit for human habitation; and

NOW THEREFORE, it is hereby ordered:

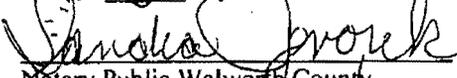
- 1) That DELFT, LLC shall raze the building at N6718 Lakeshore Drive, Elkhorn, Wisconsin 53121, by February 29, 2012.
- 2) That this order shall be served upon DELFT, LLC and all holders of any encumbrances pursuant to Wis. Stat. § 66.0413(1)(d).

TOWN OF SUGAR CREEK

By: 
Town of Sugar Creek Building Inspector

SUBSCRIBED AND SWORN before me this 5 day of ~~December~~, 2011.

January 2012


Notary Public Walworth County
My commission expires: 3/2012



February 14, 2012 – Walworth County Board Meeting

County Clerk

Kimberly S. Bushey
County Clerk

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

- There were none.

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

WHEREAS the following petitions have been filed with the County Clerk requesting that the County Zoning Ordinance and Shoreland Zoning Ordinance be amended as specified:

REPORT OF PETITIONS REFERRED TO
WALWORTH COUNTY ZONING AGENCY

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

NAME	TOWN	CHANGE REQUESTED	DATE REFERRED
Lakes Brick and Block, LLC	Town of Linn, part of Tax Parcel IZ 00029A	Rezone approx. 1.4 acres of M-3 Mineral Extractive District to M-2 Heavy Industrial District	February 14, 2012

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 _____, 2012.

County Clerk

Cc: County Supervisor Randy A. Hawkins

January 19, 2012
January 19, 2012 - expanded

Please include the following County Zoning Agency items on the February 14, 2012, County Board agenda:

Rezoning:

1. Dennis Garoutte / Sugar Creek Township. Rezone approximately 2.6 acres of A-4 Agricultural Related Warehousing, Manufacturing and Marketing District to A-2 Agricultural Land District.

Approved 7 – 0 at the January 19, 2012, County Zoning Agency public hearing.

Conformance With County Land Use Plan: The A-4 area contains 100% prime farm soils and has been historically farmed.

ORDINANCE NO. 711 - 02/12

REPEALING SECTIONS 66-56, 66-57 AND 66-58 OF THE WALWORTH COUNTY CODE OF ORDINANCES AND RECREATING SECTION 66-56 THEREOF RELATIVE TO THE COUNTY HIGHWAY SAFETY COMMISSION

THE WALWORTH COUNTY BOARD OF SUPERVISORS DOES ORDAIN AS FOLLOWS:

1 **PART I: That section 66-56 of the Walworth County Code of Ordinances is hereby repealed**
2 **in its entirety and recreated to read as follows:**

3
4 **“Sec. 66-56. County highway safety commission.**

5
6 (a) There is hereby established a county highway safety commission consisting of the
7 following members or a representative designated by said member:

- 8
9 (1) the state highway engineer;
10
11 (2) the county highway commissioner;
12
13 (3) the chief of the state traffic patrol;
14
15 (4) the sheriff;
16
17 (5) the state highway safety coordinator;
18
19 (6) the county highway safety coordinator designated by the sheriff;
20
21 (7) a representative appointed by the county board from each of the disciplines of
22 education, medicine and law;
23
24 (8) the district attorney;
25
26 (9) a representative of the police chiefs’ association; and,
27
28 (10) the county board chair.

29
30 (b) The county traffic safety commission shall meet at least quarterly. Members
31 appointed by the county board shall serve at the pleasure of the county board. The commission shall
32 annually elect a chairman and a secretary who shall serve until their successors are elected and
33 qualified.

34
35 (c) The commission shall:

- 36
37 (1) Review traffic accident data from the county.
38

1 (2) Make written recommendations for any corrective action it deems appropriate to the
2 county board, county transportation committee, the state highway commission or any
3 other appropriate branch of local government.
4

5 (3) File a report on each meeting with the division of highway safety coordination.
6

7 **PART II:** That sections 66-57 and 66-58 of the Walworth County Code of Ordinances be and the
8 same are hereby repealed.”
9

10 **PART III:** That this ordinance shall become effective upon passage and publication.
11

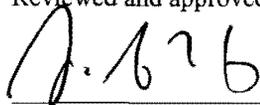
12 **PASSED and ADOPTED** by the Walworth County Board of Supervisors this 14th day of February
13 2012.
14
15
16

17 _____
18 Nancy Russell
19 County Board Chair

Kimberly S. Bushey
Attest: County Clerk

20 County Board Meeting Date: February 14, 2012

21 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:
 2/6/2012
David A. Bretl Date
County Administrator/Corporation Counsel
 2/6/12
Nicole Andersen Date
Deputy County Administrator - Finance
If unsigned, exceptions shall be so noted by the County Administrator.

Ordinance No. 711 - 02/12
Fiscal Note and Policy Impact Statement

- I. Title:** Repealing Sections 66-56, 66-57 and 66-58 of the Walworth County Code of Ordinances and Recreating Section 66-56 Thereof Relative to the County Highway Safety Commission
- II. Purpose and Policy Impact Statement:** The purpose of this amendment is to add the county board chair as a member of the commission and to clarify that members may designate representatives to attend the meetings and vote in their place.
- III. Is this a budgeted item and what is its fiscal impact:** Adoption of this ordinance will not have any fiscal impact on the county budget since members of the highway safety commission are not eligible for per diem or mileage reimbursement.
- IV. Referred to the following standing committee(s) for consideration and date of referral:**

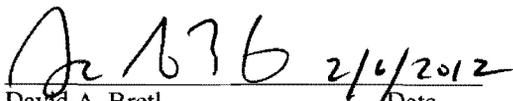
Committee: Executive

Date: January 16, 2012

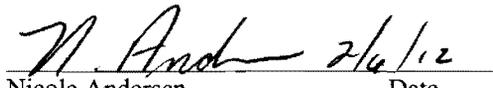
Vote:

County Board Meeting Date: February 14, 2012

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

 2/6/2012

David A. Bretl
County Administrator/Corporation Counsel

 2/6/12

Nicole Andersen
Deputy County Administrator - Finance

ORDINANCE NO. 712-02/12

AMENDING SECTION 30-286 OF THE WALWORTH COUNTY CODE OF ORDINANCES RELATIVE TO DOG LICENSE FEES FOR LICENSE YEARS BEGINNING 2013

THE WALWORTH COUNTY BOARD OF SUPERVISORS DOES ORDAIN AS FOLLOWS:

1 **PART I: That Section 30-286 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
 6

“Sec. 30-286. Consolidated fee schedule.

Description	Fee	Effective Date	Authority
General			
Annual dog license	\$6.00 neutered males or spayed females, over 5 months in age on January 1 of any year, or 5 months of age within the license year before the date the dog becomes 5 months of age; \$3.00 neutered males or spayed females which become 5 months of age after July 1 of the license year; \$11.00 unneutered males or unspayed females, over 5 months in age on January 1 of any year, or 5 months of age within the license year before the date the dog becomes 5 months of age; \$5.50 unneutered males or unspayed females which become 5 months of age after July 1 of the license year	Jan-10 For license years <u>2010, 2011 & 2012</u>	Wis. Stats. Ch 174; Ord. 584-11/09 <u>Ord. 712-02/12</u>
<u>Annual dog license</u>	<u>\$9.00 neutered males or spayed females, over 5 months in age on January 1 of any year, or 5 months of age within the license year before the date the dog becomes 5 months of age; \$4.50 neutered males or spayed females which become 5 months of age after July 1 of the license year; \$15.00 unneutered males or unspayed females, over 5 months in age on January 1 of any year, or 5 months of age within the license year before the date the dog becomes 5 months of age; \$7.50 unneutered males or unspayed females which become 5 months of age after July 1 of the license year</u>	<u>For license years beginning 2013</u>	<u>Wis. Stats. Ch 174; Ord. 712-02/12</u>

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PART II: This Ordinance shall become effective upon passage.

PASSED and ADOPTED by the Board of Supervisors of Walworth County Wisconsin this 14th day of February, 2012.

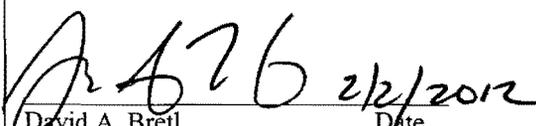
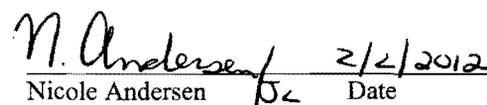
County Board Meeting Date: February 14, 2012

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

Nancy Russell
County Board Chair

Kimberly S. Bushey
County Clerk

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

 _____ David A. Breil County Administrator/Corporation Counsel	 _____ Nicole Andersen Deputy County Administrator-Finance
Date 2/2/2012	Date 2/2/2012

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

Policy and Fiscal Note
Ordinance No. 712-02/12

- I. **Title:** Amending Section 30-286 of the Walworth County Code of Ordinances Relative to Dog License Fees for License Years Beginning 2013
- II. **Purpose and Policy Impact Statement:** Pursuant to Wis. Stats. Chapter 174, a dog license is required for any dog over 5 months of age. The purpose of this ordinance is to amend the fees for dog licensing beginning with the 2013 tag year, as specified in the County's 2010-2014 contract with the Lakeland Animal Welfare Society for animal control services. The contract authorizes a fee increase to license neutered males/spayed females from \$6 to \$9 and for unneutered males/unspayed females from \$11 to \$15. The minimum dog license tax for dogs that became 5 months of age after July 1 of the license year is half of the fee for dogs over 5 months of age, pursuant to Wis. Stats. Chapter 174.
- III. **Is this a budgeted item and what is its fiscal impact?** Except for a minimal retainage of dollars, the county forwards all of the county's share of dog license fees to the Lakeland Animal Welfare Society, Inc. (LAWS). The current contract with LAWS expires December 31, 2014.

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

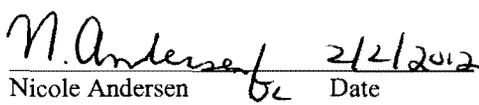
Committee: Finance Committee

Date: January 19, 2012

Vote: 3 - 1

County Board Meeting Date: February 14, 2012

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

	
David A. Bretl	Nicole Andersen
County Administrator/Corporation Counsel	Deputy County Administrator-Finance
Date 2/2/2012	Date 2/2/2012

ORDINANCE NO. 713 – 02/12

AMENDING SECTION 30-145 OF THE WALWORTH COUNTY CODE OF
ORDINANCES RELATING TO PUBLIC SERVICE ORGANIZATION AUDIT
REQUIREMENTS

THE WALWORTH COUNTY BOARD OF SUPERVISORS DOES ORDAIN AS
FOLLOWS:

1 **PART I: That Section 30-145 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. 30-145 Audit requirements.**

6
7 The county board deems that the use of tax levy to fund these organizations should be
8 carefully scrutinized to protect the taxpayer funds. Public service organizations shall adhere to
9 audit requirements to obtain budgeted funds for their organization.

10
11 (1) The following shall follow state audit requirements:

12
13 (a) Library, and

14
15 (b) Tax incremental financing districts.

16
17 (2) If tax levy received by the public organization is:

18
19 (a) Equal or greater than \$500,000.00 — An independent audit report and opinion is
20 required to be filed with the county within ~~90 days~~ 6 months of the organization's
21 yearend.

22
23 (b) \$200,000.00 to \$499,999.00 — An independent auditor operational review of
24 expenditure purchases is required to be filed with the county within ~~90 days~~ 6
25 months of the organization's fiscal yearend, including a compilation report.

26
27 (c) \$100,000.00 to \$199,999.00 — A cash audit review by an independent auditor is
28 required to be filed with the county within ~~90 days~~ 6 months of the organization's
29 fiscal yearend. The organization may submit a written request to the finance
30 committee to utilize alternative county audit procedures as designated by the
31 deputy county administrator-finance.

32
33 (d) \$25,000.00 to \$100,000.00 — County audit procedures as designated by the
34 deputy county administrator-finance.

35
36 (e) Under \$25,000.00 — Subject to county board request.

1 (3) These audit requirements shall not be construed as limiting the right of the county board
2 or its committees having oversight to request additional information from the entities
3 designated herein.”
4

5 **BE IT ORDAINED by the Walworth County Board of Supervisors that all previous**
6 **ordinances and resolutions pertaining to Section 30-145 are hereby superseded.**
7

8 **BE IT FURTHER ORDAINED by the Walworth County Board of Supervisors that this**
9 **Ordinance shall become effective upon passage and publication.**
10

11 **PASSED and ADOPTED** by the Walworth County Board of Supervisors this 14th day of
12 February, 2012.
13
14
15

16 _____
17 Nancy Russell
18 County Board Chair
19

Kimberly S. Bushey
Attest: County Clerk
20
21

County Board Meeting Date: February 14, 2012

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

Policy and Fiscal Note is attached.

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

 1/20/2012

David A. Bretl Date
County Administrator/Corporation Counsel

 1/23/12

Nicole Andersen Date
Deputy County Administrator - Finance

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

Ordinance No. 713 - 02/12
Fiscal Note and Policy Impact Statement

I. Title: Amending Section 30-145 of the Walworth County Code of Ordinances Relating to Public Service Organization Audit Requirements

II. Purpose and Policy Impact Statement: This ordinance adjusts the turnaround time for public service organizations to complete audit requirements. The extension from 90 days to six months from the end of the fiscal year will allow for a more reasonable time period to schedule and complete audits. Audits will still be received timely for the next budget review process.

III. Is this a budgeted item and what is its fiscal impact: No fiscal impact.

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

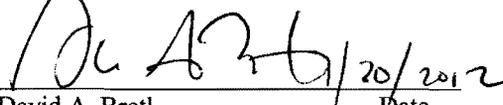
Committee: Finance

Date: January 19, 2012

Vote: 4 – 0

County Board Meeting Date: February 14, 2012

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



Date
David A. Bretl
County Administrator/Corporation Counsel



Date
Nicole Andersen
Deputy County Administrator - Finance

Resolution No. 87-02/12
**Authorizing Addition of Rural Women’s Alcohol and Other Drug Abuse (AODA) Grant to
 Pre-Approved Recurring Grants List**

Moved/Sponsored by: Finance Committee

WHEREAS, Section 30-313 of the Walworth County Code of Ordinances allows the establishment, by resolution, of a list of authorized recurring grants; and,

WHEREAS, Resolution 08-05/05 established a list of pre-approved, recurring grants; and,

WHEREAS, the Health and Human Services Department desires to add the Wisconsin Department of Health Services Rural Women’s Alcohol and Other Drug Abuse (AODA) Grant to the aforementioned list; and,

WHEREAS, inclusion of a grant on the authorized list provides authority to the County Administrator to approve the application and receipt of a grant so included until such time as a material change in conditions of a grant occurs; and,

WHEREAS, a material change in conditions of a grant includes, but is not limited to, capital expenditures, capital acquisitions, increase in percent of county match or variation from the original intent of the grant; and,

WHEREAS, the authorized list, at a minimum, will be reviewed on an annual basis and revisions proposed as necessary; and,

WHEREAS, new grant opportunities for county departments may be added by authorization of the County Board at a future date.

NOW, THEREFORE, BE IT RESOLVED that grants specifically requiring County Board authorization shall continue to be submitted for action; and,

BE IT FURTHER RESOLVED that “one-time” grants continue to require authorization as specified in Chapter 30, Article VIII of the Walworth County Code of Ordinances; and,

BE IT FURTHER RESOLVED by the Walworth County Board of Supervisors that the following recurring grant be and the same is hereby approved.

Program Title – Purpose	Federal Grantor	State Grantor or Passthrough Agency	Contract Amount County Share %
Rural Women’s Alcohol and Other Drug Abuse (AODA)	Wisc Dept of Health Services (DHS)	Wisc Dept of Health Services (DHS)	Unrecovered Program Costs

Policy and Fiscal Note
Resolution No. 87-02/12

I. Title: Authorizing Addition of Rural Women's Alcohol and Other Drug Abuse (AODA) Grant to Pre-Approved Recurring Grants List

II. Purpose and Policy Impact Statement: The purpose of this resolution is to authorize the addition of the Rural Women's Alcohol and Other Drug Abuse (AODA) Grant to the list of pre-approved, recurring grants.

III. Budget and Fiscal Impact: Walworth County was awarded \$250,000 by the Wisconsin Department of Health Services, Division of Mental Health and Substance Abuse Services, Bureau of Prevention, Treatment and Recovery for fiscal 2012 to provide treatment and support services to women with alcohol and other drug abuse involvement. This grant will fund two positions in HHS in addition to providing services for the AODA program. The grant is anticipated to continue for two to four years.

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

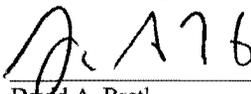
Committee: Finance

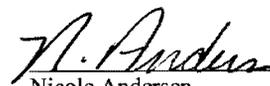
Meeting Date: January 19, 2012

Vote: 4 - 0

County Board Meeting Date: February 14, 2012

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.

 1/24/2012
David A. Bretl Date
County Administrator/Corporation Counsel

 1/24/2012
Nicole Andersen Date
Deputy County Administrator - Finance

Resolution No. 88 - 02/12

Authorizing Transfer of Contingency Fund Balance to the Sheriff's Office for 911 User Fee Charges for 2012

1 Moved/Sponsored by: Finance Committee

2
3 **WHEREAS**, Walworth County ("County") is responsible for maintaining 911 services; and,

4
5 **WHEREAS**, the County renewed its service agreement with AT&T in 2011, which agreement
6 became effective January 1, 2012; and,

7
8 **WHEREAS**, State Statutes mandate that the County is responsible for paying user fees in excess
9 of the statutory Wisconsin Legislative 911 Cap of \$0.40/Billable Access Line; and,

10
11 **WHEREAS**, the cost of the County's 911 service will surpass said Cap by approximately
12 \$34,000 for fiscal 2012.

13
14 **NOW, THEREFORE, BE IT RESOLVED** by the Walworth County Board of Supervisors that
15 \$34,000 be hereby transferred from the Contingency Fund to the appropriate Sheriff's Office
16 account to fund 911 User Agreement fees for fiscal 2012 that are in excess of the statutory user
17 Cap.

18
19 **BE IT FURTHER RESOLVED** that any funds remaining will lapse to the Contingency Fund
20 upon project completion.

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

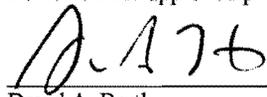
25 _____
26 Kimberly S. Bushey
27 County Clerk

28
29 County Board Meeting Date: February 14, 2012

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

Policy and Fiscal Note is attached.

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

 1/24/2012
David A. Bretl Date
County Administrator/Corporation Counsel

 1/24/2012
Nicole Andersen Date
Deputy County Administrator - Finance

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

Resolution No. 89-02/12

**Approving a Loan in the Amount of \$100,000 to the Walworth County Historical Society
for the Purpose of Property Acquisition**

1 Moved/Sponsored by: Public Works and Finance Committees
2

3 **WHEREAS**, Walworth County owns and maintains the property and buildings housing the
4 Webster House Museum and the Doris M. Reinke Resource Center located 9 E. Rockwell Street
5 in Elkhorn, Wisconsin; and,
6

7 **WHEREAS**, the Walworth County Historical Society (“Society”) has no remaining space in its
8 existing facilities to properly display historical collections donated by private citizens; and,
9

10 **WHEREAS**, the Society has an opportunity to purchase the property on 103 E. Rockwell Street,
11 formerly known as the Betts Funeral Home (“Property”); and,
12

13 **WHEREAS**, the Society approached the Walworth County Public Works Committee and
14 requested financial assistance in purchasing the Property, which acquisition would permit the
15 Society to expand its operations; and,
16

17 **WHEREAS**, the Society has donations to contribute toward the \$225,000 purchase price for the
18 property and has requested that the County loan it \$100,000 to cover the remaining funds needed
19 to acquire the property.
20

21 **NOW, THEREFORE, BE IT RESOLVED**, because of its public purpose and commitment to
22 preserving and sharing the history and culture of Walworth County, the Walworth County Board
23 of Supervisors hereby approves a \$100,000 loan to the Walworth County Historical Society.
24

25 **BE IT FURTHER RESOLVED** that the terms of the loan be no interest, payable in ten equal
26 annual installments; and,
27

28 **BE IT FURTHER RESOLVED** that the proper county officials be and the same are hereby
29 authorized and directed to sign all documents related to this transaction and to obtain a security
30 interest in the Property; and,
31

32 **BE IT FURTHER RESOLVED** that the sum of \$100,000 be transferred from the unassigned
33 fund balance to the proper account to fund this loan.
34
35
36

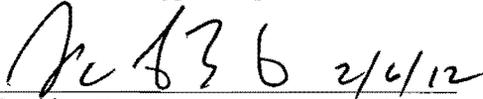
37 _____
38 Nancy Russell
39 County Board Chair

Kimberly S. Bushey
County Clerk

40
41 Action Required: Majority _____ Two-thirds X Other _____
42

County Board Meeting Date: February 14, 2012

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

	
David A. Bretl	Nicole Andersen
County Administrator/Corporation Counsel	Deputy County Administrator - Finance
Date	Date

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

Policy and Fiscal Note
Resolution No. 89-02/12

- I. Title:** Approving a Loan in the Amount of \$100,000 to the Walworth County Historical Society for the Purpose of Property Acquisition
- II. Purpose and Policy Impact Statement:** The purpose of this resolution is to authorize a \$100,000 loan to the Walworth County Historical Society for the purpose of permitting the Society to acquire property for expansion of their operations.
- III. Budget and Fiscal Impact:** The unassigned fund balance will be utilized for this loan. By approving this loan, the county will forego interest that it could have earned on the \$100,000 over the term of the loan.
- IV. Referred to the following standing committees for consideration and date of referral:**

Committee: Public Works Committee Meeting Date: February 14, 2012

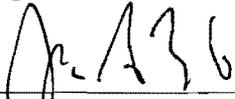
Vote: _____

Committee: Finance Committee Meeting Date: February 14, 2012

Vote: _____

County Board Meeting Date: February 14, 2012

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.

 2/6/2012

David A. Bretl Date
County Administrator/Corporation Counsel

 2/6/12

Nicole Andersen Date
Deputy County Administrator – Finance

Ordinance No. 714-02/12
Fiscal Note and Policy Impact Statement

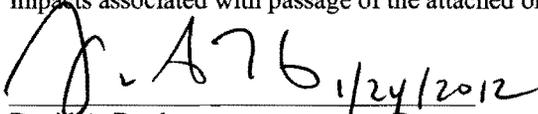
- I. Title:** Amending Section 15-17 of the Walworth County Code of Ordinances Relating to the Creation of Two AODA Grant Positions in the Health & Human Services Department
- II. Purpose and Policy Impact Statement:** The purpose of this ordinance amendment is to create two full-time HS Specialist I (AODA Grant) social worker positions that are being funded through a state grant for approximately two to four years. These positions will be eliminated at such time as Walworth County no longer receives the grant.
- III. Is this a budgeted item and what is its fiscal impact:** This item was not included in the 2012 budget. State grant monies have been received to pay the entire cost, wages and benefits, for two positions. On an annual basis the cost of the two positions will be \$154,740 and in 2012 will be \$125,942.
- IV. Referred to the following standing committee(s) for consideration and date of referral:**

Committee: Human Resources Committee Date: January 18, 2012

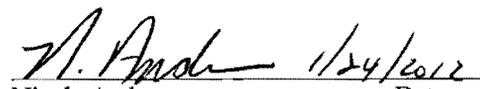
Vote: 5 – 0

County Board Meeting Date: February 14, 2012

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



David A. Bretl Date
County Administrator/Corporation Counsel



Nicole Andersen Date
Deputy County Administrator-Finance

ORDINANCE NO. 715 – 02/12

CREATING SECTION 15-1324 OF THE WALWORTH COUNTY CODE OF ORDINANCES RELATING TO IN CHARGE PAY FOR THE COMMUNICATIONS DIVISION

THE WALWORTH COUNTY BOARD OF SUPERVISORS DOES ORDAIN AS FOLLOWS:

1 PART I: That Section 15-1324 of the Walworth County Code of Ordinances is hereby
2 created to read as follows:

3
4 "Sec. 15-1324. In Charge Pay for Communications.

5
6 When a communications officer is assigned as "in charge," they will receive a charge
7 premium of \$1.00 per hour for productive hours only."

8
9 PART II: The ordinance shall be effective upon passage and publication.

10
11 PASSED and ADOPTED by the Walworth County Board of Supervisors this 14^h day of
12 February 2012.

13
14
15
16 Nancy Russell
17 County Board Chair

Kimberly S. Bushey
Attest: County Clerk

18
19
20 County Board Meeting Date: February 14, 2012

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

Policy and Fiscal Note is attached.
Reviewed and approved pursuant to Section 2-91 of the Walworth County Code of Ordinances:
David A. Bretl 1/27/2012
County Administrator/Corporation Counsel
Nicole Andersen 1/30/12
Deputy County Administrator - Finance
If unsigned, exceptions shall be so noted by the County Administrator.

ORDINANCE NO. 716 – 02/12

AMENDING SECTION 15-17 OF THE WALWORTH COUNTY CODE OF ORDINANCES RELATING TO THE RECLASSIFICATION OF A MACHINE OPERATOR POSITION IN PUBLIC WORKS

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

3
4 PART I: That Section 15-17 of the Walworth County Code of Ordinances is hereby
5 amended to read as follows (additions shown by underline; deletions shown by strike-
6 through):

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

9
10 (n) *Public Works*

11 CLASSIFICATION TITLE	12 FTE
13 Machine Operator	14 2.00 <u>1.00</u>
15 Patrolman/Woman	16 26.00 <u>27.00</u>

17 PART II: The ordinance shall be effective upon passage and publication.

18
19 PASSED and ADOPTED by the Walworth County Board of Supervisors this 14th day of
20 February, 2012.

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

25 _____
26 Kimberly S. Bushey
27 Attest: County Clerk

28
29 County Board Meeting Date: February 14, 2012

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

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

David A. Bretl 1/24/2012
Date
County Administrator/Corporation Counsel

Nicole Andersen 1/24/2012
Date
Deputy County Administrator-Finance

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

Ordinance No. 716-02/12
Fiscal Note and Policy Impact Statement

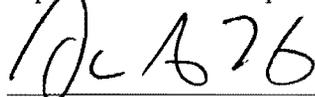
- I. **Title:** Amending Section 15-17 of the Walworth County Code of Ordinances Relating to the Reclassification of a Machine Operator Position in Public Works
- II. **Purpose and Policy Impact Statement:** The purpose of this ordinance amendment is to reclassify a vacant Machine Operator position to a Patrolman/Woman position to allow for more flexibility in assigning work. When Machine Operator duties are to be performed, a Patrolman/Woman will receive a premium for only those hours worked as a Machine Operator.
- III. **Is this a budgeted item and what is its fiscal impact:** The Machine Operator position is budgeted in 2012. The reclassification to Patrolman/Woman will result in an annual savings of \$2,827 and a savings in 2012 of \$19,518 due to the current vacancy.
- IV. **Referred to the following standing committee(s) for consideration and date of referral:**

Committee: Human Resources Committee Date: January 18, 2012

Vote: 5 – 0

County Board Meeting Date: February 14, 2012

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

 1/24/2012

Date
David A. Bretl
County Administrator/Corporation Counsel

 1/24/2012

Date
Nicole Andersen
Deputy County Administrator-Finance

ORDINANCE NO. 717 – 02/12

AMENDING SECTION 15-18 OF THE WALWORTH COUNTY CODE OF ORDINANCES RELATING TO THE OVERFILLING OF AUTHORIZED FTES

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

3
4 **PART I: That Section 15-18 of the Walworth County Code of Ordinances is hereby**
5 **amended to read as follows (additions shown by underline; deletions shown by strike-**
6 **through):**

7
8 **“Sec. 15-18. Overfilling of authorized FTEs.**

9
10 At times it may be necessary or advantageous to allow more than one employee to hold a
11 single position for a defined period of time for purposes of training and succession planning. The
12 director shall present any requests to the county administrator, who shall make final
13 recommendation on the overfilling of an authorized FTE, subject to final approval of the
14 committee based on the following criteria:

- 15
16 (1) A written notice of retirement/resignation has been received and accepted;
17
18 (2) Funding has been identified or a budget amendment identifying the source of
19 funds accompanies the request, if needed; and,
20
21 (3) The request is for a specific period of time, not to exceed ~~90~~ 45 days.”

22
23 **PART II: The ordinance shall be effective upon passage and publication.**

24
25 **PASSED and ADOPTED** by the Walworth County Board of Supervisors this 14th day of
26 February, 2012.

27
28
29
30
31 _____
32 Nancy Russell
33 County Board Chair

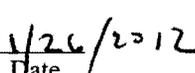
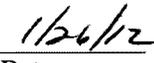
34 _____
35 Kimberly S. Bushey
36 Attest: County Clerk

37
38 **County Board Meeting Date:** February 14, 2012

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

Policy and Fiscal Note is attached.

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

			
David A. Bretl	Date	Nicole Andersen	Date
County Administrator/Corporation Counsel		Deputy County Administrator-Finance	

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

ORDINANCE NO. 718 – 02/12

AMENDING CHAPTER 15 OF THE WALWORTH COUNTY CODE OF ORDINANCES
RELATING TO PRODUCTIVE AND NON-PRODUCTIVE TIME AND WORKERS
COMPENSATION

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

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

7
8 **“Sec. 15-4. Definitions.**

9
10 Non-Productive time means any wages paid for time spent away from work including,
11 but not limited to, vacation time, sick time, compensatory time off, holiday off, holiday bank
12 used, bereavement leave, jury duty and workers compensation time off.

13
14 Productive time means any work time an employee is physically present and performing
15 work.

16
17 Straight time means any hours not meeting the definition of overtime or compensatory
18 time.”

19
20 **PART II: That Section 15-321 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. 15-321. Overtime pay.**

25
26 (b) Any position that is not exempt from the overtime pay provisions of the FLSA
27 shall be eligible for overtime pay or compensatory time. For any non-exempt position assigned
28 to overtime code 2 and 3, authorized paid time off (non-productive time) shall not count as hours
29 worked for the purpose of determining overtime pay or compensatory time.

30
31 (c) The overtime code established for each classification shall be interpreted as
32 follows:

33
34 OVERTIME CODE

- 35
36 1 These classes are primarily managerial in nature, but may also include some
37 professional or administrative classes, paid on a salary basis, and ineligible for
38 overtime pay, with the exception of Sworn management staff, as identified in

1 (a)(1) above.

2
3 2 These classes are paid on an hourly basis and are covered by the overtime pay
4 provisions of the FLSA (i.e., non-exempt) and, therefore, receive overtime pay or
5 compensatory time at the one and one-half (1.5x) time their regular rate for time
6 worked in excess of 40 productive hours per week.

7
8 3 These classes are nursing home positions paid on an hourly basis and are covered
9 by the overtime pay provisions of the FLSA (i.e., non-exempt) and, therefore,
10 receive overtime pay or compensatory time at the one and one-half (1.5x) time
11 rate under the “8 and 80” system – overtime for any hours worked after more than
12 8 productive hours in a day and more than 80 productive hours in a 14-day work
13 period.”

14
15 **PART III: That Section 15-322 of the Walworth County Code of Ordinances is hereby**
16 **amended to read as follows (additions shown by underline; deletions shown by strike-**
17 **through):**

18
19 **“Sec. 15-322. Compensatory time.**

20
21 (a) Any employee in a classification assigned to overtime code 2 shall be
22 compensated for overtime hours worked by payment at the applicable overtime rate or by
23 granting the employee compensatory time off at the rate of one and one-half hours for every
24 overtime hour worked in excess of 40 productive hours per week. The limit on banked accrued
25 compensatory time shall be 60 hours for all groups with the exception of AFSCME unit 1925
26 which shall have a limit of 120 hours. Compensatory time in excess of the limit shall be paid at
27 the applicable overtime rate.

28
29 (b) Any employee in a classification assigned to overtime code 3 shall be
30 compensated for overtime hours worked by payment at the applicable overtime rate or by
31 granting the employee compensatory time off at the rate of one and one-half hours for every
32 overtime hour worked in excess of 8 productive hours a day and 80 productive hours in a 14-day
33 work period. The limit on banked accrued compensatory time shall be 60 hours. Compensatory
34 time in excess of the limit shall be paid at the applicable overtime rate.”

35
36 **PART IV: That Section 15-572 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. 15-572. County provided benefits.**

41
42 (a) *Supplemental pay.* A regular employee absent due to a workers compensation
43 claim arising out of county employment and accepted as compensable under worker's
44 compensation shall be paid his or her regular wages for the day of injury and the next three

1 calendar days of disability immediately following the date of injury. Beginning with the fourth
2 calendar day of disability, a salary supplement shall be paid to a regular employee equal to the
3 difference between the employee's normal net ("after-tax") pay and the temporary disability
4 payment under worker's compensation. Time covered by this section shall not be charged against
5 sick leave.

6
7 (1) For purposes of overtime calculations, hours paid to an employee under this
8 section are considered non-productive time.

9
10 (2) For the purpose of calculating the supplemental pay, any additional straight time
11 hours worked shall not reduce this benefit."

12
13 **PART V: The ordinance shall be effective upon passage and publication.**

14
15 **PASSED and ADOPTED** by the Walworth County Board of Supervisors this 14th day of
16 February, 2012.

17
18
19
20
21 _____
22 Nancy Russell
23 County Board Chair

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

27 **County Board Meeting Date:** February 14, 2012

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

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

David A. Bretl 1/24/2012
Date
County Administrator/Corporation Counsel

Nicole Andersen 1/24/2012
Date
Deputy County Administrator-Finance

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

