



**WALWORTH COUNTY BOARD OF SUPERVISORS
MEETING**

TUESDAY, JANUARY 10, 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

- Kathy Ingersoll, Walworth County Board Supervisor, District #6

Roll Call

Withdrawals from Agenda, if any

Approval of the Agenda

Approval of the Minutes

- December 13, 2011 County Board Meeting

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

Special Order of Business

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

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)

Communications and Matters to Be Referred

1. Claims Received After Agenda Mailing
2. Claims: 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
12. Report of the County Clerk Concerning Communications Received by the Board After Agenda Mailing
13. Report of the County Clerk Concerning Zoning Petitions (To be referred to the County Zoning Agency)

Unfinished Business

New Business

Reports of Standing Committees

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)

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)

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)

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)

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)

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)

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 February 14, 2012 agenda items on or before Wednesday, February 1, 2012.**

**DECEMBER 13, 2011
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, Kathy Ingersoll, Vice-Chair Daniel G. Kilkenny, Carl Redenius, Joe Schaefer, Rick Stacey, David A. Weber, and Chair Nancy Russell. Randy Hawkins and Russ Wardle were absent. A quorum was established.

Kimberly S. Bushey, Walworth County Clerk, delivered the invocation.

Amendments, Withdrawals, and Approval of Agenda

On motion by Supervisor Schaefer, seconded by Supervisor Grant, the agenda was approved by voice vote with no withdrawals or amendments.

Approval of the Minutes

On motion by Supervisor Weber, seconded by Supervisor Grant, the Amended November 1, 2011 Public Budget Hearing minutes and the November 8, 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

- Presentation of "Friend to NAMI Walworth" award in recognition of Walworth County Department of Health and Human Services for outstanding support and positive contributions to NAMI Walworth and to the cause of mental illness awareness, advocacy and education

Dan Paulson, President of the NAMI Walworth Chapter, and Jean Paulson, NAMI Walworth Chapter board member, presented the "Friend to NAMI Walworth" award to Linda Seemeyer, Liz Aldred, Lisa Kadlec, Liza Drake, and Lisa Broll from Walworth County Health and Human Services. Mr. Paulson thanked Linda Seemeyer from Health and Human Services (HHS) as NAMI Walworth's presence at HHS has brought awareness to this organization. Linda Seemeyer thanked Mr. Paulson and said it is an honor to have the award.

Appointments/Elections

1. Local Emergency Planning Committee
 - David Bretl
 - Michael Ciardo
 - Shane Crawford
 - John R. Ennis
 - Senator Neal Kedzie
 - Kevin Kennedy
 - Richard Kuhnke
 - Jim Obligato

- David Fladten
 - David Graves
 - Patricia Grove
 - Eric Hudson
 - Jason Roberts
 - Nancy Russell
 - David Thompson
 - Bruce Vanderveen
- (Recommended by the Executive Committee 5-0)

Supervisor Brandl offered a motion, seconded by Supervisor Grant, to appoint the aforementioned individuals to the Local Emergency Planning Committee as recommended by the Executive Committee. Supervisor Grant offered an amendment, seconded by Supervisor Weber, to remove Shane Crawford from the list of appointees. Motion to amend carried. Original motion as amended approved by voice vote.

Communications and Matters to Be Referred

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

1. Claims Received After Agenda Mailing – There were none.
2. Claims: There were none.
3. Correspondence from Chair Russell Urging Adoption of Resolution No. 74-12/11 Supporting a Land Acquisition by the City of Lake Geneva for Conservation and Recreational Purposes. (It is anticipated that the County Board will suspend its rules to take action on the resolution at the December 13, 2011 County Board Meeting)
4. Correspondence from the City of Delavan regarding a plat of subdivision contemplated in the Town of Delavan and located within the City’s extraterritorial jurisdiction (To be referred to the County Zoning Agency)
5. Correspondence from Gene Pulera and Margaret L. Pulera, M.D. regarding Public Health and the Use of Spray Irrigation (including Center Pivots) for Liquid Manure Disposal (To be referred to the County Zoning Agency)
6. Correspondence from Frank Raidl, Southern Lakes Evangelical Free Church, regarding potential space available at the Government Center for a teen center (To be referred to the Public Works Committee)
7. Communication from Waukesha County regarding Year 2011 Approval of Amendment to the Comprehensive Development Plan (To be placed on file) (The disk containing the plan is available for viewing in the County Clerk’s Office)
8. Correspondence from Walworth County Metropolitan Sewerage District regarding approved rates for 2012 (To be placed on file) (The packet including the 2012 rates can be viewed in the County Clerk’s office)
9. Release of Raze Order received from the Treasurer’s Office for property located in the Town of Bloomfield (To be placed on file)
10. Raze Order received from the Treasurer’s Office for building located at 58 East Walworth Avenue, Delavan, Wisconsin (To be placed on file)
11. Report of the County Clerk Concerning Communications Received by the Board and Recommended to be Placed on File
 - Email correspondence received in the County Administrator’s Office from the following individuals regarding Ordinance No. 692-10/11 – Amending Chapter 16 of the Walworth County Code of Ordinance Relating to Prohibition of Firearms:
 - Achilles Arestides
 - Ryan Sdano
 - Eda Wilson

- Oconto County Resolution No. 69-2011 – Concerns over the management of the Chequamegon-Nicolet National Forest

12. Report of the County Clerk Concerning Communications Received by the Board After Agenda Mailing

- Amended November 1, 2011 Public Budget Hearing Minutes – Change was made to Page 2, first paragraph: “Townships are the primary source of ~~funding for county libraries~~ county library funds.”
- Res. No. 75-12/11 – Establishing a Committee of the Whole Date for a Presentation by the Walworth County Finance Department Regarding Health Insurance – *Vote Required: Majority* (The Human Resources Committee considered this at a special meeting prior to the December 13, 2011 County Board meeting and was recommended 4-0)
- Map of proposed city park acquisition by the City of Lake Geneva (Addendum to Correspondence from Chair Russell Urging Adoption of Resolution No. 74-12/11 Supporting a Land Acquisition by the City of Lake Geneva for Conservation and Recreational Purposes)
- Communication from Open Range Communications, Inc. regarding termination of all tower lease agreements – To be referred to the Executive Committee
- Correspondence from County Clerk Kimberly S. Bushey in regard to increasing the per diem rate for the Board of Canvassers – To be referred to the Executive Committee
- Correspondence from Cynthia D. Simonsen, Executive Director of VIP Services, Inc., in regard to applying to Wisconsin Department of Transportation for federal grant to assist in meeting transportation needs of the elderly and persons with disabilities in the area – To be referred to the Health and Human Services Board
- Communication from Wisconsin Department of Natural Resources in regard to land acquisition by the Town of East Troy for conservation and public recreational purposes – To be referred to the Land Conservation Committee
- Correspondence from Dennis E. Jordan, City Administrator of the City of Lake Geneva, regarding upgrade to County Road H – To be referred to the Public Works Committee
- Communication from Bennett J. Schliesman, Director of Southeast Region of Wisconsin Emergency Management, in regard to the 2011 Second Half Progress Report – To be placed on file
- *Walworth County Aging & Disability Resource Center News*, December 2011 – To be placed on file

13. Report of the County Clerk Concerning Zoning Petitions (To be referred to the County Zoning Agency)

- There was none.

Vice-Chair Kilkenny offered a motion, seconded by Supervisor Grant, to suspend the rules in order for the county board to address Item #3. Supervisor Grant made a motion for unanimous consent, seconded by Supervisor Weber. Motion carried. On motion by Vice-Chair Kilkenny, seconded by Supervisor Stacey, **Resolution No. 74-12/11 – Supporting a Land Acquisition by the City of Lake Geneva 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

1. Gregory G. & Annette M. Walbrandt, Nancy C. Walbrandt, Town of Lafayette, Rezone .361 acres of land in the A-5 Agricultural-Rural Residential District to A-1 Prime Agricultural Land District and Rezone .733 acres of land in the A-1 Prime Agricultural Land District to A-5 Agricultural-Rural Residential District to complete a lot line adjustment – Approved: 5-0 (November 17, 2011 County Zoning Agency Public Hearing)
2. Community Action, Inc. of Rock and Walworth Counties, Town of Darien, Rezone approximately 2.22 acres of B-4 Highway Business and A-1 Prime Agricultural Districts to P-2 Institutional Park District to bring an existing homeless shelter into compliance with the County Zoning Ordinance – Approved: 5-0 (November 17, 2011 County Zoning Agency Public Hearing)

On motion by Supervisor Stacey, seconded by Supervisor Weber, the County Zoning Agency Report of Proposed Zoning Amendments, Item 1, Gregory G. and Annette M. Walbrandt, Nancy C. Walbrandt, Town of Lafayette; and Item 2, Community Action, Inc. of Rock and Walworth Counties, Town of Darien, was approved as recommended by the County Zoning Agency.

Human Resources Committee

1. Ord. No. 701-12/11 – Amending Sections 15-552 and 15-743 of the Walworth County Code of Ordinances Relating to Contributions and Military Leave – *Vote required: Majority* (Recommended by the Human Resources Committee 4-0)

On motion by Supervisor Ingersoll, seconded by Supervisor Grant, **Ordinance No. 701-12/11 – Amending Sections 15-552 and 15-743 of the Walworth County Code of Ordinances Relating to Contributions and Military Leave** was approved by voice vote.

2. Ord. No. 702-12/11 – Amending Sections 15-531 and 15-532 of the Walworth County Code of Ordinances Relating to Health Insurance for New Hires and Sworn Staff – *Vote required: Majority* (The Human Resources Committee considered this at a special meeting prior to the December 13, 2011 County Board meeting and was recommended 4-0)

County Administrator Bretl stated this resolution establishes a second tier to the health plan for new hires hired after January 1, 2012. He said this would also be effective January 1, 2013 for sworn law enforcement. On motion by Supervisor Grant, seconded by Supervisor Weber, **Ordinance No. 702-12/11 – Amending Sections 15-531 and 15-532 of the Walworth County Code of Ordinances Relating to Health Insurance for New Hires and Sworn Staff** was approved by voice vote.

3. Ord. No. 703-12/11 – Amending Section 15-17 of the Walworth County Code of Ordinances Relating to an HS Worker IV Position in Health and Human Services – *Vote Required: Majority* (The Human Resources Committee considered this at a special meeting prior to the December 13, 2011 County Board meeting and was recommended 4-0)

On motion by Supervisor Ingersoll, seconded by Supervisor Brandl, **Ordinance No. 703-12/11 – Amending Section 15-17 of the Walworth County Code of Ordinances Relating to an HS Worker IV Position in Health and Human Services** was approved by voice vote.

4. Res. No. 72-12/11 – Adopting Revised Insurance Premium Equivalents for 2012 – *Vote Required: Majority* (The Human Resources Committee considered this at a special meeting prior to the December 13, 2011 County Board meeting and was recommended 4-0)

Bretl referred to Attachment A of the resolution, which contains the proposed rates. He said it is being recommended to freeze the health insurance premiums at the 2011 rates as they had a more favorable proposal than had originally anticipated. On motion by Supervisor Weber, seconded by Supervisor Ingersoll, **Resolution No. 72-12/11 – Adopting Revised Insurance Premium Equivalents for 2012** was approved by voice vote.

5. Res. No. 75-12/11 – Establishing a Committee of the Whole Date for a Presentation by the Walworth County Finance Department Regarding Health Insurance – *Vote Required: Majority* (The Human Resources Committee considered this at a special meeting prior to the December 13, 2011 County Board meeting and was recommended 4-0)

On motion by Supervisor Ingersoll, seconded by Supervisor Grant, **Resolution No. 75-12/11 – Establishing a Committee of the Whole Date for a Presentation by the Walworth County Finance Department Regarding Health Insurance** was approved by voice vote.

Public Works Committee

1. Ord. No. 704-12/11 – Amending Chapter 16 of the Walworth County Code of Ordinances Relating to Use of the Lakeland School – *Vote Required: Majority* (Recommended by the Public Works Committee 3-0)

On motion by Supervisor Weber, seconded by Supervisor Stacey, **Ordinance No. 704-12/11 – Amending Chapter 16 of the Walworth County Code of Ordinances Relating to Use of the Lakeland School** was approved by voice vote.

2. Res. No. 73-12/11 – Supporting the Research of Options Pertaining to the Housing Needs of the Child Advocacy Center and the Association for Prevention of Family Violence – *Vote Required: Majority* (Recommended by the Public Works Committee 3-0)

Bretl stated this item is providing conceptual approval for space needs for the Child Advocacy Center and he turned the presentation over to Deputy County Administrator-Central Services Shane Crawford. Crawford distributed a memo and map. He turned the presentation over to District Attorney Phil Koss. Koss distributed information on the Child Advocacy Center (CAC) to those present and asked the Board to look at the options being presented. He said the CAC is not a governmental agency. He referred to the Treasurer's Report included in the information distributed, which showed that over \$170,000 has been obtained through fundraising. He said the CAC needs a stand-alone building where children can go to be interviewed and receive services rather than sending the children to numerous different agencies. He also said they have a commitment from Children's Hospital to rent from them as well. He stated they are open to any solution that allows the CAC to move forward.

Crawford referred to a memo dated December 13, 2011, addressed to the Board of Supervisors, which was distributed. He reviewed the options for consideration and potential endorsement by the Board. He also reviewed the advantages and disadvantages of each option. He stated Options 2 and 3 seem to be the most popular from a staff standpoint on the county-side as well as the CAC personnel. Supervisor Weber asked if the CAC has considered having a private developer that would develop the land then lease it to the CAC. Koss stated they had talked to Magill Construction, and are looking at Lakeland Builders to see if they will donate materials and labor. Bretl stated things get complicated with some of the concepts. He said if the county is involved as the landlord, we need to bid out the project competitively under statute. He stated there is an exception to public bidding if there is donated labor and materials. He stated the county is not going to be in the position to manage a

construction project until there is a new Public Works director on board. Supervisor Weber stated if the CAC can find a private developer who would carry the mortgage on the property, then the county would be out of it and the CAC can proceed with the project. Bretl stated the county can restrict the deed with a reversion right; however, it may be difficult to finance with that type of restriction. Chair Russell referred to Supervisor Weber's statement about the CAC finding an independent developer and stated the CAC has a budget for lease costs. She stated she would be concerned if an outside entity came in and they would not be able to handle those lease costs. Koss stated the CAC has a commitment from Children's Hospital to pay \$2500 per month for rent. Crawford stated they are unsure if Children's Hospital would be willing to secure the loan for the project. Vice-Chair Kilkenny stated that he thought they did not have enough information to take action on this resolution and he is concerned about the fiscal impact on the county. He also stated it would be hard to pick an option at this time.

Sandra Wagie-Troemel from the CAC stated they have \$170,000 that they have fundraised. She said they have a commitment letter to be paid for rent. She also said that furnishings would be provided by Children's Hospital or they will be provided a budget for the furnishings. She stated from their standpoint, the best option is if the county would sell or give them the five acres, then the county would be out of it. She also stated that as long as they are not leasing the land and they own it, they can obtain financing under the Community Reinvestment Act. Koss said the CAC does not expect the county to spend the money to build this or furnish it. Crawford referred to the map distributed to those present of the possible locations for this project. Supervisor Stacey said there was a lot of information to take into consideration and thought it should go back to the Finance Committee or the Public Works Committee for further research. Chair Russell stated it seems that they are anxious to get this resolved and the question is if we want to give or sell them the land because that seems to be the only option. Supervisor Grant stated he is supportive of what they are trying to do and suggested that we donate or sell the five acres to them for \$1. Vice-Chair Kilkenny stated the parcel next to Public Works makes the most sense and asked why the parcel had to be 5 acres. Deputy Corporation Counsel Michael Cotter stated the land on the south side of Highway NN is located in the Town of Geneva and is part of the extraterritorial plat review for the City of Elkhorn; therefore, there is a five-acre minimum. Bretl said he was told there is no variance procedure by the City of Elkhorn.

Gen Krahn-Reed, Executive Director of Association for the Prevention of Family Violence (APFV), said this resolution is looking for space and land not only for the CAC, but also the APFV. She also said with the five acres, it is the APFV's intention to someday add a building of their own as they are also a stand-alone entity that has provided a service to Walworth County for over 34 years. She stated she hopes to add a building within the same complex because they work in collaboration with the CAC.

Vice-Chair Kilkenny stated the Board could approve it in concept as we do not need to delay it further. Vice-Chair Kilkenny offered a motion, seconded by Supervisor Weber, to conceptually approve transferring the land to the CAC without reversion or restriction but subject to further review by staff. Koss said they are willing to do a right of first refusal which would protect the county and would not be an issue with financing. He stated they could wait on the board's approval; however, it would be better for the CAC's fundraising efforts if they can move forward with this. Supervisor Grant offered a motion to approve the concept of donating five acres located on Highway NN between the driveway to the Highway Department and the driveway to Health and Human Services and the details of the contract would be presented to us next month. Chair Russell stated there was already a motion on the floor by Vice-Chair Kilkenny, which was seconded by Supervisor Weber. Vice-Chair Kilkenny asked Clerk Bushey to repeat his motion. Clerk Bushey stated the motion was to approve Resolution No. 73-

12/11 without the reversionary clause, which would be Option 3. Vice-Chair Kilkenny stated he is not comfortable with the reversion clause and he would move for a subsidiary motion to refer this to the Finance Committee to look at the ramifications. Supervisor Weber stated a deed restriction would be a red flag for a loan, but a right of first refusal would not. Vice-Chair Kilkenny stated he is uncomfortable with his motion without knowing what the risks are. He stated he would like to refer this back to committee or have a conceptual approval that gives the county the ability to look at this further; however, he is not withdrawing his original motion. Bretl said he would appreciate the guidance as to whether the County Board wants to do a deed restriction or right of first refusal. Vice-Chair Kilkenny asked if the county could have a proposal to repurchase the land in the amount of any encumbrances in the event the CAC stopped using the building. Bretl stated he thought that would be a reasonable restriction that would not hold up the CAC's financing.

Vice-Chair Kilkenny moved to amend his motion to indicate conceptual approval of donating the land to the CAC subject to a right to reacquire the property at an amount not to exceed outstanding encumbrances. Koss proposed a question that if the CAC chose to sell the property one day in the event they want to expand and they had invested \$300,000 into the property and their current mortgage balance was \$5,000; would the CAC then have to sell the property back to Walworth County for \$5,000. Vice-Chair Kilkenny said the language would need to be looked at. Vice-Chair Kilkenny's amendment to the motion on the floor failed due to the lack of a second.

Supervisor Weber offered a motion, seconded by Supervisor Schaefer, to call the question. A roll call vote was conducted. Total votes: 9. Ayes: 8 – Richard Brandl, Jerry A. Grant, Kathy Ingersoll, Carl Redenius, Joe Schaefer, Rick Stacey, David A. Weber, and Chair Nancy Russell; Noes: 1 – Vice-Chair Dan Kilkenny; Absent: 2 – Randy Hawkins and Russ Wardle. Motion carried.

Clerk Bushey again restated the motion by Vice-Chair Kilkenny, seconded by Supervisor Weber, to approve Resolution No. 73-12/11 without the reversionary clause, which would be Option 3. A roll call vote was conducted on Resolution No. 73-12/11. Total votes: 9. Ayes: 7 – Richard Brandl, Jerry A. Grant, Kathy Ingersoll, Vice-Chair Dan Kilkenny, Joe Schaefer, David A. Weber, and Chair Nancy Russell; Noes: 2 – Carl Redenius and Rick Stacey; Absent: 2 – Randy Hawkins and Russ Wardle. **Resolution No. 73-12/11 – Supporting the Research of Options Pertaining to the Housing Needs of the Child Advocacy Center and the Association for Prevention of Family Violence with no reversionary clause, which would be Option 3** was approved by roll call vote. Motion carried.

Supervisor Grant offered a motion to donate the parcel that lies between the driveway of the Highway Department and the driveway of Health and Human Services and borders Highway NN, seconded by Supervisor Schaefer. Bretl stated the Board can conceptually approve the location; however, the specific parcel should have been included in the original motion. He stated this will have to come back to the board in January for final approval of the deed transferring the land. Vice-Chair Kilkenny objected to proceeding with the designation of the location. Crawford stated they addressed the zoning issues with the CAC and their architectural firm. He also stated that the research has been done by the architect and it has been determined that the project will work in this location. He said the parcel goes almost driveway to driveway and it would be a small structure on the east side of the parcel; however, it is not site specific as a survey has not been completed yet. Vice-Chair Kilkenny withdrew his objection. Supervisor Grant amended his motion, seconded by Supervisor Schaefer, to state the five-acre parcel in front of Public Works on Highway NN within the driveways of Public Works and Health and Human Services and adjacent to Health and Human Services.

Supervisor Stacey offered a motion, seconded by Supervisor Grant, to call the question. A roll call vote was conducted. Total votes: 9. Ayes: 8 – Richard Brandl, Jerry A. Grant, Kathy Ingersoll, Vice-Chair Dan Kilkenny, Joe Schaefer, Rick Stacey, David A. Weber, and Chair Nancy Russell; Noes: 1 – Carl Redenius; Absent: 2 – Randy Hawkins and Russ Wardle. Motion carried.

A roll call vote was conducted on the motion as amended, which was a motion by Supervisor Grant, seconded by Supervisor Schaefer, to donate the five-acre parcel in front of Public Works on Highway NN within the driveways of Public Works and Health and Human Services and adjacent to Health and Human Services. Total votes: 9. Ayes: 8 – Richard Brandl, Jerry A. Grant, Kathy Ingersoll, Vice-Chair Dan Kilkenny, Joe Schaefer, Rick Stacey, David A. Weber, and Chair Nancy Russell; Noes: 1 – Carl Redenius; Absent: 2 – Randy Hawkins and Russ Wardle. Motion carried as amended.

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 there was information placed on Supervisors' desks regarding United Way. She encouraged everyone to make a contribution to this cause as all money donated goes back to organizations that serve Walworth County.

County Administrator Bretl thanked Deputy County Administrator-Central Services Crawford for his service to Walworth County and wished him well with his new job. Deputy County Administrator-Central Service Crawford thanked the County Board, his staff, and Administrator Bretl for their support.

Adjournment

On motion by Supervisor Stacey, seconded by Supervisor Ingersoll, the meeting was adjourned at 7:53 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 December 13, 2011 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: Veterans Service Commission

Nominee: Jerry E. Peters

Address: 532 Laurel Heights
Delavan, WI 53115

Submitted by: David Bretl, County Administrator

Authority: Section 59.18, Wisconsin Statutes

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

When did/does the incumbent's current term expire? December 31, 2011

Was this vacancy advertised? no

Comment Appointment of Mr. Peters would be for an additional 3-year term to begin upon
County Board 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:

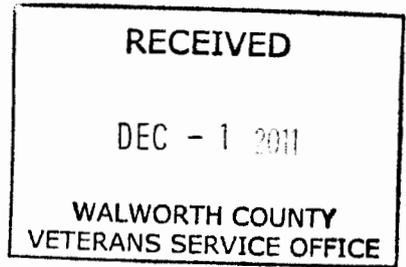
**WALWORTH COUNTY
NOTICE OF INTEREST TO SERVE AS A CITIZEN REPRESENTATIVE**

Name: Jerry E. Peters

Date: 11/23/11

Mailing Address: 532 Laurel Heights
Delavan, WI 53115

Phone: 262-728-2493



I reside in: the Town of _____
 the Village of _____
 the City of DEHAVAN, WI

Please consider me for appointment to: Veterans Service Commission

I am interested in serving as a citizen representative because: I have served on the Veterans Commission for several years, and have interest in what Wisconsin does for all veterans

Special skills, experience or qualifications I possess related to this appointment are:
American Legion 56 yrs NAVY Veteran 1951-55 attend High School events as a Veteran

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.

Jerry E. Peters 11/23/11
Signature of Applicant Date

Feel free to attach any additional documentation to this form.

Nomination for Committee/Board/Commission Appointment

Committee: Local Emergency Planning Committee (LEPC)

Nominee: Taylor Vanness

Address: 6439 W. Grand Videre Dr.
Janesville, WI 53548

Submitted by: David Bretl, County Administrator

Authority: Section 59.18, Wisconsin Statutes

Who will the nominee replace? _____

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

Was this vacancy advertised? _____

Comment The position representing industry on the LEPC is currently vacant. Mr. Vanness
would be appointed to fill this seat.

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: Taylor Vanness Date: 11/28/11

Mailing Address: 6439 W. Grand Videre Dr. Phone: 765-606-4557
Janesville, WI 53548

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

Please consider me for appointment to: LEPC

I am interested in serving as a citizen representative because: _____

Of the size of the facility we operate in the area, and I feel it's important to make
and keep connections with this group.

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

17 years in the refrigerated warehousing industry.

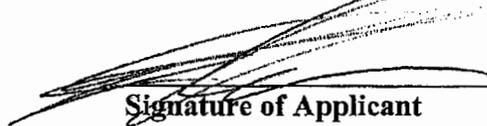
HAZWOPER Tech level, and Incident Command trained.

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

11/28/11
Date

RECEIVED

Feel free to attach any additional documentation to this form.

DEC 8 2011

Nomination for Committee/Board/Commission Appointment

Committee: Lakeshores Library System Board

Nominee: Royce DeBow

Address: P. O. Box 464

311 N. 5th Street

Delavan, WI 53115

Submitted by: David Bretl, County Administrator

Authority: Section 59.18, Wisconsin Statutes

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

When did the term of the incumbent expire? December 31, 2011

Was this vacancy advertised? _____

Comment The Lakeshores Library System Director has requested Mr. DeBow be

reappointed. The additional 3-year term would begin upon County Board appointment 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: Royce K. DeBow

Date: 12/13/11

Mailing Address: PO BOX 464

Phone: 262-994-2231

DELAVAN, WI 53115-0464

I reside in: the Town of _____

the Village of _____

the City of Delavan

Please consider me for appointment to: Lakeshores Library System Board

I am interested in serving as a citizen representative because: _____

I am the current President of the LLS Board and wish to continue serving. In addition, I believe in preserving the tremendous value that libraries bring to our communities, while at the same time providing value to taxpayers who fund the system.

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

I have served on the board a number of years and feel my work with this and other groups, including Community Action and local and state government, allow me a unique perspective.

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.



12/13/11

Signature of Applicant

Date

Feel free to attach any additional documentation to this form.

Nomination for Committee/Board/Commission Appointment

Committee: Lakeshores Library System Board

Nominee: Jay Karow

Address: 5 E. Frank Street
Elkhorn, WI 53121

Submitted by: David Bretl, County Administrator

Authority: Section 59.18, Wisconsin Statutes

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

When did the term of the incumbent expire? December 31, 2011

Was this vacancy advertised? _____

Comment The Lakeshores Library System Director has requested Mr. Karow be reappointed for an additional 3-year term. The term would begin upon County Board 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:



December 29, 2011

Board of Supervisors

Walworth County Board Supervisors

Re: Land Acquisition

Dear Supervisors:

We received information on December 15th regarding a grant from the Knowles-Nelson Stewardship Program that has been tentatively awarded to the Nature Conservancy to support the acquisition of 78.9 acres of land in the Town of Troy for conservation and public recreational purposes. I would urge the County's support of this acquisition, as it could benefit all County residents.

Attached is Resolution No. 83-01/12 Supporting a Land Acquisition in the Town of Troy by the Nature Conservancy for Conservation and Recreational Purposes. In order for the Department of Natural Resources to consider the County's resolution, it must be received within 30 days. Due to the time constraints, I would appreciate your consideration of suspending our Board rules at the January 10th meeting to adopt the resolution.

Very truly yours,

A handwritten signature in black ink that reads "Nancy Russell". The signature is fluid and cursive.

Nancy Russell
Walworth County Board Chair

NR/tlw
Enclosures



December 12, 2011

RECEIVED

DEC 15 2011

Nancy Russell, County Board Chair
Walworth County
1720 Fairview Dr
Lake Geneva, WI 53147

WALWORTH COUNTY BOARD

Dear Chairperson:

The Department would like to inform you that a grant from the Knowles-Nelson Stewardship Program has been tentatively awarded to support the acquisition of 78.9 acres of land located in the Town of Troy by The Nature Conservancy for conservation and public recreational purposes. The Nature Conservancy has acquired this property and applied for Stewardship cost-share as reimbursement.

The state biennial budget bill enacted in 2011 includes a provision requiring a Department notice to your Board stating that your Board may adopt a resolution that supports or opposes land acquisitions funded by the Stewardship Program. See s. 23.0917(5t) Wis. Stats. While the Board is not obligated to hold a meeting or adopt a resolution, if you decide to do so, the Department contact is:

Dan Kaemmerer – Customer Support Specialist
2300 N Dr Martin Luther King Jr Dr
Milwaukee, WI 53212
Telephone: 414-263-8704
Email - daniel.kaemmerer@wisconsin.gov

Although a resolution for or against this land acquisition will be nonbinding, the Department is required to consider the resolution if it is received within 30 days of your receipt of this letter.

If you would like more information, or have questions or concerns about the purchase, please contact me at the above address, by phone at 608-266-0868, or by email at Pamela.FosterFelt@Wisconsin.gov.

Thank you for this consideration.

Sincerely,

Pamela Foster-Felt
Stewardship Non Profit Grant Manager

cc: Dan Kaemmerer – SER
Mary Jean Huston, State Director, The Nature Conservancy in Wisconsin

Resolution No. 83 – 01/12
Supporting a Land Acquisition in the Town of Troy by the Nature Conservancy for Conservation and Recreational Purposes

1 Moved/Sponsored by: Chair Nancy Russell

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WHEREAS, the Knowles-Nelson Stewardship Program was established to preserve Wisconsin's land and water resources for future generations and to provide the land base and recreational facilities needed for quality outdoor experiences; and,

WHEREAS, the Nature Conservancy has tentatively been awarded a grant from the Knowles-Nelson Stewardship Program for the acquisition of 78.9 acres of land in the Town of Troy for conservation and public recreational purposes; and,

WHEREAS, these lands for conservation and public recreational purposes are an amenity available to all County residents; and,

WHEREAS, the County Board Chair would like to urge the Board's support for the Nature Conservancy's land acquisition in the Town of Troy.

NOW, THEREFORE, BE IT RESOLVED that the Walworth County Board of Supervisors hereby supports the Nature Conservancy's land acquisition in the Town of Troy funded by the Knowles-Nelson Stewardship Program.

BE IT FURTHER RESOLVED that the County Clerk shall forward a copy of this resolution to Daniel Kaemmerer at the Department of Natural Resources for consideration.

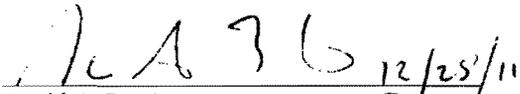
Nancy Russell
County Board Chair

Kimberly S. Bushey
County Clerk

County Board Meeting Date: January 10, 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:

	
David A. Bretl County Administrator/Corporation Counsel	Nicole Andersen Deputy County Administrator - Finance
Date 12/25/11	Date 12/29/11

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

Policy and Fiscal Note
Resolution No. 83 - 01/12

- I. **Title:** Supporting a Land Acquisition in the Town of Troy by the Nature Conservancy for Conservation and Recreational Purposes

- II. **Purpose and Policy Impact Statement:** The purpose of this resolution is to support the Nature Conservancy's land acquisition in the Town of Troy funded by the Stewardship Program.

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

- IV. **Referred to the following standing committees for consideration and date of referral:** Due to time constraints, this resolution was not reviewed or referred by any committee. It was introduced directly by Chair Russell at the Board meeting with a request the Board suspend its rules for adoption of the resolution.

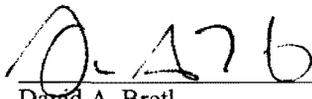
Committee: N/A

Meeting Date: N/A

Vote: N/A

County Board Meeting Date: January 10, 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.

 12/28/11

Date
David A. Bretl
County Administrator/Corporation Counsel

 12/29/11

Date
Nicole Andersen
Deputy County Administrator - Finance

**Dorothy C. Burwell
N4836 County Road O
Delavan, WI 53115**

December 13, 2011

Michael Cotter, Director
Land Use & Resource Management Dept.
100 West Walworth Street
Elkhorn, Wisconsin 53121

Dear Mr. Cotter:

At our last Land Conservation Committee meeting there was a lengthy discussion regarding the county representative on lake districts. Our present ordinance states the representative position shall be offered to a committee member, county board member and then advertised for a county citizen.

I have given considerable thought to this process and would like to suggest that the county ordinance should be amended to state that the citizen member shall not reside in the district they are appointed to. This change would, in my opinion, more accurately reflect the intent of the law.

Please refer this letter to the proper county committee for consideration.

Very truly yours,

Dorothy C. Burwell

**STATE OF WISCONSIN
COUNTY OF CALUMET
CERTIFIED COPY**

**I certify that this is a true and exact copy of
the original of which I am legal custodian for
the County Clerk of Calumet County.**

Signed by



County Clerk or Deputy County Clerk

12-22-2011

Date

RESOLUTION 2011-23

RESOLUTION SUPPORTING NIAGARA ESCARPMENT LEGISLATION

Motion:	Adopted: <input checked="" type="checkbox"/>
1 st <u>Connors</u>	Lost: <input type="checkbox"/>
2 nd <u>T. Laughrin</u>	Tabled: <input type="checkbox"/>
Yes: <u>21</u> No: <u>0</u>	Absent: <input type="checkbox"/>
Number of votes required:	
<input checked="" type="checkbox"/> Majority	<input type="checkbox"/> Two-thirds
Reviewed by:	Dawn Klockow Corp Counsel

WHEREAS, The Niagara Escarpment is a 650 mile long geologic feature of international scale and global importance that reaches across Wisconsin, Michigan, Ontario, and New York; and

WHEREAS, In Wisconsin, the Niagara Escarpment extends for a distance of over 230 miles and runs through Door, Kewaunee, Brown, Manitowoc, Calumet, Fond du Lac, Dodge, and Waukesha counties; and

WHEREAS, The Niagara Escarpment's cliff faces and high elevation on the landscape provide numerous important vistas and viewsheds, several of which are as much as 200 feet above the surrounding landscape; and

WHEREAS, The Niagara Escarpment corridor is home to high levels of biodiversity and unique plant and animal species, and over 240 different rare, threatened, or endangered plant and animal species have been identified along the Niagara Escarpment; and

WHEREAS, The Niagara Escarpment is known to have highly sensitive groundwater resources due to its composition of highly fractured bedrock and karst features; and

WHEREAS, The Niagara Escarpment is a valued vacation destination and important to the State's economy as it contains numerous high value passive recreation areas and contributes significantly to the tourism-based economy of many of the corridor's communities, and two of Wisconsin's most visited State Parks, Peninsula and High Cliff, lie along the Niagara Escarpment; and

WHEREAS, The Niagara Escarpment corridor has significant historical and cultural features which equate with both past and present uses of its resources. The Niagara Escarpment has also been used since Paleo-Indian times for ceremonial purposes which is evidenced by mounds sporadically located throughout the Niagara Escarpment corridor; and

WHEREAS, Due to the environmental, unique and recreational factors listed above, the Niagara Escarpment has been recognized by the Wisconsin Department of Natural Resources, in their *Land Legacy Report* to be a valuable 'Land Legacy Place'; and

	YES	NO	A
1 BARRIBEAU			
2 BUDDE			
3 CONNORS			
4 DIETRICH			
5 DRAHEIM			
6 GREEN			
7 HOPFENSPERGER			
8 KARTH			
9 KOENIG			
10 LAUGHRIN, P.			
11 LAUGHRIN, T.			
12 LEONHARDT			
13 MUELLER			
14 PRESCOTT			
15 SCHUH			
16 SOMMERS			
17 STECKER			
18 SCHWALENBERG			
19 STIER			
20 STILLMAN			
21 WIRTH			

WHEREAS, Although there is special funding for Bluffs and features such as the Baraboo Hills, there is no funding source specifically designated to protect or acquire critical or unique portions of the Niagara Escarpment; and

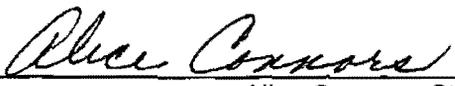
WHEREAS, Senate Bill 290 and Assembly Bill 395 provide for the inclusion of land acquisition in the Niagara Escarpment corridor and that under current law, the state may incur public debt for certain conservation activities, priority which is given to acquisition of land for the state for conservation activities and to award grants to certain nonprofit conservation organizations to acquire lands for these activities, under the Warren Knowles-Gaylord Nelson stewardship 2000 program, which is administered by the Department of Natural Resources. Amending the Wisconsin State Statutes to specifically list the Niagara Escarpment as a feature for which to designate a portion of the Knowles-Gaylord Nelson stewardship funds will help ensure funds are allocated to help protect critical and unique portions of the Niagara Escarpment.

NOW, THEREFORE, BE IT RESOLVED That the Calumet County Board of Supervisors herein assembled support the passage of Assembly Bill 395 and Senate Bill 290, which will help ensure funds are available to protect critical or unique portions of the Niagara Escarpment.

BE IT FURTHER RESOLVED That the Clerk is requested to send a copy of this Resolution to Governor Walker and all Calumet County Legislative Representatives, as well as the Wisconsin Counties Association, and all Wisconsin Counties.

Dated this 20th day of December 2011.

**INTRODUCED BY THE PLANNING, ZONING
AND FARMLAND PRESERVATION COMMITTEE**



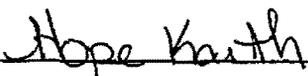
Alice Connors, Chair



Duaine Stillman



Ralph Prescott

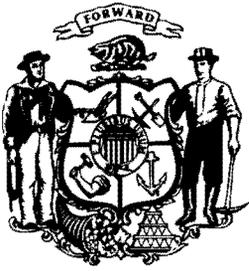


Hope Karth

COUNTERSIGNED BY



William Barribeau, County Board Chair



SCOTT WALKER
OFFICE OF THE GOVERNOR
STATE OF WISCONSIN

RECEIVED
WALWORTH COUNTY CLERK
P.O. Box 7863
MADISON, WI 53707
2011 DEC 16 AM 8:52

December 9, 2011

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

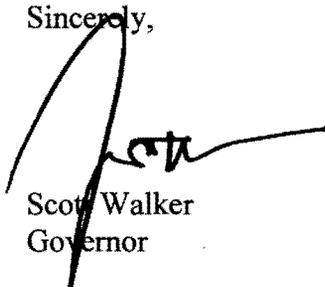
Dear Ms. Bushey,

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



RECEIVED
WALWORTH COUNTY CLERK
Wisconsin Department of Transportation

www.dot.wisconsin.gov

Scott Walker
Governor

2011 DEC 21 AM 9:58
Mark Gottlieb
Secretary

Office of the Secretary
4802 Sheboygan Avenue, Room 120B
P O Box 7910
Madison, WI 53707-7910

Telephone: 608-266-1113
FAX: 608-266-9912
E-mail: sec.exec@dot.wi.gov

December 19, 2011

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

Dear Ms. Bushey:

I am in receipt of your December 2, 2011 letter containing Walworth County Board Resolution Number 67-11/11 that urges the Wisconsin Department of Transportation (WisDOT) to pursue an environmental study related to a bypass of the Lauderdale Lakes area.

This important corridor is included in the National Highway System and is classified by WisDOT as a Wisconsin Corridors 2030 Connector Route. WisDOT is also aware that Southeastern Wisconsin Regional Planning Commission's 2035 Regional Transportation System Plan has identified this segment of USH 12 with a "red line" to designate it as a recommended candidate for a new arterial connection. The Plan also recognizes widening existing USH 12 as an alternative to building a USH 12 freeway on new alignment.

According to state statutes, creating a new freeway or widening of this magnitude requires action by the Transportation Projects Commission (TPC), as this project would be defined as a Major Highway Project. Major Highway Projects must start as Major Highway Study Projects – projects approved by the TPC for environmental study by WisDOT. WisDOT recommends Major Highway Study Projects for TPC consideration and approval, and only after an environmental document is finalized can the TPC recommend construction enumeration.

As you are aware, statewide transportation system needs far exceed available funding. Therefore, WisDOT must evaluate project needs within the context of statewide priority to ensure that the most beneficial projects are brought forward for consideration by the TPC as Major Highway Study Projects. Given the abundance of statewide need and financial constraints, WisDOT is presently investigating solutions to this corridor that will be less than a bypass or capacity expansion of the entire corridor.

Ms. Kimberly Bushey
December 19, 2011
Page 2 of 2

WisDOT is dedicated to providing a safe and efficient transportation system, so please be assured that the department will continue to monitor and evaluate needs on this corridor.

Thank you for your interest in this important corridor.

Sincerely,

A handwritten signature in black ink, appearing to read "Mark Gottlieb". The signature is written in a cursive, slightly slanted style.

Mark Gottlieb, P.E.
Secretary



State Representative

Samantha J. Kerkman

RECEIVED
WALWORTH COUNTY CLERK

2011 DEC 27 AM 9:12

December 21, 2011

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

Dear Chairperson Russell and County Board Members:

Thank you for sending me a copy of your Resolution No. 67-11/11, relating to the Board's urging the Wisconsin Department of Transportation to proceed quickly with a U.S. Highway 12 environmental impact study. I appreciate hearing the Board's position on this matter.

As always, the views of the Walworth County Board are welcomed and appreciated. Please feel free to contact me in the future on any legislative matter of interest.

Sincerely,

Samantha J. Kerkman
State Representative
66th Assembly District



Thank You
Mark Wuenstel
to:
kbushey@co.walworth.wi.us
12/21/2011 04:10 PM
Please respond to Mark Wuenstel
Show Details

Dear County Board Members:

Currently, approximately 75% of Wisconsinites live in counties that prohibit firearms in county-owned buildings. I'm very happy to be part of that majority! Thank you for looking out for the safety and well-being of the citizens and employees of our county.

Sincerely,

Mark Wuenstel
230 N Franklin St
Whitewater, WI 53190

UNITED STATES DISTRICT COURT 2011 DEC 20 AM 9:09
EASTERN DISTRICT OF WISCONSIN

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.)

Case No. 2:10-cv-0604-CNC

UNITED STATES' MOTION TO EXTEND DISPOSITIVE MOTION DEADLINE

Plaintiff, the United States of America, moves for additional time to file dispositive motions. The current deadline to file dispositive motions is December 30, 2011.

Discovery in this case closed on November 29, 2011. Counsel for the United States requested that Defendant Joseph Caravette provide all requested documents and answers to the Government's discovery requests by that date. Caravette, however, has been producing documents after that date, and it is expected that Caravette will be producing additional documents. These documents are relevant to evaluating the claims in this case, comparing the records Caravette provided to internal IRS records and making any appropriate adjustments to Caravette's income tax liabilities at issue in this case, and determining which claims may be settled and which are appropriate for summary judgment.

Thus, because Caravette is still producing relevant documents, the United States requests additional time to evaluate these documents and, if necessary, prepare a dispositive motion. Therefore, the United States requests that the deadline for the filing of dispositive motions be extended to January 31, 2012. There is currently no scheduled trial date, so the extension of this deadline will not affect any other deadlines in this matter.

Dated: December 16, 2011

Respectfully submitted,

JAMES L. SANTELLE
United States Attorney

s/ Daniel A. Applegate
DANIEL A. APPLGATE
Trial Attorney, Tax Division
U.S. Department of Justice
P.O. Box 7238, Ben Franklin Station
Washington, D.C. 20044
Telephone: (202) 353-8180
Fax: (202) 514-6770
daniel.a.applegate@usdoj.gov

CERTIFICATE OF SERVICE

IT IS HEREBY CERTIFIED that on December 16, 2011, service of the foregoing document has been made upon all participants in the Court's CM/ECF system. Service of the foregoing document has been made on the following non-participants in the Court's electronic filing system by U.S. Mail:

Joseph Caravette
935 Christa Court
Elk Grove Village, IL 60007

Kristin Caravette
935 Christa Court
Elk Grove Village, IL 60007

Fern Felski, Registered Agent for
Daddy's Home/Business Improvement
6183 W. Howard Ave.
P.O. Box 20991
Greenfield, WI 53220

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

s/ Daniel A. Applegate
DANIEL A. APPLGATE
Trial Attorney, Tax Division



January 10, 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
Delavan Lake Enterprises, LLC (Dana Montana – Owner)	Delavan, part of Tax Parcel F D 2500002	Rezone approx. .88 acres of M-2 Heavy Industrial District to B-4 Highway Business District.	January 10, 2012
Lakewood Farms Inc. (Stephen O’Bryan – Owner)	East Troy, parts of Tax Parcels P ET 400001 and 1C	Rezone & shoreland boundary correction on approx. 1.95 acres of C-2 Upland Resource Conservation & C-4 Lowland Resource Conservation Districts (shoreland) to C-2, C-4 & C-1 Lowland Conservation District (non-shoreland).	January 10, 2012
Dennis Garoutte	Sugar Creek, part of Tax Parcel G SC 800013	Rezone approx. 2.6 acres of A-4 Agricultural Related Manufacturing Warehousing and Marketing District to A-2 Agricultural Land District.	January 10, 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

c.c County Supervisor David A. Weber
 County Supervisor Rick Stacey
 County Supervisor Russ Wardle

December 19, 2011 – expanded
(December 15, 2011 County Zoning Agency meeting)

The proposed ordinance amendment has been tabled and there were no rezones at the public hearing.

There are no County Zoning Agency items to be placed on the January 10, 2012, County Board agenda.

Thanks!

Resolution No. 78-01/12
**Authorizing an Increase in the Per Diem Rate for the Citizen Members of the
Walworth County Board of Canvass**

1 Moved/Sponsored by: Executive Committee

2
3 **WHEREAS**, the Walworth County Board of Canvass performs the important job of reviewing
4 paperwork and vote totals for all County, State and Federal Elections, making any technical
5 corrections that may be required and certifying these results to the Government Accountability
6 Board and conducting recounts of any County, State or Federal Elections; and,

7
8 **WHEREAS**, Section 7.03 (1)(a) of the Wisconsin Statutes states that "*Except as authorized*
9 *under this paragraph, a reasonable daily compensation shall be paid to each inspector, voting*
10 *machine custodian, automatic tabulating equipment technician, member of a board of*
11 *canvassers, messenger, and tabulator who is employed and performing duties*
12 *under chs. 5 to 12.....*"; and,

13
14 **WHEREAS**, the Walworth County Board of Canvass currently receives a per diem rate of \$30
15 and has not received an increase since sometime prior to 1997.

16
17 **NOW, THEREFORE, BE IT RESOLVED** that the Walworth County Board of Supervisors
18 hereby authorizes an increase in the per diem for the citizen appointees to the County Board of
19 Canvass to \$50 per day effective upon adoption of the resolution.

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

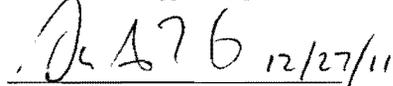
Kimberly S. Bushey
County Clerk

26
27 County Board Meeting Date: January 10, 2012

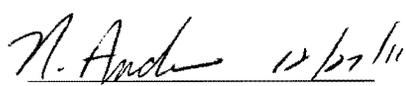
28
29 Action Required: Majority Vote X Two-thirds Vote _____ Other _____

Policy and Fiscal Note is attached.

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

 12/27/11

David A. Bretl Date
County Administrator/Corporation Counsel

 12/27/11

Nicole Andersen Date
Deputy County Administrator - Finance

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

Resolution No. 79-01/12
**Approving an Agreement by and between Walworth County and
Participating Carriers for the Provision of Enhanced 911 Service in the County**

1 Moved/Sponsored by: Executive Committee

2
3 **WHEREAS**, in September 1994, Walworth County (“County”) established, by ordinance, a
4 countywide 911 emergency telephone system (“System”); and,

5
6 **WHEREAS**, the County has funded the 911 system partially through a levy on the telephone
7 bills of each “land line” phone located in the county pursuant to the authority in section
8 256.35(3) Wis. Stats; and,

9
10 **WHEREAS**, given the decrease in the number of land line telephones in the county and the fact
11 that the maximum levy provided by statute is inadequate to fully fund the cost of the service, the
12 county must either make up the difference between the actual cost of service and the levy or
13 discontinue 911; and,

14
15 **WHEREAS**, the ability to dial 911 greatly improves public safety; and,

16
17 **WHEREAS**, Walworth County wishes to continue 911 service; and,

18
19 **WHEREAS**, AT & T Communications of Wisconsin, LP (“AT & T”), with the cooperation of
20 the 911 service providers listed in the attached agreement (“Participating Carriers”), is able to
21 provide the essential components of said System.

22
23 **NOW, THEREFORE, BE IT RESOLVED** by the Walworth County Board of Supervisors that
24 the appropriate County staff is hereby authorized to execute the attached agreement by and
25 between the County and Participating Carriers.

26
27
28
29
30 _____
31 Nancy Russell
32 County Board Chair

Kimberly S. Bushey
County Clerk

33
34 County Board Meeting Date: January 10, 2012

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

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

DA 76 12/29/2011
David A. Bretl Date
County Administrator/Corporation Counsel

N. Andersen 1/4/2012
Nicole Andersen Date
Deputy County Administrator - Finance

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

AGREEMENT FOR ENHANCED 9-1-1 SERVICE
WALWORTH COUNTY

AGREEMENT ("this Agreement"), made by and between WISCONSIN BELL, INC., d/b/a AT&T WISCONSIN, f/k/a SBC WISCONSIN (hereinafter referred to as "AT&T"), AT&T COMMUNICATIONS OF WISCONSIN, LP d/b/a TCG MILWAUKEE, INC; THE STATE LONG DISTANCE TELEPHONE COMPANY, LLC; CENTURYTEL OF THE MIDWEST-WISCONSIN, LLC; SPRINT COMMUNICATIONS COMPANY, L.P.; FRONTIER NORTH; SHARON TELEPHONE CO.; (hereinafter collectively referred to as "Participating Carriers"), and WALWORTH COUNTY, a municipal corporation existing under the laws of Wisconsin (hereinafter the "County").

WITNESSETH:

WHEREAS, the County, by ordinance, has determined to establish a county-wide emergency telephone system; and

WHEREAS, the County, by ordinance, has further determined to fund said system partially through a levy on the telephone bills of the users of said system as permitted by sec. 256.35(3), Stats.; and

WHEREAS, AT&T, with the cooperation and assistance of the Participating Carriers, is able to provide the essential components of such a system.

NOW, THEREFORE, in consideration of the mutual promises and covenants contained herein, AT&T, the Participating Carriers and the County hereby agree as follows:

1. Provision of Emergency Network and Universal Number Service

(a) AT&T agrees to install and maintain an Enhanced 9-1-1 (E 9-1-1) network system and to provide a universal central office number 9-1-1 for the use of the public emergency answering centers engaged in assisting local governments within the county in protecting the safety and property of the general public. Except as noted in Schedule A attached hereto and by this reference made a part hereof, the system will operate so that, when the number 9-1-1 is dialed, it will provide to all access lines served by central offices and carriers identified in Schedule B, the 9-1-1 system features described in Section 3 below.

(b) The network system will be furnished subject to the availability of appropriate facilities in AT&T's and the Participating Carriers' central offices and to the compatibility of the terminal equipment provided by the participating public agencies.

(c) The features offered under the E 9-1-1 system will be available 24 hours a day, 7 days per week.

(d) The system will be provided by AT&T with participation by the Participating Carriers and New Entrant Carriers as described in Section 7d.

(e) Provision of E 9-1-1 service by Participating Carriers is subject to the limitations, if any, listed in Schedule A of this agreement.

2. Application of Tariff

AT&T's provision of the services contemplated herein will be governed by AT&T's tariff, P.S.C. of W. 20, Part 20, Section 8, Universal Emergency Number Service - 911 Via End User Funding (hereinafter referred to as "Tariff"), the applicable provisions of which, as amended and in effect from time to time, are hereby incorporated by reference. The inclusion of individual provisions of the Tariff in this agreement will not be construed as an exclusion of any other Tariff provision.

3. Network Features

The following E 9-1-1 system features, as described by the Tariff, will be provided to the County:

- (a) Automatic Number Identification (ANI)
- (b) Automatic Location Identification (ALI)
- (c) Selective Routing (SR)

4. Grade of Service

AT&T's and the Participating Carriers intent will be to provide at least the same level of service reliability and quality as the telephone service being provided in the exchanges where 9-1-1 is offered.

5. Network Configuration

AT&T, the Participating Carriers, and the County agree that the exchange areas identified in Schedule B, attached hereto and by this reference made a part hereof, by their designated telephone number prefixes, as established by AT&T and the Participating Carriers, and as filed with the Public Service Commission of Wisconsin ("PSCW"), and the number of circuits associated with each exchange, will comprise the County E-9-1-1 system as of the date of execution of this Agreement. In some cases, multiple carriers may serve the same number prefixes and exchange areas. The County, acting through its 911 PSAP Coordinator, AT&T, and the Participating Carriers may agree on changes to this configuration at any time and such changes will be reflected in Schedule B and in the rates specified in Schedules C and D attached hereto and by this reference made a part hereof. Revised Schedules B, C, and D will be filed with the PSCW with the line count described in Section 7 of this Agreement.

6. Monitoring and Testing

The rates charged for E 9-1-1 service do not contemplate and AT&T and the Participating Carriers will not undertake inspection or constant monitoring to discover errors, defects and malfunctions of the services. The County or participating public agencies shall have the responsibility of discovering all errors, defects and malfunctions, and assumes the duty of, and will make such tests, as, in the judgment of the County and/or the participating public agencies, are required to determine whether the system is functioning properly for its use. The County shall promptly notify AT&T in the event that the system is not functioning properly.

7. Service User Rates

(a) The County may provide, by ordinance, that AT&T and the Participating Carriers bill the nonrecurring and recurring charges to service users within the County as provided in sec. 256.35(3), Stats. and in the manner described in AT&T's tariff P.S.C. of W. 20, Part 20, Section 8.

(b) In accordance with sec. 256.35(3), AT&T or the Participating Carriers may petition the PSCW to charge service users that are outside of the County. For purposes of determining the charges to be so billed, the rates provided in Schedule C, attached hereto and incorporated by reference, will control for the initial service period.

(c) AT&T and the Participating Carriers may review the access line counts annually and will provide the count in writing to the County. Subsequently, AT&T Wisconsin will also notify the County in writing of any adjustment to the user fee rate. Barring any prior written challenge to this re-calculated user fee rate, the rate will be incorporated into this Agreement going forward until subsequently modified by this or other provisions identified in this Agreement.

(d) Separate and distinct from the annual review outlined in subsection (c) above, the following provisions apply in an event where a local exchange carrier that is certified by the PSCW but is not already party to this Agreement ("New Entrant Carrier") begins providing local exchange service in the County:

(1) Such New Entrant Carrier may become a party to this Agreement by providing written notice to all Parties to this Agreement that it fully accepts all terms and conditions of this Agreement. The rates, costs and access line counts will be recalculated by AT&T ("NEC Recalculation") in accordance with the same methodology used to create the initial rates and access line counts and put into effect on the New Entrant Carrier Rate Date ("NEC Rate Date") as described below. In the event that a Party ceases to provide local exchange service in the County, AT&T will also include any resulting redistribution or reduction of access line counts or costs into account when performing the NEC Recalculation. Schedules B, C and D will be updated in accordance with the NEC Recalculation.

(2) There will be a maximum of two (2) NEC Rate Dates on **January 1st** and **July 1st** in each year. All New Entrant Carriers who begin or Participating Carriers who cease providing local exchange service in the county at least sixty (60) days prior to a NEC Rate Date will be included in the NEC Recalculation to be put into effect by that date. Any New Entrant Carriers who begin or Participating Carriers who cease providing local exchange service less than sixty (60) days prior to a NEC Rate Date or after a NEC Rate Date will not have its access lines included in the New Entrant Recalculation until the next NEC Rate Date. The NEC Carrier will be considered a Participating Carrier when the NEC Rate Date becomes effective.

(3) AT&T will provide the Parties with the new rates, costs and access line counts from the NEC Recalculation at least thirty (30) days prior to the NEC Rate Date. Unless a Party provides written notice to all Parties that it objects to the new rates, costs or access line counts, ("Objection Notice") within fifteen (15) days of receipt of the new rates, costs, or access line counts from the NEC Recalculation, the new rates and access line counts will be deemed accepted by all Parties and put into effect on the NEC Rate Date. All Objection Notices must be accompanied by a written explanation as to why the Party objects to the NEC Recalculation. A Party may not provide an Objection Notice that such Party objects to the addition of a New Entrant Carrier.

(4) The Parties will endeavor to resolve any Objection Notices prior to the NEC Rate Date. If the Parties resolve an Objection Notice after an NEC Rate Date, the new rates, costs, or access line counts will be put into effect in the next full calendar month after a resolution is reached. If the Parties cannot resolve an Objection Notice within sixty (60) days of the day that the Objection Notice was sent by a Party, any Party may petition the PSCW to resolve the issue.

8. County Charges.

(a) The total nonrecurring and recurring rates associated with the system are shown on Schedule C attached hereto and by this reference made a part hereof.

(b) Due to the limitations imposed by Wis. Stats. 256.35(3)(b) condition 8, the County would be responsible for any charges in excess of the limitations imposed by Wis. Stats. 256.35(3)(b) condition 8.

9. Limitation of Liability

(a) E 9-1-1 service is provided solely for the benefit of the County and the participating public agencies. The provision of 9-1-1 service by AT&T and the Participating Carriers will not be interpreted, construed or regarded either expressly or implied as being for the benefit of, or creating any obligation toward any third person or entity other than the County.

(b) AT&T and the Participating Carriers do not undertake to answer or forward 9-1-1 calls, but furnish the use of their facilities to enable the County and all participating public agencies and their personnel to respond to such calls when received by such personnel on the County's or participating public agencies' premises.

(c) The County will not be liable for any losses or damages arising out of errors, interruptions, defects, failures or malfunctions of the E 9-1-1 service prior to the information being received at the Public Safety Answering Point (PSAP). AT&T and the Participating Carriers will not be liable for any losses or damages arising out of errors, interruptions, defects, failures or malfunctions of the E 9-1-1 service after the information has been received at the Public Safety Answering Point. Nothing in this agreement will operate as a waiver of any limitation of liability of AT&T or the Participating Carriers as provided in sec. 256.35(7), Stats.

(d) AT&T's and the Participating Carrier's liability for any loss or damages arising out of errors, interruptions, defects, failures or malfunctions of the E 9-1-1 service, including any and all equipment and data processing systems associated therewith, will not exceed the greater of \$50.00 or an amount equal to the pro rata charges for the service during the period that the service was fully or partially inoperative and after AT&T and any Participating Carrier has been notified of such interruption, defect, failure or malfunction and has had a reasonable time for repair.

(e) Subject to the limitations as set forth in Section 9 above; Each of the parties hereto agree to release, indemnify, defend and hold harmless, each other party, and its affiliates, its and their officers, directors, employees and suppliers from any and all loss, cost, claims, demands, suits or other action for (i) any personal injury to or death of any person or persons, (ii) any loss, damage or destruction of property, or (iii) any infringement or invasion of the right to privacy of any person or persons, caused or claimed to have been caused directly or indirectly, by the installation, operation, maintenance, removal, or presence, condition, occasion, or use, or failure to install, operate, maintain, remove, or by the presence, condition, occasion or use of E 9-1-1 service, its features and equipment associated therewith, or by any services or information furnished in association therewith to the extent that any such loss, cost, claim, demand, suit or other action will be grounded on the negligent or wrongful acts or omissions of any employee, agent or equipment of the releasing party.

10. Term of Agreement and Initial Service Period

(a) This Agreement will be effective for a period of three (3) years commencing on the initial service date and at the expiration of such three year term, will be automatically renewed on an annual basis until replaced by a successor agreement negotiated by the Parties. Unless otherwise agreed upon in writing between the County and AT&T Wisconsin (with notice to the Participating Carriers), the effective initial service date will be the next subsequent first of the month following the execution of this Agreement by the County. Notwithstanding the foregoing, neither AT&T nor the Participating Carriers will be liable in damages (special, consequential or otherwise) resulting from delays in the initial service date.

(b) In the event a Participating Carrier ceases to provide local exchange service in the county or seeks to withdraw from this Agreement for other reasons, such Participating Carrier shall provide sixty (60) days written notice to the remaining Participating Carriers and the County of its intent to withdraw. If the Participating Carrier seeks to withdraw from this Agreement for reasons other than cessation of its provision of local exchange service in the county, it shall also provide 60 days advance notice to the PSCW and comply with any conditions imposed by the PSCW on such withdrawal.

(c) In the event that the County or any participating public agency cancels service prior to installation, the County and any canceling public agency will be liable for payment of an amount equal to the cost of engineering, equipment orders, installation, assembly, labor, cost of removal and any other costs incurred up to the time of cancellation which have resulted due to this order for service; said payment not to exceed the total installation charges.

(d) Neither the County nor any participating public agency will be held liable for any costs relating to delays necessitated by securing the approval of this Agreement by the PSCW.

11. Execution

This Agreement may be executed in two or more counterparts each of which shall be considered an original, but one and the same instrument.

12. Entire Agreement

The terms contained in this Agreement and any attachment(s) referred to herein, which are incorporated into the Agreement by this reference, including Schedules A, B, C, and D constitute the entire agreement by, between, and among the County, AT&T, and the Participating Carriers with respect to the subject matter hereof, superseding all prior understandings, proposals and other communications, oral or written. Except as otherwise set forth in this Agreement, this Agreement may only be modified in a writing signed by the Parties. Notwithstanding the foregoing, this Agreement is not intended to replace or supersede any E 9-1-1/9-1-1 compensation arrangements between the Participating Carriers, including but not limited to E 9-1-1/9-1-1 terms and conditions that may be part of an interconnection agreement or any applicable tariff.

IN WITNESS WHEREOF, the parties, by their duly authorized agents, have executed this Agreement as of the day and date set forth beneath the signatures of each but effective as of the date first set forth above.

PARTICIPATING CARRIERS

<p><u>WALWORTH COUNTY</u></p> <p>By _____</p> <p>Attest _____</p> <p>Date: _____</p>	<p><u>WISCONSIN BELL, INC.</u> <u>d/b/a AT&T WISCONSIN</u></p> <p>By _____</p> <p>Attest _____</p> <p>Date: _____</p>
<p><u>CENTURYTEL OF THE MIDWEST- WISCONSIN, LLC</u></p> <p>By _____</p> <p>Attest _____</p> <p>Date: _____</p>	<p><u>THE STATE LONG DISTANCE TELEPHONE COMPANY, LLC.</u></p> <p>By _____</p> <p>Attest _____</p> <p>Date: _____</p>
<p><u>SHARON TELEPHONE CO.</u></p> <p>By _____</p> <p>Attest _____</p> <p>Date: _____</p>	<p><u>TCG MILWAUKEE, INC.</u></p> <p>By _____</p> <p>Attest _____</p> <p>Date: _____</p>

**SPRINT COMMUNICATIONS COMPANY,
L.P.**

By _____

Attest _____

Date: _____

FRONTIER NORTH

By _____

Attest _____

Date: _____

Schedule A

*Confidentiality of individual carrier line counts has been requested and thus Schedule C reflects an aggregate billable line count.

These schedules do not include the costs for the following companies who either refused to participate or failed to provide their costs in a reasonably timely manner:

Charter FiberLink 6481 lines

Schedule B

<u>Carriers</u>	<u>Central Office Circuits</u>
AT&T	12
The State Long Distance Telephone Company, LLC	4
CenturyTel of the Midwest Wisconsin, LLC	2
Frontier North	4
Sharon Telephone Company	2
SharonNC	2
TCG Milwaukee, Inc.	2
Sprint Communications Company, L.P.	2

Exchanges

BOHNERS LAKE
BURLINGTON
DARIEN
DELAVAN
EAGLE
EAST TROY
ELKHORN
GENOA CITY
LAKE GENOA
MUKWONAGO
PALMYRA
RICHMOND
SHARON
WALWORTH
WATERFORD
WHITEWATER
WILLIAMS BAY

Schedule C

	Billable Access		
	Lines	Non- Recurring	Recurring
AT&T		PAID	\$19,450.00
The State Long Distance Telephone Company, LLC		PAID	\$487.71
CenturyTel of the Midwest-Wisconsin, LLC		PAID	\$484.77
Frontier North		PAID	\$655.07
Sharon Telephone Co		PAID	\$212.81
SharonNC		PAID	\$119.04
Sprint Communications Company, L.P.		PAID	\$227.79
TCG Milwaukee, Inc.		PAID	\$126.54
	See Schedule A		
Total	47,105		\$21,763.73

	Monthly Rate
Install	\$0.000
Monthly	\$0.46
	\$0.46
Monthly Subscriber Rate (rounded)	\$0.46

Effective date:

ORDINANCE NO. 705 – 01/12

AMENDING SECTION 30-259 OF THE WALWORTH COUNTY CODE OF ORDINANCES RELATING TO CAPITAL ASSET USEFUL LIFE OF BRIDGES

THE WALWORTH COUNTY BOARD OF SUPERVISORS DOES ORDAIN AS FOLLOWS:

PART I: That Section 30-259 of the Walworth County Code of Ordinances is hereby amended as follows (additions shown by underline; deletions shown by strike-through):

“Sec. 30-259. Useful life.

Useful life of the two Infrastructure Networks will be as follows:

Roads:	Road base (gravel, etc) - 60 years
	Asphalt concrete - 20 years
	Portland cement concrete – 30 years
Bridges:	Concrete <u>Constructed prior to 01/01/2011</u> – 50 years
	<u>Constructed after 01/01/2011</u> – 70 years

PART II: That this ordinance shall become effective retroactively as of December 31, 2011 for the purposes of the 2011 financial statements.

PASSED and ADOPTED by the Walworth County Board of Supervisors this 10th day of January, 2012.

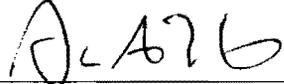
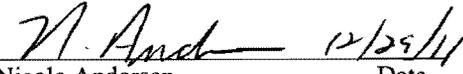
Nancy Russell
County Board Chair

Kimberly S. Bushey
Attest: County Clerk

County Board Meeting Date: January 10, 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:

	
12/29/2011	12/29/11
David A. Bretl County Administrator/Corporation Counsel	Nicole Andersen Deputy County Administrator - Finance

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

Ordinance No. 705 - 01/12
Fiscal Note and Policy Impact Statement

- I. Title:** Amending Section 30-259 of the Walworth County Code of Ordinances Relating to Capital Asset Useful Life of Bridges
- II. Purpose and Policy Impact Statement:** At the suggestion of the Walworth County Operations Manager and confirmed by the Wisconsin Department of Transportation Bridge Maintenance Engineer, new bridge construction has been determined to last longer than current existing bridges. We are recommending a 70-year life for new bridges. A bridge was replaced in 2011, and this new policy will be retroactively in effect for the December 31, 2011 financial statements.
- III. Is this a budgeted item and what is its fiscal impact:** Depreciation is not budgeted in governmental funds where all bridge construction is currently recorded. No current or future year budget impact is expected.

The fiscal impact will only appear in the government-wide financial statements where depreciation will be less per year due to the extended life of new bridges.

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

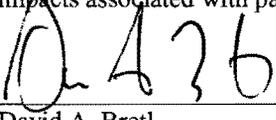
Committee: Finance

Date: December 22, 2011

Vote: 5 - 0

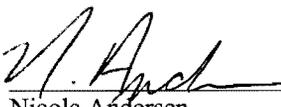
County Board Meeting Date: January 10, 2012

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
County Administrator/Corporation Counsel

12/28/2011
Date



Nicole Andersen
Deputy County Administrator - Finance

12/29/11
Date

ORDINANCE NO. 706 – 01/12

**CREATING CHAPTER 28 OF THE WALWORTH COUNTY CODE OF ORDINANCES
RELATING TO ECONOMIC DEVELOPMENT AND LOAN ADMINISTRATION**

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

**PART I: That Chapter 28 of the Walworth County Code of Ordinances entitled
“Economic Development” is hereby created to read as follows:**

**“ARTICLE I.
IN GENERAL**

Sec. 28-1. Purpose.

The purpose of this ordinance is to establish policies concerning the establishment of businesses within Walworth County and their growth and development, to provide income to citizens through good jobs and to increase the property tax base. Rather than directly providing tax dollars to private businesses, the county views its role as creating an environment in which business can be successful. Assisting businesses in applying for grants and maintaining a revolving loan fund are two activities that can create such an environment. When considering a request to participate in a state or federal grant opportunity to assist business, the county shall consider the following impacts:

- (a) Financial responsibilities placed directly on the County if the business were to default on an agreement;
- (b) Non-county funding source availability;
- (c) Financial benefits to the citizens of Walworth County such as job creation and growth in tax base;
- (d) Potential legal costs or ramifications;
- (e) Additional workload placed on current County staff; and,
- (f) Other risks or benefits as determined by the County.

Secs. 28-2--28-50. Reserved.

**ARTICLE II.
REVOLVING LOAN ADMINISTRATION**

1 **Secs. 28-51—28-75. Reserved.**

2
3 **Sec. 28-76. Revolving Loan Fund Manual.**

4
5 The County Board shall adopt a revolving loan fund manual which will guide the creation
6 of any loan agreements that may be entered into by the County.

7
8 (a) The Finance Committee shall be authorized to make loan administration decisions
9 related to:

- 10 (1) Amendments and review of the revolving loan fund manual to further assist with
- 11 responsibilities assigned;
- 12 (2) Selection of a program administrator, when applicable;
- 13 (3) Approval of loan applications; and,
- 14 (4) Monitoring of compliance related to loan agreements, financial reporting
- 15 requirements, loan collections, and program administration.

16
17 (b) The manual shall be reviewed prior to the acceptance of any new grant contracts,
18 programs, or amendments to funds available.

19
20
21 **Secs. 28-77--28-999. Reserved.”**

22
23
24 **PART II: That this Ordinance shall become effective upon passage and publication.**

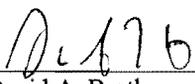
25
26
27 **PASSED and ADOPTED** by the Walworth County Board of Supervisors this 10th day of
28 January 2012.

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

36 _____
37 Kimberly S. Bushey
Attest: County Clerk

County Board Meeting Date: January 10, 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:	
	
David A. Bretl	Nicole Andersen
12/27/2011	12/27/11
Date	Date
County Administrator/Corporation Counsel	Deputy County Administrator - Finance
If unsigned, exceptions shall be so noted by the County Administrator.	

Resolution No. 80 – 01/12
Adopting a Revolving Loan Fund Manual

1 Moved/Sponsored by: Finance Committee

2
3 **WHEREAS**, the County has entered into an agreement for the receipt of a Community
4 Development Block Grant (CDBG) on behalf of Crunch Holding Corporation; and,

5
6 **WHEREAS**, the receipt of CDBG funds in an amount not to exceed \$1,300,000 shall be
7 distributed to said Crunch Holding Corporation for the purchase of equipment with the intention
8 of creating jobs in Walworth County; and,

9
10 **WHEREAS**, the acceptance of the CDBG funds requires the County to adopt a Revolving Loan
11 Fund Manual; and,

12
13 **WHEREAS**, provided Crunch Holding Corporation fulfills the terms of the grant, said grant
14 shall be forgiven as part of the CDBG agreement at no cost to the County; and,

15
16 **WHEREAS**, the County has approved creation of Chapter 28 Economic Development in the
17 Walworth County Code of Ordinances, which includes adoption of the Revolving Loan Fund
18 Manual and administration of future changes to same.

19
20 **NOW, THEREFORE, BE IT RESOLVED** that the Walworth County Board of Supervisors
21 hereby adopts the Revolving Loan Fund Manual, a copy of which is attached hereto.

22
23 **BE IT FURTHER RESOLVED** that such manual will be effective immediately and shall be
24 used in the administration of the current CDBG grant agreement.

25
26
27
28
29
30 _____
31 Nancy Russell
32 County Board Chair

30 _____
31 Kimberly S. Bushey
32 County Clerk

33
34 County Board Meeting Date: January 10, 2012

35
36 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
County Administrator/Corporation Counsel

12/29/2011

Date



Nicole Andersen
Deputy County Administrator – Finance

12/29/11

Date

Policy and Fiscal Note
Resolution No. 80 – 01/12

- I. **Title:** Adopting a Revolving Loan Fund Manual

- II. **Purpose and Policy Impact Statement:** The purpose of this resolution is to adopt a Revolving Loan Fund Manual.

- III. **Budget and Fiscal Impact:** There is no fiscal impact for the adoption of this manual.

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

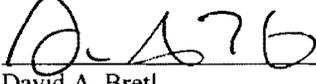
Committee: Finance

Meeting Date: December 22, 2011

Vote: 5-0

County Board Meeting Date: January 10, 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.

 12/29/11

Date
David A. Bretl
County Administrator/Corporation Counsel

 12/29/11

Date
Nicole Andersen
Deputy County Administrator – Finance



Walworth County Revolving Loan Fund Manual

Adopted: DRAFT

Walworth County, Wisconsin

100 W. Walworth Street

Elkhorn, WI 53121

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General Information

Purpose

The purpose of the policies and procedures contained in this Revolving Loan Program Manual, hereafter referred to as the Manual, is to present the criteria, and guidelines for the administration of the Walworth County Economic Development Revolving Loan Fund hereafter referred to as the Fund.

Objectives

Economic development activities assisted with funds made available through the Revolving Loan Program are intended to meet the following objectives:

1. To encourage the creation and retention of permanent jobs that provide a wage appropriate to the skills and experience of the local work force. A minimum of fifty-one percent (51%) of jobs created will be made available to persons with low to moderate incomes.
2. To encourage the leveraging of private investment into Walworth County in the form of fixed asset investment, particularly in land, buildings, and equipment.
3. To perpetuate a positive and proactive business climate that encourages the retention and expansion of existing businesses and helps to attract desirable new businesses.
4. To maintain and promote a diverse mix of employment opportunities and to minimize seasonal or cyclical employment fluctuations.
5. To encourage the development and use of modern technology and create safe work environments.

Amendments

Walworth County Board of Supervisors may, from time to time, amend the policies and procedures contained in the Manual in accordance with the County ordinance.

Administration

Program Administrator

The Walworth County Finance Committee shall cause there to be a program administrator, who will be responsible for:

- Reviewing applications for completeness and eligibility
- Providing preliminary application review and recommendations on funding decisions to the Fund governing body
- Managing and servicing loans made through the Fund to ensure continued compliance with all loan covenants as set forth by the Fund governing body, the Manual and all applicable laws of the State of Wisconsin
- Ensuring that activities funded through the Fund are in compliance with all rules outlined in the Manual
- Providing information on the program to prospective applicants (both written and orally), assisting applicants in completing applications, and processing requests for financing
- Preparing loan agreements, promissory notes and mortgages or lien instruments.
- Ensuring all original loan closing documentation is provided to the County.
- Maintaining a copy of the loan closing documentation checklist

The Administrator, when necessary and appropriate, will counsel or guide applicants to other appropriate technical or financial resources when necessary.

The selection of a Program Administrator must comply with all applicable procurement processes for the County and the State of Wisconsin's Community Development Block Grant program.

Walworth County Finance Committee

The governing body of the Fund, the Walworth County Finance Committee, hereafter referred to as the Committee, is responsible for making all funding decisions regarding loan applications presented to them by the Program Administrator. The Committee is also responsible for approving any changes to loans made from the Fund.

Financial Records

The Program Administrator will periodically review all financial statements and loan amortization schedules of loan recipients; review and approve documentation of business expenditures financed with Fund proceeds, record security instruments for loans made by the Fund; and assist the County with the maintenance of the Fund's accounting records, which must be segregated from other County accounts.

Meetings

Pursuant to section 19.84, Wisconsin Statutes, all Committee members will be given notice prior to each meeting. Official actions must have the support of a simple majority of the Committee.

Records

Written records of all program activities, including minutes of the Committee meetings, at which action is taken with regard to the Fund, loan applications, and all related documents, will be maintained in appropriate files. Files are to be maintained by the program administrator in a secure place with limited access only by authorized personnel.

A master file must be established for each loan recipient. These files are to be maintained in a locked file cabinet. The master file must include the following sub-files and contents (as appropriate):

1. Loan Application - All application, business financial statements, personal financial statements, credit reports, business plan documents, and other supporting loan information submitted to the program administrator, including all applicable correspondence, will be placed in this file.
2. Loan Recommendation - This file will contain a summary of the analysis, recommended actions for the application, and a copy of the minutes of the Committee meeting summarizing the action taken on the loan request.
3. Loan Closing - This file contains copies of all loan closing documents. This file contains the legal documents from the loan closing, including security instruments, the note, and other applicable correspondence. Copies of the loan closing documents and an amortization schedule will be provided to the loan recipient along with an invoice, if appropriate, for loan closing and servicing fees.
4. Servicing - A servicing file should be established and maintained to ensure that loan repayments, financial information, the loan agreement, UCC updates, and other time-sensitive documentation is tracked and obtained or updated as required. The file should also include documentation necessary to ensure compliance with the program rules outlined in the Manual such as:
 - a. Financial Statements - The business' periodic financial statements as required by loan covenants.
 - b. Progress Reports - Periodic progress reports may be required to outline progress made on projects funded through the Fund.

- c. Site Visits – Some projects may require the program administrator to verify progress on projects funded through the Fund.

The Program Administrator shall make the master file available to the County and its auditors to ensure compliance with the Community Development Block Grant program guidelines, as well as any other program guidelines, ordinances, and statues that may apply to this or any future program covered under the Manual. Further the County may ask for copies of documents from the Master File that it deems necessary to maintain for audit purposes.

Administrative Expenses

Reasonable administrative fees may be charged to the Fund to cover personnel costs and other administrative expenses. Administrative expenses may not exceed 15% of program income (defined as loan payments received during the year, plus interest on bank balances, and other income to the program), or the amount specified by the source of funds. In addition to paying the costs of the Program Administrator, these funds may be used for the following purposes:

1. Legal costs;
2. Consulting fees for credit analysis, business plan reviews and technical assistance;
3. Costs associated with the advertising and promotion of the loan program;
4. Office supplies, copying, mailing and related expenses; and
5. Training costs for personnel involved in administering the program.

Application and Closing Fees

To defray administrative costs related to closing loans, the Program Administrator may assess fees for processing an application or servicing a loan up to \$150 or 1% of borrowed funds, whichever is greater. All fees collected must be deposited into the Fund.

Eligibility Considerations

Eligible Area

Projects must be located within the municipal boundaries of Walworth County in order to be eligible for loans made through the Fund.

Eligible Applicants

Applications may be submitted by any business wishing to establish a new operation or expand an existing operation located within Walworth County.

No member of the Walworth County Board of Supervisors, employee or agent of Walworth County or the Program Administrator who exercises decision-making functions or responsibilities in connection with the implementation of the Fund is eligible for financial assistance under this program.

No loans will be made in conflict with section 946.13 Wisconsin Statutes (Private Interest in Public Contract Prohibited).

Applicants may not be disqualified based on age, race, religion, color, handicap, sex, physical condition, or development disability as defined in s. 51.01 (5), sexual orientation or national origin.

Eligible Activities

Loans are available to applicants through the Fund for the following activities:

1. Acquisition of land, buildings and fixed equipment;
2. Site preparation and construction or reconstruction of buildings (including leasehold improvements);

3. Installation of fixed equipment;
4. Clearance, demolition, or removal of structures or rehabilitation of buildings (including leasehold improvements) and other such improvements; and
5. Working Capital.

Ineligible Activities

Program loans may not be used for the following activities:

1. Refinancing or consolidating of existing debt;
2. Residential construction or reconstruction unless such reconstruction is intended to convert the use of the residential building to a business or industrial operation and;
3. Ongoing operating expenses

Ineligible Businesses

Program funds may not be made available to the following entities:

1. Speculative investment companies;
2. Real estate investment companies (except for facilities from which the business operates);
3. Lending institutions;
4. Gambling operations;
5. Adult entertainment businesses;
6. Recreational facilities which do not allow access to the general public;
7. Other businesses not serving the interests of the Walworth County Economic Development Alliance;
8. Any government body or governmental entity (including Walworth County); and
9. Not-for-profit businesses or organizations.

Additionally, businesses are allowed only one outstanding loan under the Fund. In order to apply and be considered for a subsequent loan under the program, the outstanding balance (principal and interest) of the existing loan must be paid in full.

Minimum Requirements

To be eligible for funding, a project must meet all of the following minimum requirements:

1. Private Funds Leveraged - The applicant must leverage a minimum of one dollar of private funds for every one dollar of loan funds requested. Higher leverage may be required at the discretion of the Committee.
2. Cost Per Job Created - At least one full-time, permanent position must be created or retained for every \$20,000 of program funds requested. The Committee may require job creation at a rate greater than one job per \$20,000 loaned, upon taking into consideration the type of jobs, hourly wage, benefits, etc.
3. Financial Feasibility and Business Viability - The applicant must demonstrate that the proposed project is viable and the business will have the ability to repay the funds.
4. Low and Moderate Income (LMI) Benefits - The project will provide increased permanent employment or will retain existing jobs which would have been lost locally. Of the jobs created

or retained by the project, at least 51 percent must be made available to low or moderate income persons as defined by the U.S. Department of Housing and Urban Development.

5. Compliance with Applicable Laws - Applicants will comply with all applicable local, state, and federal laws and codes.

Job Retention

It is the intent of Committee to utilize the Fund to foster development of new jobs in the community. Under exceptional circumstances, the Committee may consider loans to businesses for job retention. In order for retained jobs to be considered, the following conditions must be met:

1. The jobs must provide benefits consistent with those provided by a majority of area businesses; and
2. The business must provide convincing proof that the jobs would be eliminated or transferred outside of the Walworth County if the loan were not made available.

Terms and Conditions

Loan terms and conditions will be structured based upon need and ability to repay. Minimum standards include the following:

1. Interest Rate – The Committee will set an interest rate subject to the following considerations:
 - a. The interest rate on all Program loans at or under \$15,000 will be set at 4.00%.
 - b. The interest rate on loans at or above \$15,001 may be set from a minimum of 2.00% to a rate equal to 2.00% above prime (defined as the prime rate of interest as published in the Midwest edition of the Wall Street Journal plus 2.00%).
2. Loan Terms. Loan terms will be determined by the Committee subject to the following guidance:
 - a. Equipment – Up to 7 years (not to exceed useful life of equipment)
 - b. Fixtures – Up to 5 years
 - c. Real estate loans – 10 years, amortized over 20 years.
3. Deferral of Principal and Interest - The Committee may recommend deferring principal and/or interest payments.
4. Prepayment - There are no penalties for prepayment of a loan.
5. Collateral – The Committee will seek a collateral position to ensure that Fund is adequately secured.

Application Procedures

Discussion of Program Requirements

Prior to submitting an application, the applicant must discuss the program with the Program Administrator. The Program Administrator will assist the applicant, as is reasonably necessary, in completing the application.

Timing of Applications

There is no prescribed funding cycle for this program. Applications may be submitted at any time.

Priority of Consideration

Applications are reviewed in the order received and based on readiness for the proposed project to proceed. In the event that the loan funds requested exceed available funds, the following criteria will be used to determine which business(es) will be awarded the loan(s):

- a) Eligibility of the applicant.
- b) Eligibility of the project to be undertaken.
- c) Ability of the project to secure funding from other sources.
- d) Extent to which other public funds are used to support the project.
- e) The extent to which private funds are leveraged.
- f) The extent to which jobs are created, type of jobs, wages and benefits.
- g) The extent to which the loan will be secured.
- h) Evidence of ability to repay the loan.
- i) Size of the loan requested.
- j) Timing of the proposed expenditures.
- k) Completeness of the application.
- l) Other factors as deemed appropriate by the Walworth County Finance Committee.

Loan Application

Applicants must submit an application using the approved form available for the Fund and that includes the following:

1. Business Description - A written description of the business including:
 - a. A brief history of the existing or proposed business, including when it started or is to start, type of operation, legal structure, market and products;
 - b. Key customers and clients;
 - c. Resumes of each principal associated with the business including number of years experience in the business, educational background, and role in the business; and
 - d. A financial history of the business including balance sheets, profit/loss statements, cash flow statements, and accountant notes for the previous three years.
2. Project Description - A detailed description of the sources and uses of the funds needed for the project, including Fund funds, private sector funds, equity, etc.
3. Commitments from Other Lenders - Letters of commitment are required from all other public and private sector entities providing financing for the project. Lender commitments should include a description of the type of financing being offered, the term, interest rate, security, availability, repayment schedule and amounts, and any conditions placed on the financing.
4. Projections – Applicants must provide pro formas (a balance sheet, income statement and cash flow statement) covering a three year period based on the assumption that the business will obtain a loan from the Committee.
5. Additional Information. Additional information may be requested by the Committee or the Program Administrator.

Review Process

Specific steps in the review process include the following:

1. Preliminary Review - The Program Administrator will review the application for completeness and verify that the proposed project meets the minimum requirements. If the application is not complete, the Program Administrator will inform the applicant of the deficiencies.
2. Formal Review - The Committee will review applications prior to the next regularly scheduled Committee meeting, and at said meeting will determine whether to approve, deny or table the application.
3. Negotiation of Terms & Notice - Upon approval by the Committee, the Program Administrator will contact the business in writing to explain the terms of the loan offer being extended.
4. Rejection - If the applicant is not approved, the Program Administrator will send a letter to the applicant stating the reasons for the rejection.

Distribution of Funds

Loan Procedures

Prior to releasing funds, the following documentation must be in place or provided at the appropriate time during the term of the loan.

1. Loan Agreement - The Program Administrator will prepare a loan agreement to be executed by a designated person of the County and the business.
2. Promissory Note - A promissory note will be prepared by the Program Administrator and signed by an authorized representative of the business at the time of the loan closing. The note must be witnessed and dated, it must reference the agreement between the Committee and the business, and it must specify the amount and terms of the loan funds delivered.
3. Security – Mortgage and/or lien instruments and/or personal guarantees provided as security for all loans will be prepared by the Program Administrator, and executed at the time of the loan closing.
4. Repayment Schedule - A loan repayment or amortization schedule will be prepared by the Program Administrator at the time funds are disbursed. The repayment schedule will be attached to both parties' copies of the agreement.
5. Evidence of Permits, etc. - Documentation must be provided by the applicant that all necessary permits, licenses, and other registrations required have been obtained by the applicant prior to the release of program funds.
6. Evidence of Program Expenditures - Documentation must be provided by the business to evidence the program expenditures. Documentation may include bills and invoices or receipts for materials, final bills of sale or cancelled checks. All documentation must be approved by the Program Administrator.
7. Fixed Equipment - Fixed equipment financed through the Fund must have been purchased, delivered and installed. The Program Administrator will verify the installation of fixed equipment.
8. Other Documentation - As appropriate or necessary, the borrower may be asked to provide the following:
 - a. A Certificate of Status from the Department of Financial Institutions;

- b. Articles of Incorporation and Bylaws;
- c. A resolution of agreement to borrow funds;
- d. Current financial statements;
- e. Evidence of having secured other funds necessary for the project; and
- f. An environmental assessment for real estate.

With the above documentation in place, the Program Administrator will schedule a loan closing.

Post-Approval Requirements

Obligation of the Loan Recipient

In addition to the terms and conditions of the loan, all borrowers must agree to comply with the following conditions. These conditions must be written into the terms of the agreement prepared by the Program Administrator.

1. Job Creation - The creation or retention of the agreed upon number of jobs in Walworth County must occur within 24 months of the date of execution of the loan agreement. All new and current jobs must be retained for a minimum of 24 months.
2. Non-Discrimination – Borrowers may not discriminate on the basis of age, race, religion, color, handicap, sex, physical condition, development disability as defined in s. 51.05(5), sexual orientation or national origin in an employment or construction activity related to the use of the business loan funds.
3. Use of Funds – Funds may only be used to pay the cost of services or materials necessary to complete the project or activity for which the loan funds were awarded.
4. Insurance – Borrowers must maintain fire and extended coverage insurance on the project property required during the term of the loan. Walworth County must be listed as the Loss Payee, Mortgagee, or “additional” insured on the policy.
5. Compliance with Federal Law – Borrowers must abide by all federal laws, when applicable. These include, but may not be limited to the Civil Rights Act of 1964, the Age Discrimination Act of 1975, the Davis-Bacon Act as amended, the Contract Work Hours and Safety Standards Act, the Copeland “Anti-Kickback” Act, and all regulations pursuant to these acts.

Performance Monitoring

Private Leverage Commitments

The Program Administrator will monitor the use of funds and expenditure of private leverage commitments. Documentation may include invoices or receipts for materials and supplies, letters from lenders, final bills of sales, and cancelled checks.

Hiring of New Employees

The Program Administrator will monitor the borrower’s progress in meeting job creation or retention goals. Job creation may be documented using payroll records. Before-project and after-project records must be provided by the borrower to document job creation. Failure of the business to provide the targeted number of Low to Moderate Income (LMI) jobs may be a condition of default unless the business can show it made a good faith effort to create the targeted number of LMI jobs but did not succeed due to reasons beyond its control.

Relocation from Walworth County

Fund proceeds are made only to businesses located within Walworth County. Loans made to businesses which subsequently move jobs or facilities from Walworth County are subject to penalties as outlined in the loan agreement.

Default

In the event the business is in default on any of the terms and conditions of the loan agreement, all sums due and owing, including penalties, will, at the Committees option, become immediately due and payable. Businesses found to be in default of the loan terms shall receive written notice from the Program Administrator outlining the following:

1. The default;
2. The action required to cure the default;
3. The date, not less than thirty days from the date of notice, by which the default may be cured to avoid foreclosure or other collective action; and
4. Any penalties incurred as a result of the default, jobs, etc.

Use and Reporting of Payments

Use of Loan Payments

Repaid loans must be deposited into the Fund's account(s) and used in a manner consistent with the policies and procedures manual. A separate accounting record must be kept for each loan to account for all funds loaned.

Discontinued Revolving Loan Program

In the event the Fund is discontinued, all program funds must be repaid to the Wisconsin Economic Development Corporation as provided in the applicable contracts.

Loan Program Servicing

Program Monitoring

The Program Administrator shall monitor each loan to ensure compliance with the loan terms and conditions and to monitor the financial health of the business to insure continued repayment of the loan. The monitoring will also ensure that all recordkeeping requirements are met particularly in regard to job creation and expenditures of matching funds, and that all non-discrimination and Federal Law compliance obligations are being met.

Quarterly Reporting to the Committee

The Program Administrator will prepare a quarterly summary report of the Fund's performance and provide this to the Committee. The intent of the report is to offer a snapshot of the status of existing loans and balances in the program accounts. The report will include the following information:

1. Summary information for each outstanding loan, including the starting balance, any outstanding payments, and current balance;
2. Summary information on Fund accounts, including starting balance, debits and credits to the accounts, and ending balances;
3. Funds available to lend and funds committed;

4. A written summary of any collection activity or other non-routine activity relating to the program;
5. Activities that the Program Administrator has done to ensure compliance with the terms of the loan agreement as well as the Manual.

Late Payments

All loan payments must be made in a timely manner. Payments received within fifteen (15) days of the due date will be considered on time. If a payment is not received within fifteen (15) days of the due date, a late fee will be assessed as outlined in the closing documents. The following procedure will apply to all past due loan payments:

1. Payments received after fifteen (15) days of the payment due date will be considered past due. The loan recipient will be contacted by mail by the Program Administrator to notify them of the past due payment and the amount owed.
2. Borrowers that fail to make a payment within thirty (30) days of the payment due date will be contacted by letter as well as by phone from the Program Administrator. The letter will include any actions that must be taken to avoid default, and the date by which action must be taken (not more than sixty (60) days from the date of the notice on which payment must be received). Notice will be given to the Committee at its next regularly scheduled meeting to determine if any additional steps are warranted.
3. Borrowers that fail to make a payment within ninety (90) days of the payment due date will be considered in default, unless the Committee determines otherwise. An additional written notice will be sent to the loan recipient via certified mail, informing the borrower that the loan is going to collection. All sums due or owing to Walworth County may, at its option, become due and payable and may be subject to a default rate of interest, if provided for in the loan agreement.

Appendix A

Loan Application

Trade Secret/Confidentiality & Certification

Applicant Name:

DISCLOSURES

Is the business in the process of a change of ownership?	yes (explain)	no	Has a loss been incurred in the last 3 years?	yes (explain)	no
Is Business contingently liable as a	yes (explain)	no	Is there any pending litigation?	yes (explain)	no
			Is Business delinquent on any debt including	yes (explain)	no

Explanation(s):

Current Positions Summary

Job Title	Number of FTE/PTE Positions	Wage Scale
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APPLICANT NOTICES

Information For Government Monitoring Purposes: The following information is requested by the Federal Government in order to monitor the lender's compliance with equal credit opportunity, fair housing and Federal laws prohibiting discrimination against applicants seeking to participate in this program. You are not required to furnish this information, but are encouraged to do so. This information will not be used in evaluating your application or to discriminate against you in any way. However, if you choose not to furnish it, we are required to note the race/national origin of individual applicants on the basis of visual observation or surname.

Applicant: I do not wish to furnish this information

Ethnicity: Hispanic or Latino NOT Hispanic or Latino

Race/national Origin: American Indian or Alaska Native (not Alaskan) Asian

(Select One or More) Black or African American Native Hawaiian or Other Pacific Islander

White Other (Specify) _____

APPLICANT ACKNOWLEDGMENT, CERTIFICATION AND AUTHORIZATION:

The Business and its Principals and or Owners (collectively the "Applicant") acknowledge this Application is given to Walworth County or its Agent for the purposes of obtaining credit and that Walworth County and/or its Agent may retain the Application whether or not credit is granted. The Applicant certifies that all information included in the Application and provided in support of the Application is true, accurate and complete and that there are no bankruptcy proceedings involving the Applicant neither in process nor anticipated. The Applicant authorizes Walworth County or its Agent to obtain information from others on the trade and credit standings of the Business and Principals or Owners along with other relevant information impacting this Application. In addition, if credit is granted, Walworth County and/or its Agent is authorized to obtain updated trade or credit reports throughout the term of the loan and, except as prohibited by law, to provide information to others about Walworth County's (or its Agent's) transactions and experiences with the Applicant.

SIGNATURE(S)

As an authorized agent for the Applicant, I/we confirm that I/we have read fully this Application and its Notices, Acknowledgements, Certifications and Authorizations and concur with all.

Signature:	Date
Print Name:	Title
Signature:	Date
Print Name:	Title

Trade Secrets / Confidentiality

- Please review the application and indicate whether any of the information provided is considered a trade secret or considered confidential by the business. Wisconsin State Statutes require that certain information received by Walworth County or its Agent, and used to consider the loan application be considered public information. Generally, certain financial, product, and market information may be considered a trade secret and may not be subject to release by the Walworth County.

Certification

I hereby certify that the information provided above and in the attached supporting documentation is to the best of my knowledge true and accurate. I also authorize the Walworth County or its Agent to perform both business and personal checks as a part of this application process.

Name

Name

Date

Date

Policy and Fiscal Note
Resolution No. 82 - 01/12

- I. **Title:** Recognizing the Gateway Technical College Biz Squad

- II. **Purpose and Policy Impact Statement:** The purpose of this resolution is to recognize the contributions of the Gateway Technical College Biz Squad.

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

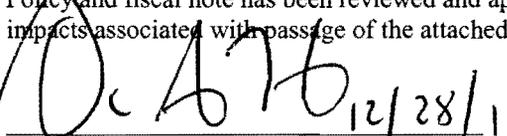
- IV. **Referred to the following standing committees for consideration and date of referral:**

Committee: Health and Human Services Meeting Date: December 21, 2011

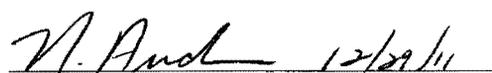
Vote: 7 – 0

County Board Meeting Date: January 10, 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.



David A. Bretl Date
County Administrator/Corporation Counsel



Nicole Andersen Date
Deputy County Administrator - Finance

ORDINANCE NO. 707- 01/12

AMENDING SECTION 15-17 OF THE WALWORTH COUNTY CODE OF
ORDINANCES RELATING TO THE JAIL ADMINISTRATION
REORGANIZATION PLAN

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

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

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

8
9 (p) *Sheriff*

CLASSIFICATION TITLE	FTE
911 Systems Clerk	1.00
Account Clerk IV	2.00
Administrative Secretary	1.00
Administrative Secretary II	1.00
Assistant Jail Administrator	1.00
Business Office Supervisor	1.00
Captain	4.00
Classification Officer	2.00
Clerk I	1.00
Clerk II	4.00
Clerk III	1.00
Communications Officer	18.00
Community Service/Electronic Monitoring Coordinator	1.00
Correctional Officer	79.00
Corrections Secretary	1.00
Corrections Sergeant	13.00 11.00
Deputy Sheriff	50.00
Deputy Sheriff/Court Officer	1.00
Deputy Sheriff/Court Security	4.00
Detectives	9.00
Jail Administrator	1.00
<u>Jail Superintendent</u>	<u>2.00</u>
Law Enforcement Records Supervisor	1.00
Lieutenant	2.00
Process Specialist	3.00
Sergeant	8.00
Sheriff (elected)	1.00

1	Student Worker	0.90
2	Undersheriff	1.00
3	Total Sheriff FTEs	212.90 <u>211.90</u>
4		
5	(t) Grand Total - County FTEs	809.93 <u>808.93</u>

7 **PART II: The elimination of the Assistant Jail Administrator position shall become**
8 **effective upon passage and publication.**

10 **PART III: The reclassification of two Corrections Sergeants to Jail Superintendents shall**
11 **become effective on February 5, 2012.**

13 **PASSED and ADOPTED** by the Walworth County Board of Supervisors this 10th day of
14 January, 2012.

20 _____
21 Nancy Russell
22 County Board Chair

20 _____
21 Kimberly S. Bushey
22 Attest: County Clerk

24 **County Board Meeting Date:** January 10, 2012

25 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:

<p><u>DA Bretl</u> <u>12/27/11</u> Date County Administrator/Corporation Counsel</p>	<p><u>N. Andersen</u> <u>12/27/11</u> Date Deputy County Administrator-Finance</p>
---	---

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

Ordinance No. 707-01/12
Fiscal Note and Policy Impact Statement

- I. **Title:** Amending Section 15-17 of the Walworth County Code of Ordinances Relating to the Jail Administration Reorganization Plan
- II. **Purpose and Policy Impact Statement:** The purpose of this ordinance amendment is to reorganize the jail administration positions to best serve the new electronic monitoring initiative. The details of the reorganization include the elimination of the vacant Assistant Jail Administrator position and the reclassification of two Corrections Sergeants positions to Jail Superintendents.
- III. **Is this a budgeted item and what is its fiscal impact:** These positions have been budgeted for in 2012. The elimination of the Assistant Jail Administrator position and reclassification of two Corrections Sergeants positions will result in an annual savings of \$105,657 and an estimated savings in 2012 of \$111,521.
- IV. **Referred to the following standing committee(s) for consideration and date of referral:**

Committee: Human Resources Committee Date: December 21, 2011

Vote: 5 – 0

County Board Meeting Date: January 10, 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. 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

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

3
4 PART I: That Section 15-513 of the Walworth County Code of Ordinances is hereby
5 amended as follows (additions shown by underline; deletions shown by strike-through):

6
7 “Sec. 15-513. Vacation schedules.

8
9 (a) The collective bargaining agreement shall determine the amount of vacation a
10 member of the deputy sheriffs’ association shall receive.

11
12 (b) Hourly employees shall be covered by the following vacation schedule:

13
14 VACATION SCHEDULE FOR HOURLY EMPLOYEES
15 HIRED PRIOR TO JANUARY 1, 2012
16

Anniversary Starting With	Accrual Per 80 Service hours [‡]	Estimated Maximum Earned Yearly	Maximum Accrual Limit
Year 0	3.080 hours	80.080 hours	160 hours
Year 4	4.624 hours	120.224 hours	200 hours
Year 9	6.160 hours	160.160 hours	240 hours
Year 19	7.704 hours	200.304 hours	280 hours

17
18 VACATION SCHEDULE FOR HOURLY EMPLOYEES
19 HIRED ON OR AFTER JANUARY 1, 2012
20

Anniversary Starting With	Accrual Per 80 Service hours [‡]	Estimated Maximum Earned Yearly	Maximum Accrual Limit
Year 0	3.080 hours	80.080 hours	160 hours
Year 4	4.624 hours	120.224 hours	200 hours
Year 14	6.160 hours	160.160 hours	240 hours

21
22 ~~*Accrual rates per bi-weekly service hours for correction and communications hourly staff will~~
23 ~~vary based upon the 72/80/88 hours worked in their rotating pay periods.~~

24
25 (c) Except as provide in subsection (d), salaried-exempt non-represented employees
26 subject to overtime code 1 shall be covered by the following vacation schedule:

27
28 VACATION SCHEDULE FOR SALARIED-EXEMPT EMPLOYEES
29

Anniversary Starting With:	Accrual Per 80 Service hours	Estimated Maximum Earned Yearly	Maximum Accrual Limit
Year 0	4.624 hours	120.224 hours	200 hours
Year 4	6.160 hours	160.160 hours	240 hours
Year 14	7.704 hours	200.304 hours	280 hours

(d) Management-school employees subject to section 15-357, shall not receive paid vacation.”

PART II: That Section 15-514 of the Walworth County Code of Ordinances is hereby amended as follows (additions shown by underline; deletions shown by strike-through):

“Sec. 15-514. Sick leave schedules.

For employees hired prior to January 1, 2012:

(a) For all employees, except as provided in subsections (b) & (c), employees shall accrue sick leave at the rate of 3.704 sick hours per 80 service hours. ~~Accrual rates per bi-weekly service hours for correction and communications hourly staff will vary based upon the 72/80/88 hours worked in their rotating pay periods.~~ The estimated maximum accrual each year is 96.304 hours. There shall be no limit on the total amount of sick leave accrued.

(b) Full-time management-school employees subject to section 15-357 shall receive 88 hours of sick leave each school year. Sick leave shall be pro-rated for part-time or for any other reduction in contract days. There shall be no limit on the total amount of sick leave accrued.

(c) The deputy sheriff association collective bargaining agreement shall determine the amount of sick leave their members shall receive.

For employees hired on or after January 1, 2012:

(a) For all employees, except as provided in subsections (b) & (c), employees shall accrue sick leave at the rate of 2.462 sick hours per 80 service hours. ~~Accrual rates per bi-weekly service hours for correction and communications hourly staff will vary based upon the 72/80/88 hours worked in their rotating pay periods.~~ The estimated maximum accrual each year is 64 hours. The maximum accrual limit for a sick bank is 120 hours. When the maximum accrual limit is reached, additional benefits shall accrue into the extended sick leave bank. Usage of the extended sick leave bank shall be as provided in 15-518 (e).

(b) Full-time management-school employees subject to section 15-357 shall receive 64 hours of sick leave each school year. Sick leave shall be pro-rated for part-time or for any other reduction in contract days. The maximum limit for a sick bank is 120 hours. When the maximum accrual limit is reached, additional benefits shall accrue into the extended sick leave bank. Usage of the extended sick leave bank shall be as provided in 15-518 (e).

1 (c) The deputy sheriff association collective bargaining agreement shall determine
2 the amount of sick leave their members shall receive.”

3 **PART III: That Section 15-707 of the Walworth County Code of Ordinances is hereby**
4 **amended as follows (additions shown by underline; deletions shown by strike-through):**
5

6 **“Sec. 15-707. Absence due to severe weather or other emergencies.**
7

8 (a) Except as provided in subsection (b), it is the policy of the county to continue
9 county services during severe weather or other emergencies. All employees are expected to
10 report to work as scheduled, unless an emergency closing is announced, pursuant to subsection
11 (b).
12

13 (b) The county administrator may authorize and publicly announce that certain
14 county operations are temporarily closed due to severe weather or other emergency conditions.
15

16 (c) In the event that county services remain open during severe weather or other
17 emergencies, department heads have the ability to allow staff to not report for work, based on
18 their specific staffing needs. Any employee choosing not to report under these circumstances
19 must use vacation, compensatory or holiday time, if available, for said shift(s); with the
20 exception of special education aides working for the children with disabilities education board
21 who shall take an unpaid day should school be cancelled for any reason.”
22

23 **PART IV: That Section 15-1050 of the Walworth County Code of Ordinances is hereby**
24 **amended as follows (additions shown by underline; deletions shown by strike-through):**
25

26 **“Sec. 15-1050. Sick leave.**
27

28 (a) All full-time employees hired before January 1, 2012 shall be entitled to sick
29 leave at the rate of eleven (11) days per teacher contract year. Any unused sick time will remain
30 in the bank and the sick bank shall have no limit.
31

32 (b) All full-time employees hired on or after January 1, 2012 shall be entitled to sick
33 leave at the rate of five (5) days per teacher contract year, up to a total bank limit of 80 hours.
34 When the maximum accrual limit is reached, additional benefits shall accrue into the extended
35 sick leave bank. Usage of the extended sick leave bank shall be as provided in 15-518 (e).
36

37 (c) Two sick days per year may be used as personal days. Personal days shall be
38 taken in a minimum of four hour increments for full time teachers. The employee shall make a
39 request in writing to the Special Education Director or designee as far in advance as possible for
40 each day. When advance notice is not possible, the employee shall make a phone call with a
41 follow up letter. Administration may limit the number of teachers on personal leave on any
42 given day. Part time teachers’ sick leave and personal leave will be pro-rated.
43

1 (d) Each employee who has earned sick leave shall be eligible for sick leave for any
 2 period of absence from duty which is due to his/her illness, bodily injury or exposure to
 3 contagious disease.

4
 5 (e) The administrator may require a medical certificate to justify the granting of sick
 6 leave that is over three days duration.

7
 8 (f) Sick leave severance pay shall only apply to those employees who were hired
 9 prior to April 26, 2000 and who elected to retain the cash severance pay in lieu of health
 10 insurance credits for unused sick leave. Employees retaining the cash severance pay benefit
 11 shall be paid one-half (1/2) of all unused accumulated days of sick leave at their daily rate of pay
 12 upon termination of employment or death up to a maximum of forty-five (45) days (three
 13 hundred sixty (360) hours).

14
 15 **PART V: That Section 15-1323 of the Walworth County Code of Ordinances is hereby**
 16 **amended as follows (additions shown by underline; deletions shown by strike-through):**

17
 18 **“Sec. 15-1323 Longevity bonus.**

19
 20 (a) Employees hired prior to January 1, 2012 shall receive a longevity bonus
 21 payment. The bonus payment will be based upon the hourly longevity benefit an employee
 22 received and the FTE of the position they held as of December 31, 2011:
 23

Benefit as of 1-1-12	1.00 FTE Yearly Benefit*	1.00 FTE Bi-weekly Benefit	.75-.99 FTE Yearly Benefit*	.75-.99 FTE Bi- weekly Benefit	.50 - .74 FTE Yearly Benefit*	.50 - .74 FTE Bi- Weekly Benefit	.16 - .49 FTE Yearly Benefit*	.16 - .49 FTE Bi- Weekly Benefit
\$0.00 - \$0.04	\$50.00	\$1.93	\$37.50	\$1.45	\$25.00	\$0.97	\$12.50	\$0.49
\$0.05 - \$0.09	\$150.00	\$5.77	\$112.50	\$4.33	\$75.00	\$2.89	\$37.50	\$1.45
\$0.10 - \$0.14	\$250.00	\$9.62	\$187.50	\$7.22	\$125.00	\$4.81	\$62.50	\$2.41
\$0.15 - \$0.19	\$350.00	\$13.47	\$262.50	\$10.10	\$175.00	\$6.74	\$87.50	\$3.37
\$0.20 - \$0.24	\$450.00	\$17.31	\$337.50	\$12.99	\$225.00	\$8.66	\$112.50	\$4.33
\$0.25 - \$0.29	\$550.00	\$21.16	\$412.50	\$15.87	\$275.00	\$10.58	\$137.50	\$5.29
\$0.30 - \$0.34	\$650.00	\$25.00	\$487.50	\$18.75	\$325.00	\$12.50	\$162.50	\$6.25
\$0.35 - \$0.39	\$750.00	\$28.85	\$562.50	\$21.64	\$375.00	\$14.43	\$187.50	\$7.22
\$0.40 - \$0.44 \$0.42	\$850.00	\$32.70	\$637.50	\$24.52	\$425.00	\$16.35	\$212.50	\$8.18

*Approximate benefit. Total annual benefit will vary slightly based on rounding and number of pay periods in the year.

24
 25 (b) To receive the bi-weekly payment an employee must have worked during the pay
 26 period. An employee on unpaid leave will not receive the benefit for a pay period where no
 27 compensation is earned.

28
 29 (c) This benefit ceases at the time an employee terminates their county employment.
 30 If an employee terminates during the year, the employee will not be made whole for the annual
 31 benefit.
 32

1 (d) Employees hired on or after January 1, 2012 are not eligible for this benefit.”

2
3 **PART VI: This Ordinance shall become effective retroactively as of January 1, 2012.**

4
5 **PASSED and ADOPTED** by the Walworth County Board of Supervisors this 10th day of
6 January, 2012.

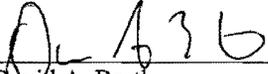
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8
9
10
11 _____
12 Nancy Russell
13 County Board Chair

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

17 **County Board Meeting Date:** January 10, 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:

 12/27/11

David A. Bret Date
County Administrator/Corporation Counsel

 12/27/11

Nicole Andersen Date
Deputy County Administrator-Finance

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

Ordinance No. 708-01/12
Fiscal Note and Policy Impact Statement

- I. **Title:** 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
- II. **Purpose and Policy Impact Statement:** The purpose of this ordinance amendment is to correct a few minor items that were overlooked when the major Chapter 15 revisions were adopted by the Board in November.
- III. **Is this a budgeted item and what is its fiscal impact:** Passage of this ordinance will have no fiscal impact on the county budget.
- IV. **Referred to the following standing committee(s) for consideration and date of referral:**

Committee: Human Resources Committee

Date: December 21, 2011

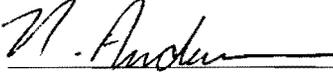
Vote: 5 – 0

County Board Meeting Date: January 10, 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.

 12/27/11

Date
David A. Bretl
County Administrator/Corporation Counsel

 12/27/11

Date
Nicole Andersen
Deputy County Administrator-Finance

ORDINANCE 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

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 *Department head* means the holder of the following public offices and positions: each
11 elected officer, deputy county administrator--finance, health and human services director,
12 information technology director, land use and resource management director, ~~deputy county~~
13 ~~administrator—central services~~ director - central services, UW-extension chairperson, veteran's
14 service officer, and Walworth County children with disabilities education board administrator.”

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

19
20 **“Sec. 15-17. Authorized positions by department.**

21
22 (n) *Public Works*

23	24 CLASSIFICATION TITLE	25 FTE
26	Account Clerk III	1.00
27	Accounting Assistant	1.00
28	Administrative Assistant - Highway	1.00
29	Administrative Assistant - Facilities	1.00
30	Administrative Secretary I	1.00
31	Assistant Buyer	1.00
32	Assistant DPW - Facilities	1.00
33	Assistant DPW - Facilities Plant Operations	1.00
34	Assistant DPW - Roads	3.00
35	Assistant DPW - Shop	1.00
36	Building Maintenance Engineer I	5.00
37	Building Maintenance Engineer II	2.00
38	Building Maintenance Engineer III	5.00

1	Deputy County Admin – Central Services	1.00
2	<u>Director – Central Services</u>	1.00
3	Director of Operations – DPW	1.00
4	Janitor I	1.50
5	Janitor III	3.00
6	Machine Operator	2.00
7	Marking/Signing Lead Worker	1.00
8	Mechanic II	3.00
9	Office/Purchasing Manager – DPW	1.00
10	Patrolman/Woman	26.00
11	Road Lead Worker	1.00
12	Senior Buyer	2.00
13	Shop Lead Worker	1.00
14	Total Public Works FTEs	67.50”

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PART III: That Section 15-107 of the Walworth County Code of Ordinances is hereby amended to read as follows (additions shown by underline; deletions shown by strike-through):

“Sec. 15-107. Return of county property; security issues.

- (3) Contact the ~~deputy county administrator~~ director - central services to ensure that any facility access and/or property is terminated and/or returned, if concerns warrant.”

PART IV: That Section 15-634 of the Walworth County Code of Ordinances is hereby amended to read as follows (additions shown by underline; deletions shown by strike-through):

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

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

PART V: That Section 15-810 of the Walworth County Code of Ordinances is hereby amended to read as follows (additions shown by underline; deletions shown by strike-through):

“Sec. 15-810. Drug or alcohol testing.

1
2
3
4

(e) The county will randomly test the following non-represented employee classifications for compliance with its drug-free workplace policy.

Department	Classification
Administration	County administrator
	Labor/employee relations director
Finance	Comptroller
	Deputy administrator - finance
	Finance manager
	Payroll and benefits manager
	Payroll assistant
	Payroll specialist
Information technology	Analyst - programmer
	Applications supervisor
	Desktop lead/server specialist
	Director - IT
	GIS analyst/programmer
	Help desk analyst
	Network specialist
	Supervisor of network/operations
Public works	Deputy county admin. director - central services
Sheriff's office	Assistant jail administrator
	Captain
	Jail administrator
	Lieutenant
	Sheriff (elected)
	Undersheriff
	Corrections sergeant
Treasurer's office	Accountant
	County treasurer (elected)

5
6
7
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9
10

PART VI: That Section 15-1111 of the Walworth County Code of Ordinances is hereby amended to read as follows (additions shown by underline; deletions shown by strike-through):

“Sec. 15-1111. Hazardous materials endorsement.

1
2 The ~~deputy county administrator~~ director - central services shall determine, based on
3 legal requirements, the number of positions that are required to hold a hazardous material
4 endorsement. Employees shall be selected for the hazardous material endorsement with due
5 consideration to their normal job assignments. The cost of maintaining the hazardous material
6 endorsement shall be an employee cost.”

7
8 **PART VII: That Section 15-1112 of the Walworth County Code of Ordinances is hereby**
9 **amended to read as follows (additions shown by underline; deletions shown by strike-**
10 **through):**

11
12 **“Sec. 15-1112. Loss of commercial driver’s license.**

13
14 An employee whose commercial driver’s license is suspended or revoked due to a non-
15 work related violation will be terminated. The work status of an employee whose commercial
16 driver’s license is suspended or revoked due to a work-related incident will be addressed on a
17 case-by-case basis by the ~~Deputy County Administrator~~ Director - Central Services and the
18 Labor/Employee Relations Director.”

19
20 **PART VIII: The ordinance shall be effective upon passage and publication.**

21
22 **PASSED and ADOPTED** by the Walworth County Board of Supervisors this 10th day of
23 January, 2012.

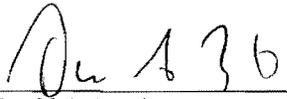
24
25
26
27
28 _____
29 Nancy Russell
30 County Board Chair

Kimberly S. Bushey
Attest: County Clerk

31
32 **County Board Meeting Date:** January 10, 2012

33
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:

 12/27/11

Date
David A. Bretl
County Administrator/Corporation Counsel

 12/27/11

Date
Nicole Andersen
Deputy County Administrator-Finance

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

Ordinance No. 709-01/12
Fiscal Note and Policy Impact Statement

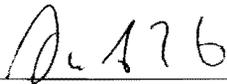
- I. Title:** Amending Chapter 15 of the Walworth County Code of Ordinances Relating to the Elimination of the Position of Deputy County Administrator – Central Services and the Creation of a Director - Central Services
- II. Purpose and Policy Impact Statement:** The purpose of this ordinance amendment is to eliminate the vacant position of Deputy County Administrator – Central Services and create the position of Director - Central Services. This amendment also changes all references to Deputy County Administrator – Central Services in Chapter 15 to Director - Central Services.
- III. Is this a budgeted item and what is its fiscal impact:** This is a budgeted position in 2012. The elimination of the Deputy County Administrator – Central Services and the creation of the Director – Central Services position will result in an annual savings of \$13,354 and a savings in 2012 of \$34,190.
- IV. Referred to the following standing committee(s) for consideration and date of referral:**

Committee: Human Resources Committee Date: December 21, 2011

Vote: 5 – 0

County Board Meeting Date: January 10, 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.

 12/27/11

Date
David A. Bretl
County Administrator/Corporation Counsel

 12/27/11

Date
Nicole Andersen
Deputy County Administrator-Finance

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

1 Moved/Sponsored by: Human Resources Committee

2
3 **WHEREAS**, representatives of county management and the Deputy Sheriffs Association
4 (“Union”) bargaining representatives have reached a tentative agreement on a two-year successor
5 agreement to the collective bargaining agreement which expires on December 31, 2011; and,
6

7 **WHEREAS**, the Human Resources Committee recommends ratification of the tentative
8 agreement (“Agreement”), a copy of which is attached hereto, for the contract period of January
9 1, 2012, through December 31, 2013.

10
11 **NOW, THEREFORE, BE IT RESOLVED** that the Walworth County Board of Supervisors
12 does hereby ratify the terms of the Agreement.
13

14
15 _____
16 Nancy Russell
17 County Board Chair

Kimberly S. Bushey
County Clerk

18
19
20 Action Required: Majority X Two-thirds _____ Other _____

21
22 County Board Meeting Date: January 10, 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 12/27/11
Date
County Administrator/Corporation Counsel

Nicole Andersen 12/27/11
Date
Deputy County Administrator - Finance

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

Policy and Fiscal Note
Resolution No. 81-01/12

I. **Title:** 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

II. **Purpose and Policy Impact Statement:** Adoption of this resolution will establish wage rates and conditions of employment with the Deputy Sheriffs Association for a two-year period.

Notable provisions of the agreement are:

- Two-year agreement
- Wage freeze for both years of contract

III. **Budget and Fiscal Impact:** Passage of this resolution will have no additional impact on the county budget, as funds had already been included in the 2012 budget.

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

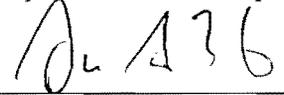
Committee: Human Resources

Meeting Date: December 21, 2011

Vote: 5 – 0

County Board Meeting Date: January 10, 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.

 12/27/11

Date
David A. Bretl
County Administrator/Corporation Counsel

 12/27/11

Date
Nicole Andersen
Deputy County Administrator - Finance

**Deputy Sheriff Association Final Settlement Agreement
December 12, 2011**

Non-Economic

5.01 Probationary Period. An employee shall be probationary for twelve (12) months of employment from the date the employee begins field training, unless such period is extended for not more than an additional twelve (12) months. Upon completion of such probationary period, he/she shall be entered on the seniority list as of the date of hire. Probationary employees shall have no seniority rights.

A. Probationary Period Upon Promotion. An employee promoted to Detective or Sergeant shall be on probation for six (6) months, from the first day served in the new position. This period may be extended for not more than an additional six (6) months. During this period, an employee who does not successfully complete probation will be returned to their previous position, if available, or if not available to a patrol Deputy Sheriff position. When the county determines that a position of previous rank becomes available, the employee shall be returned to that rank. Demotion during the probationary period shall be subject to the grievance procedure under an arbitrary and capricious standard.

6.07

Training

B. All employees must complete training required by law for certification as a law enforcement officer. The county shall provide a list of all potential mandatory training by June 1st of each year. Training completed each training-and-standards year shall be ~~first~~ credited to the officer's annual training-for-certification requirement, as approved by management. Hours spent in training-for-certification outside of the employees regular work schedule shall be paid at straight time or straight-time compensatory time.

E. After completion of the training-for-certification requirement, any additional time spent in assigned (mandatory) training required by the County and falling outside of regular working hours is hours worked and subject to overtime pay. However, any time spent in voluntary training outside of regular working hours shall be paid at straight-time or straight-time compensatory time.

1. Voluntary training is defined as training that the employee volunteers to attend for personal growth and development. This type of training is not required by the County or required to maintain certification as a law enforcement officer. This training may be required to maintain membership on a specialized team (i.e. SWAT, dive, K9, crash unit, bike unit, etc.) however, membership on these specialized teams is not a requirement of maintaining the law enforcement officer certification or continued County employment, unless continued membership on the specialized team is mandated by the county.

New Proposal for 7.07 (Voluntary Overtime for Certain Duties):

7.07 Voluntary Overtime for Certain Duties. Voluntary overtime is overtime known more than three days in advance, excluding Saturdays, Sundays and holidays, that is related to: Alpine Valley Music Theatre, DNR activities (ATV, snowmobile and water patrol as reimbursed by the State of Wisconsin Department of Natural Resources) and ~~traffic grants reimbursed by the State of Wisconsin Department of Transportation~~ (where the grant does not specify the division performing the work.) Overtime for these activities shall be determined by posting on the overtime board in the Patrol briefing Room and shall be subject to any restrictions stated in the contract or grant. Any qualified employee meeting the stated restrictions may sign up; however, the available positions shall be filled by the employee(s) on the sign up list with the greatest seniority within the bargaining unit. The parties agree to meet and confer during the term of this agreement regarding application of this section, and no agreement concerning overtime that is mutually reached by the parties shall be barred by the application of Article XXII of this Agreement.

New language (7.08 – Voluntary Overtime for Traffic Grants):

7.08 Voluntary Overtime for Traffic Grants. Traffic grants are voluntary overtime opportunities provided to the Sheriff's Office by the State Department of Transportation, Bureau of Traffic Safety. Sign-ups are open to any Deputy who meets any of the criteria stated in the Grant. Positions will be filled by greatest seniority of those who sign up, regardless of shift or division. Sign-ups for deployments will be posted in advance; and are considered closed to sign ups 72 (seventy-two) hours prior to the start of the deployment. Traffic grants are subject to mandated State and Federal performance benchmarks and Deputies are expected to meet these expectations. An employee failing to meet the performance benchmarks set forth by the provider of the grant will receive one warning. An employee failing to meet the benchmarks a second time will be excluded from all further voluntary traffic grant opportunities for the balance of the traffic grant year. Any overtime received from traffic grant overtime shall only be paid as overtime, and will not be available for deposit into the employee's compensatory time bank.

Economic

Duration – Two years (2012 & 2013)

Wages – 0% each year

Educational Incentive Pay (17.03) – Change “PhD” to “Doctorate” at the \$110 level

Resolution No. 76- 01/12
Supporting the Aquatic Invasive Species Control Grants Application

1 Moved/Sponsored by: Land Conservation Committee
2

3 **WHEREAS**, all lakes and water bodies within Walworth County are important resources used
4 by the public for recreation and enjoyment of natural beauty; and,
5

6 **WHEREAS**, in 2004 the Walworth County Board of Supervisors approved Resolution No. 98-
7 02/04 adopting the Land and Water Resource Management Plan; and,
8

9 **WHEREAS**, in 2007 the Walworth County Board of Supervisors approved Resolution No. 36-
10 08/07 adopting the Aquatic Invasive Species Control Grant Application, expiring December 31,
11 2009; and,
12

13 **WHEREAS**, in 2009 the Walworth County Board of Supervisors approved Resolution No. 28-
14 07/09 adopting the Aquatic Invasive Species Control Grant Application, expiring December 31,
15 2012; and,
16

17 **WHEREAS**, the Land and Water Resource Management Plan designates staff to seek grant
18 funding for the protection of the water quality and recreational use in Walworth County; and,
19

20 **WHEREAS**, public use and enjoyment of all lakes and watercourses in Walworth County is best
21 served by protecting water from infestation of aquatic invasive species; and,
22

23 **WHEREAS**, the Walworth County Board of Supervisors recognizes the need to provide
24 information and education about aquatic invasive species; and,
25

26 **WHEREAS**, the Walworth County Land Use and Resource Management Department -
27 Conservation Division personnel are qualified to carry out the responsibilities of an aquatic
28 invasive species control project.
29

30 **NOW, THEREFORE, BE IT RESOLVED** by the Walworth County Board of Supervisors that
31 the Walworth County Land Use and Resource Management Department may request the funds
32 and assistance available from the Wisconsin Department of Natural Resources under the
33 “Aquatic Invasive Species Control Grant Program.”
34

35 **BE IT FURTHER RESOLVED** by the Walworth County Board of Supervisors that Louise
36 Olson, County Conservationist, may act on behalf of the Walworth County Land Conservation
37 Committee to submit an application to the State of Wisconsin for financial aid for aquatic
38 invasive species control purposes, sign documents related to this grant and take necessary action
39 to undertake, direct, and complete an approved aquatic invasive species control grant; and,
40

41 **BE IT FURTHER RESOLVED** by the Walworth County Board of Supervisors that Walworth
42 County Land Use and Resource Management Department - Conservation Division will meet the
43 obligations of the aquatic invasive species control project, including timely publication of the

1 results, and meet the financial obligations under this grant including the prompt payment of our
2 three year grant 50% commitment to project costs; and,

3
4 **BE IT FURTHER RESOLVED** by the Walworth County Board of Supervisors that Walworth
5 County understands the importance of a continuing protection program for the lakes of Walworth
6 County.

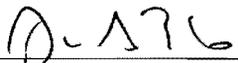
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8
9

10 _____
11 Nancy Russell
12 County Board Chair
13
14 _____
15 Kimberly S. Bushey
16 County Clerk

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

15
16 County Board Meeting Date: January 10, 2012

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

	<u>12/22/11</u>		<u>12/26/11</u>
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.

Resolution No. 77- 01/12
Opposing Further Land Conservation Staffing Grant Cuts

1 Moved/Sponsored by: Land Conservation Committee
2

3 **WHEREAS**, County Land and Water Resource Management Plans were added to Chapter 92
4 State Statutes in 1997 as a new method of addressing nonpoint pollution and other land
5 conservation efforts in Wisconsin; and,
6

7 **WHEREAS**, pursuant to Section 92.14(6)(b) Wis. Statutes, the Department of Agriculture,
8 Trade and Consumer Protection shall attempt to provide funding for an average of three staff
9 persons per county, with an average of \$100,000 per county for cost-sharing grants; and,
10

11 **WHEREAS**, the Soil and Water Resource Management program is currently approximately \$4
12 million short of meeting its statutory staffing grant goal; and,
13

14 **WHEREAS**, County Land Conservation staff supported by state grants have consistently
15 decreased since the program began, from 219 in 1997 to 97 in 2012, under the 2011-2013
16 biennial budget and corresponding agency lapse proposal; and,
17

18 **WHEREAS**, the Department of Agriculture, Trade and Consumer Protection proposes to further
19 reduce soil and water general purpose revenue funds, which are used for staffing of county
20 conservation departments by 29 percent, resulting in a statewide reduction of \$1,100,400; and,
21

22 **WHEREAS**, this comes in addition to the \$1 million in cuts already approved in the 2011-2013
23 biennial budget; and,
24

25 **WHEREAS**, County Land Conservation staff play a critical role to our state's economy by
26 assisting landowners to obtain state and federal funds to help pay for their operations, and the
27 proposed cuts will therefore have a rippling, negative impact on our state's communities,
28 especially in rural areas;
29

30 **NOW, THEREFORE, BE IT RESOLVED** that the Wisconsin Land and Water Conservation
31 Association does hereby urge the Governor of the State of Wisconsin and all elected
32 representatives in the Wisconsin State Legislature to reject further cuts to county land
33 conservation staffing grants, recognizing the invaluable service that county conservation
34 employees provide in managing and protecting Wisconsin's natural resources.
35

36 **BE IT FURTHER RESOLVED** that the Wisconsin Land and Water Conservation Association
37 ("WLWCA") urges the Governor and all elected representatives in the state legislature to
38 transfer \$1.1 million in SEG nutrient management cost sharing funds to SWRM GPR staffing
39 funds to backfill \$1.1 million in proposed cuts to staffing funds.
40

41 **BE IT FURTHER RESOLVED** that the WLWCA Board of Directors unanimously
42 recommended consideration of this resolution on December 8, 2011, and the WLWCA
43 subsequently approved this resolution on December 9, 2011.

1 **BE IT FURTHER RESOLVED** that the Wisconsin Land and Water Conservation Association
2 encourages Wisconsin County Boards to pass similar resolutions.

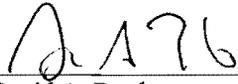
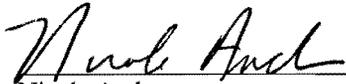
3
4 **BE IT FURTHER RESOLVED** that a copy of this resolution be sent to the Governor of
5 Wisconsin, Secretary of the Department of Administration, Secretary of the Department of
6 Natural Resources, Secretary of the Department of Agriculture, Trade and Consumer Protection
7 and state legislators.

8
9
10
11
12 _____
13 Nancy Russell Kimberly S. Bushey
14 County Board Chair County Clerk

15
16 Action Required: Majority X Two-thirds _____ Other _____

17
18 County Board Meeting Date: January 10, 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.

	
12/22/2011	12/22/11
Date	Date
David A. Bretl	Nicole Andersen
County Administrator/Corporation Counsel	Deputy County Administrator - Finance

