



Board of Supervisors

**WALWORTH COUNTY BOARD OF SUPERVISORS  
MEETING  
TUESDAY, MARCH 13, 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*

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**A G E N D A**

**Call to Order**

**Pledge of Allegiance**

**Invocation**

- Carl Redenius, Walworth County Board Supervisor, District #5

**Roll Call**

**Withdrawals from Agenda, if any**

**Approval of the Agenda**

**Approval of the Minutes**

- February 14, 2012 County Board Meeting

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

**Appointments/Elections**

1. Walworth County Highway Traffic Safety Commission
  - Tom Anthony
  - John R. Race, Branch III Circuit Court Judge
  - Pat Grove(Recommended by the Executive Committee 4-0)
2. Wisconsin River Rail Transit Commission (WRRTC)
  - Richard Kuhnke – Re-appointment to an additional three-year term retroactive to May 11, 2011 and end on April 30, 2014 (Recommended by the Executive Committee 4-0)
  - Allan Polyock – Re-appointment to an additional three-year term to begin upon confirmation and end on April 30, 2015 (Recommended by the Executive Committee 4-0)

**Communications and Matters to Be Referred**

1. Claims Received After Agenda Mailing

2. Claims: Summons and Complaint – Carlos and Linda Mont v. County of Walworth, Walworth County Zoning Agency, Johnson Sand & Gravel, Inc., and Peter J. and Shirley M. Mainka (To be referred to the Executive Committee)
3. Lincoln County Resolution 2012-02-08 – Resolution Supporting H.R. 2250 in the U.S. House of Representatives and U.S. Senate Bill 1392 to Provide Additional Time for the Administrator of the Environmental Protection Agency to Issue Achievable Standards for Industrial, Commercial, and Institutional Boilers, Process Heaters, and Incinerators, and for Other Purposes (To be referred to the Executive Committee)
4. County Clerk Report – Summary of 2011 Dog Licenses Sold and Licensing Statistics (To be placed on file)
5. Report of the County Clerk Concerning Communications Received by the Board and Recommended to be Placed on File
6. Report of the County Clerk Concerning Communications Received by the Board After Agenda Mailing
7. Report of the County Clerk Concerning Zoning Petitions (To be referred to the County Zoning Agency)

### **Unfinished Business**

### **New Business**

### **Reports of Standing Committees**

#### **County Zoning Agency Report of Proposed Zoning Amendments**

1. Lakes Brick and Block, LLC, Linn Township, Rezone approximately 1.4 acres of M-3 to M-2 – Approved: 5-0 (February 16, 2012 County Zoning Agency Public Hearing)

#### **Executive Committee**

1. Ord. No. 719-03/12 – Amending Section 2-143 of Chapter 2 of the Walworth County Code of Ordinances Pertaining to Land Conservation Committee Duties – *Vote Required: Two-Thirds* (Recommended by the Land Conservation Committee 4-0) (The Executive Committee will meet immediately prior to the March 13, 2012 County Board Meeting to consider this ordinance and make a recommendation)
2. Res. No. 96-03/12 – Approving an Agreement by and between Walworth County and CGI Communications, Inc. Relative to Producing Certain Informative Videos and Placing Links for Them on the County Website – *Vote Required: Majority* (The Executive Committee will meet immediately prior to the March 13, 2012 County Board Meeting to consider this resolution and make a recommendation)

#### **Finance Committee**

1. Res. No. 93-03/12 – Resolution Authorizing the Redemption of General Obligation Promissory Notes, Dated September 1, 2004 and General Obligation Promissory Notes, Dated August 1, 2005 – *Vote Required: Majority* (Recommended by the Finance Committee 5-0)
2. Res. No. 94-03/12 – Authorizing Addition of Child Passenger Safety Enforcement Grant to Pre-Approved Recurring Grants List for Health and Human Services – *Vote Required: Majority* (Recommended by the Finance Committee 5-0)

### **Human Resources Committee**

1. Ord. No. 720-03/12 – Amending Chapter 15 of the Walworth County Code of Ordinances Relating to the Decertification of AFSCME Unions – *Vote Required: Majority* (Recommended by the Human Resources Committee 4-0)
2. Ord. No. 721-03/12 – Amending Section 15-17 of the Walworth County Code of Ordinances Relating to the Reclassification of a Clerk IV Position in Clerk of Courts – *Vote Required: Majority* (Recommended by the Human Resources Committee 4-0)
3. Res. No. 91-03/12 – Setting Salaries for Register of Deeds, County Treasurer and County Clerk for 2013-2016 – *Vote Required: Majority* (Recommended by the Human Resources Committee 3-1)
4. Res. No. 92-03/12 – Reauthorization of Self-Insurance for Worker’s Compensation – *Vote Required: Majority* (Recommended by the Human Resources Committee 4-0)

### **Land Conservation Committee**

1. Res. No. 90-03/12 – Supporting the Urban Nonpoint Source and Storm Water Management Planning Project Grant Application – *Vote Required: Majority* (Recommended by the Land Conservation Committee 4-0)

### **Park Committee**

1. Res. No. 95-03/12 – Approving Submission of a Grant Application for Outdoor Recreation Aids – *Vote Required: Majority* (Recommended by the Park Committee 3-0)

### **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 Thursday, April 19, 2012 agenda items on or before Wednesday, April 4, 2012.

\*\*Reminder: There is a County Board Meeting on Tuesday, April 17, 2012 where County Board Supervisors will be sworn in and leadership elected.

**FEBRUARY 14, 2012**  
**WALWORTH COUNTY BOARD OF SUPERVISORS**  
**MEETING**

The Walworth County Board of Supervisors meeting was called to order by Chair Russell at 6:00 p.m. in the County Board Room at the Walworth County Government Center, 100 W. Walworth Street, Elkhorn, Wisconsin.

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

Jerry A. Grant, Walworth County Board Supervisor, District #4, delivered the invocation.

**Amendments, Withdrawals, and Approval of Agenda**

On motion by Supervisor Brandl, seconded by Supervisor Stacey, the agenda was approved by voice vote with no withdrawals.

**Approval of the Minutes**

On motion by Supervisor Schaefer, seconded by Supervisor Weber, the January 10, 2012 Committee of the Whole minutes were approved by voice vote.

On motion by Supervisor Brandl, seconded by Supervisor Weber, the January 10, 2012 County Board Meeting minutes were approved by voice vote.

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

There was none.

**Appointments/Elections**

1. Lakeshores Library System Board
  - Brian Broga – Three-year term to begin upon appointment and end on December 31, 2014

On motion by Supervisor Grant, seconded by Supervisor Schaefer, Brian Broga was appointed to the Lakeshores Library System Board and was 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: Notice of Claim – Western Culvert & Supply Inc. against Mann Brothers Inc. for the project known as 2011 Walworth Co. Highway Contract (To be referred to the Executive Committee)
3. City of Delavan Resolution R-547 and Ordinance No. RC-314 Adopting Interim Zoning Exercising Extraterritorial Zoning Jurisdiction (To be referred to the County Zoning Agency)
4. Correspondence from Walworth County Metropolitan Sewerage District in regard to re-appointing Brandon Johnson as Commissioner of WalCoMet (To be referred to the Executive Committee)

5. Communication received from Governor Scott Walker acknowledging receipt of Walworth County resolution (To be placed on file)
6. Communication received from Secretary Ben Brancel, Wisconsin Department of Agriculture, Trade and Consumer Protection, acknowledging receipt of Resolution No. 77-01/12 – Opposing Further Land Conservation Staffing Grant Cuts (To be placed on file)
7. Order for Razing the Building received from the Treasurer’s Office for property located at N6718 Lakeshore Drive, Elkhorn, Wisconsin (To be placed on file)
8. Report of the County Clerk Concerning Communications Received by the Board and Recommended to be Placed on File
  - There were none.
9. Report of the County Clerk Concerning Communications Received by the Board After Agenda Mailing
  - Ord. No. 710-02/12 – Amending Chapter 2 of the Walworth County Code of Ordinances Pertaining to Bylaws of the Criminal Justice Coordinating Committee – Vote Required: Two-Thirds (Recommended by the Executive Committee 5-0)
  - Memorandum from Deputy County Administrator-Finance Nicki Andersen in regard to a report on dog license fees for 2007 through 2011
  - Press Release received from the Public Service Commission of Wisconsin in regard to Broadband Plan for Southeast Wisconsin Launching February 7th – To be placed on file
  - *Walworth County Aging & Disability Resource Center News*, February 2012 – To be placed on file
10. Report of the County Clerk Concerning Zoning Petitions (To be referred to the County Zoning Agency)
  - Lakes Brick and Block, LLC, Town of Linn, Rezone approximately 1.4 acres of M-3 Mineral Extractive District to M-2 Heavy Industrial District.

**Unfinished Business**

**New Business**

**Reports of Standing Committees**

**County Zoning Agency Report of Proposed Zoning Amendments**

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

On motion by Supervisor Stacey, seconded by Supervisor Weber, the County Zoning Agency Report of Proposed Zoning Amendments, Item 1, Dennis Garoutte, Sugar Creek Township, was approved as recommended by the County Zoning Agency.

**Executive Committee**

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

Supervisor Grant offered a motion, seconded by Supervisor Weber, to approve Item 1, Ordinance No. 710-02/12. On motion by Supervisor Stacey, seconded by Supervisor Grant, Item 1, **Ordinance No. 710-02/12**, was approved by unanimous consent.

On motion by Supervisor Weber, seconded by Supervisor Brandl, Item 2, **Ordinance No. 711-02/12**; and Item 3, **Resolution No. 85-02/12**, were approved by voice vote. Chair Russell read Resolution No. 85-02/12, and stated that the UW-Whitewater Warhawks Football team and coaches were unable to attend tonight's meeting and that Supervisor Grant would be presenting the resolution to the team at a future date.

### **Finance Committee**

1. Ord. No. 712-02/12 – Amending Section 30-286 of the Walworth County Code of Ordinances Relative to Dog License Fees for License Years Beginning 2013 – *Vote Required: Majority* (Recommended by the Finance Committee 3-1)
2. Ord. No. 713-02/12 – Amending Section 30-145 of the Walworth County Code of Ordinances Relating to Public Service Organization Audit Requirements – *Vote Required: Majority* (Recommended by the Finance Committee 4-0)
3. Res. No. 86-02/12 – Authorizing Use of Contingency Fund Balance to Provide Funding for the Veterans Service Office – *Vote Required: Two-Thirds* (Recommended by the Finance Committee 4-0)
4. Res. No. 87-02/12 – Authorizing Addition of Rural Women's Alcohol and Other Drug Abuse (AODA) Grant to Pre-Approved Recurring Grants List – *Vote Required: Majority* (Recommended by the Finance Committee 4-0)
5. Res. No. 88-02/12 – Authorizing Transfer of Contingency Fund Balance to the Sheriff's Office for 911 User Fee Charges for 2012 – *Vote Required: Two-Thirds* (Recommended by the Finance Committee 4-0)
6. Res. No. 89-02/12 – Approving a Loan in the Amount of \$100,000 to the Walworth County Historical Society for the Purpose of Property Acquisition – *Vote Required: Two-Thirds* (The Finance and Public Works Committees will meet jointly prior to the February 14 County Board Meeting to consider this resolution and make a recommendation.)

On motion by Supervisor Weber, seconded by Supervisor Stacey, Item 1, **Ordinance No. 712-02/12**; Item 2, **Ordinance No. 713-02/12**; and Item 4, **Resolution No. 87-02/12**, were approved by voice vote.

Supervisor Grant offered a motion, seconded by Supervisor Weber, to approve Item 3, Resolution No. 86-02/12. On motion by Supervisor Grant, seconded by Supervisor Stacey, Item 3, **Resolution No. 86-02/12**, was approved by unanimous consent.

Supervisor Weber offered a motion, seconded by Supervisor Stacey, to approve Item 5, Resolution No. 88-02/12. On motion by Supervisor Grant, seconded by Supervisor Weber, Item 5, **Resolution No. 88-02/12**, was approved by unanimous consent. Chair Russell asked Administrator Bretl to speak about this resolution. Bretl stated this pertains to a gap in fees for the 911 service. He said the cost for the 911 service is \$0.46 and state statutes have set a maximum amount of \$0.40 that can be charged on landlines for the service. He also said that many 911 calls are generated on cell phones, and state statutes do not allow a user fee to be attached to cell phone bills. He stated this will be budgeted for next year unless there is a change in state law to attach this fee to cell phone bills. Motion carried.

Supervisor Weber offered a motion, seconded by Supervisor Grant, to approve Item 6, Resolution No. 89-02/12. On motion by Supervisor Grant, seconded by Supervisor Stacey, Item 6, **Resolution No. 89-02/12**, was approved by unanimous consent.

## Human Resources Committee

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

Supervisor Grant offered a motion, seconded by Supervisor Brandl, to approve Item 1, Ordinance No. 714-02/12. On motion by Supervisor Stacey, seconded by Supervisor Weber, Item 1, **Ordinance No. 714-02/12**, was approved by unanimous consent.

On motion by Supervisor Weber, seconded by Supervisor Grant, Item 2, **Ordinance No. 715-02/12**; Item 3, **Ordinance No. 716-02/12**; Item 4, **Ordinance No. 717-02/12**; and Item 5, **Ordinance No. 718-02/12**, were approved by voice vote.

## Reports of Special Committees

There were none.

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

There was none.

## Chairperson's Report

Chair Russell did not have anything to report.

Supervisor Schaefer offered a motion, seconded by Supervisor Grant, to bring Ordinance No. 712-02/12 back before the board. Supervisor Schaefer referred to a memo from Deputy County Administrator-Finance Nicki Andersen in regard to dog license fees. He stated the volume of dog licenses sold has decreased over the last four years and he thought it is due to the increase in the fees. He also said that if the license fees were lower, you would have more people that would want to have their dogs licensed. On motion by Vice-Chair Kilkenny, seconded by Supervisor Grant, **Ordinance No. 712-02/12 – Amending Section 30-286 of the Walworth County Code of Ordinances Relative to Dog License Fees for License Years Beginning 2013** was approved by voice vote. Supervisor Schaefer requested that his vote be recorded as no. Motion carried.

## Adjournment

On motion by Supervisor Weber, seconded by Supervisor Stacey, the meeting was adjourned at 6:24 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 February 14, 2012 meeting.

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



**Nomination for Committee/Board/Commission Appointment**

**Committee:** Walworth County Highway Traffic Safety Commission

**Nominee:** Tom Anthony

**Address:** Gateway Technical College

400 County Road H

Elkhorn, WI 53121

**Submitted by:** David Bretl, County Administrator

**Authority:** Section 59.18, Wisconsin Statutes

**Who will the nominee replace?** nobody

**When did/does the incumbent's current term expire?** \_\_\_\_\_

**Was this vacancy advertised?** no

**Comment** Mr. Anthony is nominated to serve as a representative appointed by the

county board from the discipline of education, pursuant to County Code section 66-56 (a) (7).

Members of this commission serve at the pleasure of the county board. Their term of

service ends when a successor is named.

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

\_\_\_\_\_

\_\_\_\_\_

**For incumbents, committee attendance, if known:**

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

**Nomination for Committee/Board/Commission Appointment**

**Committee:** Walworth County Highway Traffic Safety Commission

**Nominee:** John R. Race, Branch III Circuit Court Judge

**Address:** Walworth County Judicial Center

1800 County Trunk NN

Elkhorn, WI 53121

**Submitted by:** David Bretl, County Administrator

**Authority:** Section 59.18, Wisconsin Statutes

**Who will the nominee replace?** nobody

**When did/does the incumbent's current term expire?** \_\_\_\_\_

**Was this vacancy advertised?** no

**Comment** Judge Race is nominated to serve as a representative appointed by the

county board from the discipline of law, pursuant to County Code section 66-56 (a) (7).

Members of this commission serve at the pleasure of the county board. Their term of

service ends when a successor is named.

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

\_\_\_\_\_  
\_\_\_\_\_

**For incumbents, committee attendance, if known:**

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**Nomination for Committee/Board/Commission Appointment**

**Committee:** Walworth County Highway Traffic Safety Commission

**Nominee:** Pat Grove

**Address:** Walworth County Health and Human Services (HHS) Department

W4051 County Road NN

Elkhorn, WI 53121

**Submitted by:** David Bretl, County Administrator

**Authority:** Section 59.18, Wisconsin Statutes

**Who will the nominee replace?** nobody

**When did/does the incumbent's current term expire?** \_\_\_\_\_

**Was this vacancy advertised?** no

**Comment** Ms. Grove is nominated to serve as a representative appointed by the

county board from the discipline of medicine, pursuant to County Code section 66-56 (a) (7).

Members of this commission serve at the pleasure of the county board. Their term of

service ends when a successor is named.

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

\_\_\_\_\_  
\_\_\_\_\_

**For incumbents, committee attendance, if known:**

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_



**Nomination for Committee/Board/Commission Appointment**

**Committee:** Wisconsin River Rail Transit Commission

**Nominee:** Richard Kuhnke

**Address:** W8175 R & D Townline Road, Delavan, WI 53115

**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?** May 11, 2011

**Was this vacancy advertised?** no

**Comment** Reappointment of Mr. Kuhnke would be for an additional 3-year term of service to begin upon county board confirmation and end on April 30, 2014.

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

\_\_\_\_\_  
\_\_\_\_\_

**For incumbents, committee attendance, if known:**

Mr. Kuhnke regularly attends meetings of the WRRTC.



**Nomination for Committee/Board/Commission Appointment**

**Committee:** Wisconsin River Rail Transit Commission (WRRTC)

**Nominee:** Allan Polyock

**Address:** N146 Bissell Road, Lake Geneva, WI 53147

**Submitted by:** David Bretl, County Administrator

**Authority:** Section 59.18, Wisconsin Statutes

**Who will the nominee replace?** Mr. Polyock currently serves on the WRRTC.

**When did/does the incumbent's current term expire?** April 30, 2012

**Was this vacancy advertised?** No

**Comment** Mr. Polyock has served on the commission since 2007. This appointment would be for an additional 3-year term, to begin upon County Board confirmation and end on April 30, 2015.

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

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**For incumbents, committee attendance, if known:**

Mr. Polyock's attendance at WRTTC meetings is regular.

144845

**STATE OF WISCONSIN                      CIRCUIT COURT                      WALWORTH COUNTY**

CARLOS AND LINDA MONT  
W1970 County Road J  
Mukwonago, WI 53149,

**12 CV 0207**

Plaintiffs,

Case No. \_\_\_\_\_  
Case Code: 30955  
Petition for Writ of Certiorari

v.

COUNTY OF WALWORTH,  
a Wisconsin municipal corporation  
c/o Kimberly S. Bushey  
100 W. Walworth Street  
Elkhorn, WI 53121,

HON. JAMES L. CARLSON

**FILED  
CIRCUIT COURT**

**FEB 20 2012**

Clerk of Courts-Walworth Co.  
By: SUSAN NESBITT

WALWORTH COUNTY ZONING AGENCY  
c/o Walworth County Land Use and Resource Management Department  
Attn: Michael Cotter, Esq., Director  
100 W. Walworth Street  
Elkhorn, WI 53121,

JOHNSON SAND & GRAVEL, INC.,  
a Wisconsin business corporation  
c/o Jody L. Johnson Keck, Registered Agent  
20685 W. National Avenue  
New Berlin, WI 53146,

PETER J. AND SHIRLEY M. MAINKA  
32601 W. Oakland Road  
Chenequa, WI 53058,

**RECEIVED  
WALWORTH COUNTY CLERK  
2012 FEB 27 PM 1:49**

Defendants.

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**SUMMONS**

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**TO EACH PERSON NAMED ABOVE AS A DEFENDANT:**

You are hereby notified that the Plaintiffs named above have filed a lawsuit or other legal action, which names you as a Defendant. The Complaint, which is attached, states the nature and basis of the legal action.

Within 45 days of receiving this Summons, except the United States of America which has 60 days to answer, you must respond with a written answer (as that term is used in chapter 802 of the Wisconsin Statutes) to the Complaint. The Court may reject or disregard an answer that does not follow the requirements of the statutes. The answer must be sent or delivered to the Court, whose address is Walworth County Judicial Center, 1800 County Trunk NN, P.O. Box 1001, Elkhorn, Wisconsin, 53121, and to Anthony A. Coletti, Plaintiff's attorney, whose address is 101 Evergreen Parkway, Unit #3, Elkhorn, Wisconsin 53121. You may have an attorney help or represent you.

If you do not provide a proper answer within 45 days, the Court may grant judgment against you for the award of money or other legal remedy requested in the Complaint, and you may lose your right to respond to the allegations made in the Complaint. A judgment may be enforced as provided by law. A judgment awarding money may become a lien against any real estate you own now or in the future, and may also be enforced by garnishment or seizure of property.

Dated this 20<sup>th</sup> day of February, 2012.

LAW OFFICES OF ANTHONY A. COLETTI,  
S.C., Attorneys for the Plaintiffs, Carlos Mont  
and Linda Mont

By:   
Anthony A. Coletti, SBN 1018646

Prepared by:  
Attorney Anthony Coletti  
SBN 1018646  
LAW OFFICES OF ANTHONY A. COLETTI, S.C.  
101 Evergreen Parkway, Unit #3  
Elkhorn, WI 53121  
Phone: (262) 723-8000  
Fax: (262) 723-8030

CARLOS AND LINDA MONT  
W1970 County Road J  
Mukwonago, WI 53149,

**12 CV 0207**

Plaintiffs,

Case No. \_\_\_\_\_

Case Code: 30955

v.

Petition for Writ of Certiorari

COUNTY OF WALWORTH,  
a Wisconsin municipal corporation  
c/o Kimberly S. Bushey  
100 W. Walworth Street  
Elkhorn, WI 53121,

HON. JAMES L. CARLSON

WALWORTH COUNTY ZONING AGENCY  
c/o Walworth County Land Use and Resource Management Department  
Attn: Michael Cotter, Esq., Director  
100 W. Walworth Street  
Elkhorn, WI 53121,

**FILED  
CIRCUIT COURT**

**FEB 20 2012**

Clerk of Courts-Walworth Co.  
By: SUSAN NESBITT

JOHNSON SAND & GRAVEL, INC.,  
a Wisconsin business corporation  
c/o Jody L. Johnson Keck, Registered Agent  
20685 W. National Avenue  
New Berlin, WI 53146,

PETER J. AND SHIRLEY M. MAINKA  
32601 W. Oakland Road  
Chenequa, WI 53058,

Defendants.

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**COMPLAINT**

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**NOW COMES** the Plaintiffs, Carlos Mont and Linda Mont, by their attorneys, Law Offices of Anthony A. Coletti, S.C., by attorney Anthony A. Coletti, do hereby allege and complain against the Defendants, County of Walworth, a Wisconsin municipal corporation, Walworth County Zoning Agency, Johnson Sand & Gravel, Inc., a Wisconsin business corporation, Peter J. Mainka and Shirley M. Mainka, as follows:

1. Plaintiffs, Carlos Mont and Linda Mont (collectively the “Monts”), are husband and wife and adult residents of the State of Wisconsin residing at W1970 County Road J, Mukwonago, WI 53149. The Monts own the real property located in the Town of East Troy, Walworth County, Wisconsin which is bounded and described on the attached Exhibit A which is incorporated herein by reference (the “Mont Property”).
2. Defendant, County of Walworth (the “County”) is a Wisconsin municipal corporation with offices located c/o Kimberly S. Bushey, Walworth County Clerk, 100 West Walworth Street, Elkhorn, WI 53121.
3. Defendant, Walworth County Zoning Agency (the “Zoning Agency”) is a subcommittee of the Walworth County Board charged with the review of applications for conditional use permits. The Zoning Agency’s offices are located c/o Walworth County Land Use and Resource Management Department, Attn: Michael Cotter, Esq., Director, 100 West Walworth Street, Elkhorn, WI 53121
4. Defendant, Johnson Sand & Gravel, Inc. (“Johnson”), is a Wisconsin business corporation organized pursuant to Chapter 180 of the Wisconsin Statutes. Johnson’s Registered Agent is Jody L. Johnson Keck, whose address is 20685 West National Avenue, New Berlin, WI 53146. Johnson’s principal offices are located at 20685 West National Avenue, New Berlin, WI 53146.
5. Defendants, Peter J. Mainka and Shirley M. Mainka (collectively the “Mainkas”), are husband and wife and adult residents of the State of Wisconsin residing at 32601 West Oakland Road, Chenequa, WI 53058. The Mainkas own the real property located in the Town of East Troy, Walworth County, Wisconsin which is bounded and described on the attached Exhibit B which is incorporated herein by reference (the “Mainka Property”).
6. A gravel pit is located upon the Mainka Property (the “Gravel Pit”).
7. On June 13, 2006, a conditional use permit was issued to Peter Mainka for the Gravel

Pit ("CUP").

8. At all times material to this action, Johnson has operated a gravel extraction operation at the Gravel Pit.

9. In 2011, Johnson applied to the Zoning Agency on behalf of the Mainkas for an amendment to the CUP to permit sand and stone washing at the Gravel Pit.

10. The Zoning Agency held a public hearing on Johnson's request for an amendment to the CUP on January 19, 2012. At the conclusion of the hearing, the Zoning Agency approved the amendment to the CUP requested by Johnson pursuant to the terms, conditions, and provisions set forth on the attached Exhibit C which is incorporated herein by reference (hereinafter referenced as the "Amended CUP"). The Amended CUP was issued on January 19, 2012, by the Zoning Agency acting as the duly authorized agent of the County.

11. Upon information and belief, in approving the Amended CUP the Zoning Agency acted contrary to law in that the sand and stone washing operations proposed by Johnson is (a) hazardous, harmful, and offensive to the Monts and the Mont Property as well as to other properties adjoining, or in proximity to, the Mainka Property, (b) adverse to the environmental quality of the Mont Property and other properties adjoining, or in proximity to, the Mainka Property, (c) adverse to the water quality of the Mont Property and other properties adjoining, or in proximity to, the Mainka Property, and/or (d) adverse to the values of the Mont Property and other properties adjoining, or in proximity to, the Mainka Property contrary to Section 74-59 of the Walworth County Code of Ordinances.

12. Upon information and belief, in approving the Amended CUP the Zoning Agency acted arbitrarily, oppressively, and unreasonably and in a manner representing its will and not its judgment in that:

- (1) The sand and stone washing operations proposed by Johnson is (a) hazardous, harmful, and offensive to the Monts and the Mont Property as well as to other

properties adjoining, or in proximity to, the Mainka Property, (b) adverse to the environmental quality of the Mont Property and other properties adjoining, or in proximity to, the Mainka Property, (c) adverse to the water quality of the Mont Property and other properties adjoining, or in proximity to, the Mainka Property, and/or (d) adverse to the values of the Mont Property and other properties adjoining, or in proximity to, the Mainka Property contrary to Section 74-59 of the Walworth County Code of Ordinances.

(2) As of January 19, 2012, Johnson was in violation of Condition No. 26 of the CUP which provided that “[t]he Owner [Mainka] must provide parking area at the back of the [Gravel Pit] to serve trucks waiting, prior to the opening hours of operation” such that trucks were frequently parked in, or along, County Highway J awaiting the opening of the Gravel Pit. Condition No. 26 was renumbered as Condition No. 27 in the Amended CUP. Johnson remains in violation of Condition No. 27 to this day.

(3) The Zoning Agency severely reduced the scope of a condition recommended by the Town for the paving of the driveway for access the Gravel Pit from County Highway J to the immediate area of the Gravel Pit which will lead to the generation of substantial amounts of dust and mud to the harm, detriment, and damage of the Monts and the owners of other properties adjoining, or in proximity to, the Mainka Property.

13. Based upon the facts alleged, and law cited, in Paragraph 12, immediately above, upon information and belief, the evidence before the Zoning Agency was such that it could not have reasonably approved the Amended CUP.

14. The Court should therefore issue a writ of certiorari for review of the Zoning Agency’s decision to approve, and issue, the Amended CUP.

15. Upon certiorari review, the Court should reverse the decision of the Zoning Agency to approve, and issue, the Amended CUP and declare the Amended CUP to be null and void.

**WHEREFORE**, the Plaintiffs, Carlos Mont and Linda Mont demand judgment against the Defendants, County of Walworth, a Wisconsin municipal corporation, Walworth County Zoning Agency, Johnson Sand & Gravel, Inc., a Wisconsin business corporation, Peter J. Mainka and Shirley M. Mainka, for the following relief:

1. Issuance of a writ of certiorari for review of the Zoning Agency's decision to approve, and issue, the Amended CUP.
2. For an Order reversing the decision of the Zoning Agency to approve, and issue, the Amended CUP and declaring the Amended CUP to be null and void.
3. Issuance of a permanent injunction requiring the Mainkas to comply with Condition No. 26 of the CUP by providing parking area at the back of the Gravel Pit to serve trucks waiting, prior to the opening hours of operation, or, in the alternative, issuance of a permanent injunction requiring the Mainkas to comply with Condition No. 27 of the Amended CUP by providing parking area at the back of the Gravel Pit to serve trucks waiting, prior to the opening hours of operation.
4. For an award of the costs and disbursements of this action, against all of the Defendants, jointly and severally.
5. Such other relief as the Court deems just and proper.

Dated this 20<sup>th</sup> day of February, 2012.

LAW OFFICES OF ANTHONY A. COLETTI,  
S.C., Attorneys for the Plaintiffs, Carlos Mont  
and Linda Mont

Prepared by:  
Attorney Anthony Coletti  
SBN 1018646  
LAW OFFICES OF ANTHONY A. COLETTI, S.C.  
101 Evergreen Parkway, Unit #3  
Elkhorn, WI 53121  
Phone: (262) 723-8000  
Fax: (262) 723-8030

By:   
Anthony A. Coletti, SBN 1018646

**EXHIBIT A**  
**LEGAL DESCRIPTION OF MONT PROPERTY**

All that part of the Northwest  $\frac{1}{4}$  and Southwest  $\frac{1}{4}$  of Section 5, Township 4 North, Range 18 East, Town of East Troy, Walworth County, Wisconsin, bounded and described as follows: commencing at the Northwest corner of said Northwest  $\frac{1}{4}$ ; then Southerly along the West line of said Northwest  $\frac{1}{4}$  1310.26 feet; thence South  $88^{\circ}38'02''$  East 1305.48 feet; thence due South 139.43 feet to the place of beginning of the lands hereinafter described; thence South  $85^{\circ}49'10''$  East 236.16 feet; thence South  $00^{\circ}26'24''$  East 279.62 feet; thence South  $66^{\circ}41'45''$  East 459.42 feet; thence South  $00^{\circ}71'55''$  west 210.68 feet; thence South  $88^{\circ}12'11''$  East 90.84 feet; thence South  $06^{\circ}00'00''$  East 415.00 feet to the Northeast corner of Certified Survey Map No. 1544; thence South  $84^{\circ}00'00''$  West along the North line of said Certified Survey Map 295.50 feet; thence South  $06^{\circ}00'00''$  East 784.75 feet along the West line of said Certified Survey Map to a point on the center line of C.T.H. "J"; thence South  $84^{\circ}00'00''$  West along said center line 571.97 feet; thence North  $00^{\circ}25'39''$  West 1975.69 feet to the place of beginning.

Excepting therefrom the following described parcel of land being a parcel of land in the Southeast  $\frac{1}{4}$  of the Northwest  $\frac{1}{4}$  and part of the Northeast  $\frac{1}{4}$  of the Southwest  $\frac{1}{4}$  of the Southwest  $\frac{1}{4}$  of Section 5, Township 4 North; Range 18 East, Town of East Troy, Walworth County Wisconsin, being more particularly described as follows:

Commencing at the Southwest corner of said Section 5; thence along the West line of the Southwest  $\frac{1}{4}$  of said Section 5 North  $00^{\circ}00'00''$  West, a distance of 1456.80 feet to a point on the centerline of County Trunk Highway "J"; thence along said centerline North  $70^{\circ}28'23''$  East, a distance of 848.57 feet to a point on a curve; thence along said curve to the right 392.43 feet, said curve having a radius of 1910.08 feet, a chord bearing North  $77^{\circ}15'37''$  east for a length of 391.74 feet to a point; thence North  $83^{\circ}08'46''$  East, a distance of 121.94 feet to the point of beginning; thence continuing North  $83^{\circ}08'46''$  East, a distance of 28.95 feet to a point; thence North  $00^{\circ}24'37''$  East, a distance of 854.90 feet to a point; thence North  $86^{\circ}26'26''$  East, 11.88 feet to a point; thence North  $00^{\circ}31'36''$  West, a distance of 1097.12 feet to a point; thence North  $86^{\circ}01'14''$  West, a distance of 43.62 feet to a point; thence South  $00^{\circ}12'04''$  East, a distance of 1959.19 feet to the point of beginning.

Tax Parcel: P ET 500003B

**EXHIBIT B**  
**LEGAL DESCRIPTION FOR MAINKA PROPERTY**

Being a parcel of land in the E  $\frac{1}{4}$  of the NW  $\frac{1}{4}$  and part of the NE  $\frac{1}{4}$  of the SW  $\frac{1}{4}$  of Section 5, Town 4 North, Range 18 east, Town of East Troy, Walworth County, Wisconsin, being more completely describe as follows: Commencing at the SW corner of said Section 5, thence along the West line of the SW  $\frac{1}{4}$  of said Section 5 N 00°00'00" W, a distance of 1456.80 feet to a point on the centerline of C.T.H. "J"; thence along said centerline N 70°28'23" E, a distance of 848.57 feet to a point on a curve; thence along said curve to the right 392.43 feet, said curve having a radius of 1910.08 feet, a chord bearing N 77°15'37" E for a length of 391.74 feet to a point; thence N 83°08'46" E, a distance of 121.94 feet to the point of beginning; thence continuing N 83°08'46" E, a distance of 28.95 feet to a point; thence N 00°24'37" E, a distance of 854.90 feet to a point; thence N 86°26'26" E, 11.88 feet to a point; thence N 00°31'36" W, a distance of 1097.12 feet to a point; thence N 86°01'14" W, a distance of 43.62 feet to a point; thence S 00°12'04" E, a distance of 1959.19 feet to the point of beginning.

Tax Parcel: P ET 500003A



Land Use and Resource  
Management Department

NAME: Peter J. & Shirley M. Mainka

TOWN: East Troy

The application indicates: Johnson Sand and Gravel operates within the Mainka gravel pit and is seeking conditional use approval to add a wash plant to the existing operations. The wash plant is requested in order to create washed sand and gravel to be used in concrete, septic systems and other construction uses.

Tax Parcel #P ET 500003A

Has been APPROVED subject to the following conditions:

General:

1. This project is approved as per plan submitted as a conditional use for mineral extraction with a wash plant subject to all conditions.
2. Implementation of dust and noise control measures shall occur at all times on site.
3. The applicant must obtain a Land Disturbance, Erosion Control and Stormwater permit from The Land Conservation Department. The applicant must follow phases of excavation and restoration as part of the approval under the County's Land Disturbance Erosion Control and Stormwater Management Ordinance and mining reclamation standards. The applicant must submit a project-sequencing schedule as part of the restoration plan for each phase leading to completion prior to approval. The applicant will be responsible for paying all county fees associated with the reclamation plan review, approval and monitoring for compliance with this approval.
4. The applicant shall submit an acceptable form of bonding as part of the restoration plan - The bond shall remain in place for the life of the pit plus one full year after final restoration to allow for final stability review. A copy of the bond and any renewals shall be submitted to the County Land Conservation section of the Land Use and Resource Management Office. Renewals of bonds shall be submitted prior to expiration on a two year limited basis. The bond shall be release after final restoration and application for rezone back to the original agricultural zone district.
5. Hours and days of operation shall be set at 6:00 a.m. to 6:00 p.m. Monday through Friday and 6:00 a.m. to noon on Saturday. No work shall be conducted on Sundays or holidays.

100 West Walworth Street  
P.O. Box 1001  
Keweenaw 222  
Elkhorn, WI 53121  
Planning/Zoning/Permitting  
Conservation Division  
262.741.4972 tel  
262.741.4974 fax  
262.741.1973 fax

EXHIBIT

6. Road access and maintenance agreements shall be filed with the township and county prior to hauling materials off site as part of the restoration plan.
7. The county will not be liable for any damage to neighboring wells due to the operation of the project.
8. Any additional office/trailer or structures shall obtain approved zoning and sanitary permits.
9. Approval of the project shall be subject to all applicable gravel pit policies.
10. The project shall meet all applicable Federal, State and local regulations.
11. All material storage locations must be in an approved zoning district.
12. No materials shall be brought in from off site other than those materials specified in the approved restoration plan.
13. All topsoil generated from the site must remain on site for use in restoration as indicated in and regulated by the restoration plan. All topsoil will be regraded evenly on the disturbed area.
14. All site dewatering shall be conducted so as to prevent sedimentation outside of the project area in accordance with the Erosion Control and Stormwater Management permit. The site may not be dewatered until all sediment has settled in the open water area of the pit.
15. The applicant shall certify that the project plans and the conditions of this approval shall be provided and discussed with the property owner prior to excavation on site and must provide a copy of the certification signed by the owner.
16. Following restoration, the landowner shall petition to rezone the property back to the committee recommended zoning district.
17. The applicant must obtain a sign permit from the County Zoning Office prior to construction of any signs on site. No off premise signs or billboards will be allowed to be located in an M-3 district even under a State Hwy permit because the M-3 use is temporary and the signs must be consistent with the required zoning upon restoration.
18. No storage of chemicals and petroleum products shall occur on site unless stored in a containment facility meeting state requirements.
19. The applicant must stipulate that adequate liability insurance will be held at all times during excavation and restoration to cover any damages resulting from the project. The

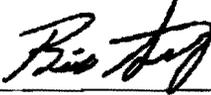
applicant has agreed to provide a copy of the liability insurance coverage document for the site.

20. The applicant will be held solely responsible for maintaining support rights of neighboring property owners. Adequate setbacks from the proposed excavation to neighboring properties shall be provided to prevent damages resulting from potential cave in of the excavation walls.
21. The County will not be responsible for loss of agricultural productivity of the property as a result of this project.
22. Any changes to the character, intensity or use of this site not capable of being discerned by the Land Management Department as consistent with this approval must be brought before the County Zoning Agency for additional conditional use review.
23. **Failure to actively exercise this conditional use within three years of the approval date shall result in automatic dismissal without prejudice. The property owner may request a time extension for actively exercising the conditional use. A time extension for actively exercising the conditional use must be requested in writing during the original three year period. Any extension requested during the three year active exercise period greater than one year beyond the original three year period shall require additional Town and County committee approvals.**

Specific Conditions:

24. The owner/operator shall provide a berm stockpile-phasing schedule within 30 days of an approval. Construction of the outside screening berm shall occur in approximate 1/3 segments per phase, as the phases are started.
25. The owner shall address all ground water concerns during the conservation office review under the required land disturbance, erosion control and storm water management review.
26. The owner must upgrade the haul road to allow for two-way traffic with a 22-foot wide gravel base so trucks can pass by each other.
27. The owner must provide parking area at the back of the pit to serve trucks waiting, prior to the opening hours of operation.
28. **The property owner shall obtain all required State permits for installation of the wash plant prior to construction of the plant and well on site.**
29. **The property owner shall submit a well guarantee for 12 wells shown on exhibit G for six months after final restoration as per the Town.**
30. **The owner shall pave the entrance road to the main gate, 200 feet as per the Town.**

Dated this 19<sup>th</sup> day of January, 2012.



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COUNTY ZONING AGENCY  
RICK STACEY, CHAIRMAN

Kimberly Dushay - Co Clerk

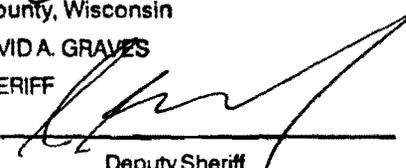
Served Walworth County  
this 27<sup>th</sup> day of February 20 12  
at 1:46 PM Elkhart  
City, Town or Village

Walworth County, Wisconsin

DAVIDA GRAVES

SHERIFF

BY

  
Deputy Sheriff

RESOLUTION SUPPORTING H.R. 2250 IN THE U.S. HOUSE OF REPRESENTATIVES AND U.S. SENATE BILL 1392 TO PROVIDE ADDITIONAL TIME FOR THE ADMINISTRATOR OF THE ENVIRONMENTAL PROTECTION AGENCY TO ISSUE ACHIEVABLE STANDARDS FOR INDUSTRIAL, COMMERCIAL, AND INSTITUTIONAL BOILERS, PROCESS HEATERS, AND INCINERATORS, AND FOR OTHER PURPOSES.

Motion by: <i>Lussow</i>				
Second by: <i>Nelson</i>				
Dist.	Supervisor	Y	N	Abs
13	Alber			
18	Bailey			
12	Berndt			
3	Bloomer			
1	Caylor			
19	Fox			
10	Giese			
8	Krueger			
15	Lee			
16	Loka			
14	Lussow			
20	Meyer			
11	Mittelsteadt			
17	Nelson			
4	Pampuch			
22	Rankin			
7	Rusch			
5	Saal			
21	Simon			
2	Weaver			
6	Woller			
9	Zeitz			
<b>Totals</b>				
Carried				
Defeated				
Amended				
Voice vote				
Roll call				

WHEREAS, the U.S. Congress has issued the Clean Air Act (42 U.S.C. §7401 et seq. (1970)); and

WHEREAS, Section 112 of the Clean Air Act requires maximum achievable control technology (MACT) standards for major sources (those that emit or have the potential to emit 10 tons per year or more of a hazardous air pollutant or 25 tons per year or more of a combination of hazardous air pollutants); and

WHEREAS, MACT standards have been proposed for Industrial and Commercial Boilers on a pollutant-by-pollutant basis instead of a source-specific basis (40 CFR Part 63 [EPA-HQ-OAR-2002-0058; FRL-9503-6] RIN 2060-AR13 National Emission Standards for Hazardous Air Pollutants for Major Sources: Industrial, Commercial, and Institutional Boilers and Process Heaters, Federal Register / Vol. 76, No. 247 / Friday, December 23, 2011 / Proposed Rules); and

WHEREAS, the proposed MACT standards do not account for fuel and process variability; and

WHEREAS, the proposed MACT standards do not include health-based compliance alternatives; and

WHEREAS, the compliance costs associated with the proposed standards will impose potentially crippling capital and operating costs on a major source in our community, and

WHEREAS, in January 2011, President Obama directed federal agencies to consider the most cost effective approaches to regulations (Executive Order 13563); and

WHEREAS, Lincoln County residents and businesses anticipate that significant economical harm may result from the rule as proposed.

NOW, THEREFORE BE IT RESOLVED that the Lincoln County Board of Supervisors supports both H.R. 2250 and S. 1392 that together provide legislative remedy to the MACT rule according to their respective provisions.

NOW, THEREFORE BE IT FURTHER RESOLVED that this resolution be sent to the President, all Wisconsin U.S. Senators and Representatives, all appropriate Congressional Committees, all Wisconsin counties and the Wisconsin Counties Association.

Dated this 21<sup>st</sup> day of February, 2012

Fiscal Impact: Millions of dollars out of the local economy.

Introduced by: Robert Lussow

Drafted by: Randy Scholz Administrative Coordinator

STATE OF WISCONSIN )  
 ) SS:  
 COUNTY OF LINCOLN )

I hereby certify that this resolution/ordinance is a true and correct copy of a resolution/ordinance adopted by Lincoln County Board of Supervisors on:

*February 21, 2012*  
*Sheila Pudelko*  
 Sheila Pudelko, County Clerk

## 2011 LAWS/DOG LICENSE RECONCILIATION

FEES COLLECTED	\$31,785.50
LESS FEES SENT TO STATE (5% MIN FEES 17,615.00)	(880.75)
LESS LOCAL TREASURER FEES	(1,183.25)
MUNIS 8310-44510 END OF YEAR	<u>29,721.50</u>
LESS EXPENSES:	
NEWSPAPERS/ADVERTISING	(85.94)
LICENSES SUPPLIES (TAGS)	(263.87)
BEAR GRAPHICS (BOOKS/CARDS)	(142.54)
<b>TOTAL DUE LAWS</b>	<b><u>\$29,229.15</u></b>

DOG LICENSING STATISTICS

DOG LICENSE FUND  
WALWORTH COUNTY

<u>Year</u>	<u>Number of Dogs Licensed</u>	<u>Dog License Total Receipts</u>	<u>5% to State</u>	<u>Claims Paid For Damages</u>	<u>LAWS Custody Dogs/Cats</u>
1986	5,049	\$16,196.00	\$809.80	\$0.00	\$0.00
1987	4,818	\$15,383.50	\$769.17	\$1,280.00	\$0.00
1988	4,527	\$14,264.00	\$713.21	\$846.00	\$0.00
1989	4,751	\$14,922.50	\$746.13	\$1,234.91	\$0.00
1990	4,788	\$15,009.50	\$750.48	\$22.50	\$0.00
1991	4,686	\$14,184.50	\$709.24	\$1,021.00	\$0.00
1992	4,610	\$20,688.50	\$1,034.48	\$0.00	\$0.00
1993	4,512	\$19,893.00	\$994.65	\$200.00	\$0.00
1994	4,535	\$20,102.00	\$1,005.10	\$50.00	\$0.00
1995	4,769	\$20,325.00	\$1,017.25	\$600.00	\$0.00
1996	4,612	\$19,268.00	\$963.40	\$0.00	\$0.00
1997	4,603	\$19,073.50	\$953.68	\$0.00	\$0.00
1998	4,665	\$19,149.00	\$957.45	\$0.00	\$0.00
1999	4,662	\$18,830.00	\$941.50	\$0.00	\$0.00
2000	4,746	\$18,925.00	\$946.25	\$3,887.00	\$0.00
2001	4,809	\$18,966.00	\$948.30	\$0.00	\$8,598.00
2002	4,838	\$19,122.00	\$956.10	\$0.00	\$6,405.00
2003	4,748	\$18,548.00	\$927.40	\$0.00	\$3,504.50
2004	4,960	\$19,202.00	\$960.10	\$150.00	\$0.00
2005	4,987	\$19,534.00	\$976.70	\$0.00	\$0.00
2006	5,110	\$19,676.00	\$983.80	\$0.00	\$0.00
2007	5,071	\$19,514.50	\$1,267.75	\$0.00	\$0.00
2008	5,045	\$19,203.00	\$960.15	\$1,000.00	\$0.00
2009	4,810	\$18,212.00	\$910.60	\$0.00	\$0.00
2010	4,768	\$32,137.00	\$893.30	\$0.00	\$0.00
2011	4,733	\$31,785.50	\$880.75	\$0.00	\$0.00

December 31, 2011

SUMMARY OF 2011 DOG LICENSES SOLD IN WALWORTH COUNTY

Number of males .....	375 @ \$ 11.00 =	\$ 4,125.00
Number of females .....	248 @ \$ 11.00 =	\$ 2,728.00
Number of neutered males .....	2,014 @ \$ 6.00 =	\$12,084.00
Number of spayed females .....	2,086 @ \$ 6.00 =	\$12,516.00
Number of dogs 5 months old after July 1 (Unaltered) .....	1 @ \$ 5.50 =	\$ 5.50
Number of dogs 5 months old after July 1 (Altered) .....	0 @ \$ 3.00 =	\$ 0.00
Number of kennels .....	9 @ \$35.00 =	\$ 315.00
Dogs in excess of 12 per kennel .....	4 @ \$ 3.00 = (per dog)	\$ 12.00
Total fees collected .....		\$31,785.50

Fees to the State are based on the Min fee of \$8 and \$3 = \$17,615.00  
 5% of min fees payable to State Treasurer..... \$ 880.75

Less local treasurer fees ..... \$ 1,183.25

Less Dog License expenses (printing, supplies  
 advertising, damage, etc.) ..... \$ 492.35

Amount paid to Lakeland Animal Welfare Society ..... \$ 29,229.15

\$1,000.00 Balance for Dog Damage Claims remains in general ledger account  
 number 830-24133

December 14, 2011



March 13, 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
Lael Vandenburg	Linn Township Tax Parcel IBB 00001D	Rezone approx. 2.5 acres of C-2 Upland Resource Conservation District to R-1 Single Family Residential District (unsewered).	April 19 <sup>th</sup> , 2012  <b><u>March 13, 2012</u></b>
R. Stewart Properties LLC (Robert Stewart – Owner)	Walworth Township part of Tax Parcel E W 1800005	Rezone approx. 2 acre of A-1 Prime Agricultural and A-4 Agricultural Related Manufacturing, Warehousing and Marketing District to A-4 and A-1.	April 19 <sup>th</sup> , 2012  <b><u>March 13, 2012</u></b>
Boss Family LLC (Daniel Boss – Owner)	Richmond Township part of Tax Parcel C R 3300002	Rezone approx. 8.4 acres of A-1 Prime Agricultural District to A-4 Agricultural Related Manufacturing, Warehousing and Marketing District.	April 19 <sup>th</sup> , 2012  <b><u>March 13, 2012</u></b>

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](http://www.co.walworth.wi.us)).

Dated this \_\_\_\_\_ day of \_\_\_\_\_, 2012.

---

County Clerk

Cc: County Supervisor David A. Weber  
County Supervisor Richard Brandl  
County Supervisor Carl Redenius

February 17, 2012  
February 17, 2012 - expanded

Please include the following County Zoning Agency items on the March 13, 2012, County Board agenda:

Rezoning:

Lakes Brick and Block, LLC / Linn Township. Rezone approximately 1.4 acres of M-3 Mineral Extractive District to M-2 Heavy Industrial District.

**Approved 5 – 0 at the February 16, 2012, County Zoning Agency public hearing.**

Conformance With County Land Use Plan: The County 2035 Land Use Plan identifies this area as the Mixed Use land use category in which industrial uses are allowed.

**Resolution No. 96-03/12**  
**Approving an Agreement by and between Walworth County and  
CGI Communications, Inc. Relative to Producing Certain Informative  
Videos and Placing Links for Them on the County Website**

1 Moved/Sponsored by: Executive Committee  
2

3 **WHEREAS**, CGI Communications, Inc., (“CGI”), a company sponsored by the National  
4 Association of Counties that produces streaming web-based videos, has proposed producing a  
5 series of short, informational videos about Walworth County; and,  
6

7 **WHEREAS**, the videos, which would be accessible through a web link on the county’s website,  
8 would provide a virtual “tour” of the county, promoting the quality of life, government services,  
9 business relocation and economic development opportunities, quality of education and parks and  
10 recreational opportunities, thereby resulting in a potentially positive economic impact on the  
11 county; and,  
12

13 **WHEREAS**, CGI would produce up to ten informational videos, free of charge and, in turn, sell  
14 advertising that appears next to the videos.  
15

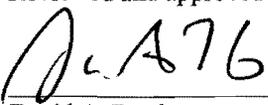
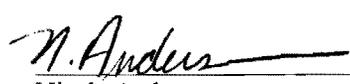
16 **NOW, THEREFORE, BE IT RESOLVED** that the Walworth County Board of Supervisors  
17 hereby authorizes the appropriate county staff to execute the attached agreement between  
18 Walworth County and CGI, provided, however, that the contract does not exceed a term of two  
19 years and that CGI complies with county guidelines concerning the types of business sponsors  
20 that will be permitted on the perimeter of video panels.  
21  
22  
23

24 \_\_\_\_\_  
25 Nancy Russell  
26 County Board Chair  
27  
28

\_\_\_\_\_   
Kimberly S. Bushey  
County Clerk

29 County Board Meeting Date: March 13, 2012  
30

31 Action Required:    Majority Vote   X        Two-thirds Vote \_\_\_\_\_      Other \_\_\_\_\_

Policy and Fiscal Note is attached. Reviewed and approved pursuant to Section 2-91 of the Walworth County Code of Ordinances:			
	<u>3/5/12</u>		<u>3/6/12</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.			



# Walworth County Movie Tour Book Agreement

CGI Communications, Inc.  
130 East Main Street, 8th Floor  
Rochester, NY 14604  
800-398-3029 phone  
866-429-8611 fax

Name: David Bretl  
Title: County Administrator  
Address: PO BOX 1001-County Courthouse  
County, State, Zip: Elkhorn, WI 53121-1001  
Phone: 262-741-4357  
Email: dbretl@co.walworth.wi.us  
Website: http://www.co.walworth.wi.us/

This agreement is between CGI Communications, Inc. and the County of Walworth and shall remain in effect from the date it is signed by both parties until the third anniversary of the date that the completed and approved County Video Program is made available for viewing via a link on the <http://www.co.walworth.wi.us/> homepage for viewer access. This Agreement shall automatically renew at the end of its term for a successive three (3) year period unless either party gives written notice of its intention to terminate or modify at least sixty (60) days prior to the end of the current term. Any termination or modification of this Agreement shall not take effect until the expiration of the current term.

**CGI Communications, Inc. and its eLocalLink division shall provide a County Movie Showcase as follows:**

- Website Welcome video from your County Manager or other civic leader and an Education, Quality of Life, and Real Estate/Relocation video (approximately 1 minute in duration)
- Up to 6 additional videos to showcase various aspects of your County and/or organization (providing a total of ten 1 minute County highlight videos)
- Script writing and video content consultation
- A videographer will come to your location to film videos
- All aspects of video production and editing, from raw footage to final video including professional voiceovers and background music
- Final draft of County Movie Showcase content subject to your approval
- Patented OneClick™ Technology and encoding of all videos into multiple streaming digital formats to play on all computer systems, browsers, and Internet connection speeds; recognized player formats include WindowsMedia® and QuickTime®
- Store and stream all videos on CGI's dedicated server
- Business sponsors allowed on the perimeter of video panels
- Duration of sponsor participation will be one year and eLocalLink is solely responsible for annual sponsorship fulfillment including all related aspects of marketing, production, printing, and distribution
- Viewer access of the County Movie Showcase from your website shall be facilitated by eLocalLink providing HTML source code for graphic link to be prominently displayed on the <http://www.co.walworth.wi.us/> website homepage
- eLocalLink will own copyrights of the master County Movie Showcase
- The County of Walworth will assume no cost or liability for this project

**Program Add-On if signed and received by March 16<sup>th</sup>, 2012**

- Encoding, hosting, and streaming of additional 5 minutes of video per month. Finished video content will be provided to CGI by the County of Walworth
- SmartTrack™ measurement and trackability

**The County of Walworth shall provide the following:**

- A letter of introduction for the program on your organization's letterhead
- Assist with the content and script for the County Movie Showcase
- Agrees to give eLocalLink the right to use organization's name in connection with the preparation, production, and marketing of the program set forth herein only
- Agrees to display the "Coming Soon" graphic link prominently on the <http://www.co.walworth.wi.us/> website homepage within 10 business days of receipt of HTML source code
- Agrees to display the "Video Tour Book" link to be no less than 150 by 400 pixels prominently on the <http://www.co.walworth.wi.us/> website homepage for the term of this agreement
- Provides eLocalLink exclusive streaming video rights for the program described herein only

This Agreement constitutes the entire agreement of the parties and supersedes any and all prior communications, understandings and agreements, whether oral or written. No modification or claimed waiver of any provision shall be valid except by written amendment signed by the parties herein.

We, the undersigned, understand the above information and have full authority to sign this agreement.

The County of Walworth, WI

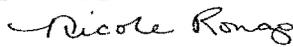
Signature:

Name (printed):

Title:

Date:

CGI Communications, Inc.

Signature: 

Name (printed): Nicole Rongo

Title: Vice President

Date: February 22<sup>nd</sup>, 2012

Resolution No. 93-03/12

Resolution Authorizing the Redemption of  
General Obligation Promissory Notes, Dated September 1, 2004,  
and General Obligation Promissory Notes, Dated August 1, 2005

Moved/Sponsored by: Finance Committee

**WHEREAS**, Walworth County, Wisconsin (the "County") has outstanding its General Obligation Promissory Notes, dated September 1, 2004 (the "2004 Notes") which mature on April 1 in the years 2012 through 2014 and its General Obligation Promissory Notes, dated August 1, 2005 (the "2005 Notes") which mature on April 1 in the years 2012 through 2015;

**WHEREAS**, this County Board of Supervisors has determined that it is necessary and desirable to call the 2004 Notes maturing in the years 2013 and 2014 and the 2005 Notes maturing in the years 2013 through 2015 for redemption on April 13, 2012 with funds of the County;

**NOW, THEREFORE, BE IT RESOLVED** by the County Board of Supervisors of Walworth County, Wisconsin, that the 2004 Notes maturing in the years 2013 and 2014 and the 2005 Notes maturing in the years 2013 through 2015 are called for prior payment on April 13, 2012 at the price of par plus accrued interest to the date of redemption.

The County hereby directs the County Clerk to work with Robert W. Baird & Co. Incorporated to cause timely notice of redemption, in substantially the forms attached hereto as Exhibits A and B and incorporated herein by this reference (the "Notices"), to be provided at the times, to the parties and in the manner set forth on the Notices.

Nancy Russell  
County Board Chair

Kimberly S. Bushey  
County Clerk

County Board Meeting Date: March 13, 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 2/27/2012  
Date  
David A. Bretl  
County Administrator/Corporation Counsel

N. Andersen 2/27/2012  
Date  
Nicole Andersen  
Deputy County Administrator - Finance

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

EXHIBIT A

NOTICE OF FULL CALL\*

to Holders of

WALWORTH COUNTY, WISCONSIN  
GENERAL OBLIGATION PROMISSORY NOTES,  
DATED SEPTEMBER 1, 2004

NOTICE IS HEREBY GIVEN that the Notes of the above-referenced issue which mature on the dates and in the amounts; bear interest at the rates; and have the CUSIP Nos. as set forth below have been called for prior payment on April 13, 2012 at a redemption price equal to 100% of the principal amount thereof plus accrued interest to the date of prepayment:

<u>Maturity Date</u>	<u>Principal Amount</u>	<u>Interest Rate</u>	<u>CUSIP No.</u>
04/01/2013	\$695,000	3.45%	933526JV8
04/01/2014	725,000	3.55	933526JW6

Upon presentation and surrender of said Notes to Associated Trust Company, National Association, Green Bay, Wisconsin, the registrar and fiscal agent for said Notes, the owners thereof will be paid the principal amount of the Notes plus accrued interest to the date of prepayment.

Said Notes will cease to bear interest on April 13, 2012.

By Order of the  
County Board of Supervisors  
Walworth County  
County Clerk

Dated \_\_\_\_\_  
\_\_\_\_\_

\* To be provided to Associated Trust Company, National Association, Green Bay, Wisconsin. The registrar and fiscal agent shall be directed to give notice of such prepayment by facsimile transmission, registered or certified mail, or overnight express delivery to The Depository Trust Company, Attn: Supervisor, Call Notification Department, 55 Water Street, 50<sup>th</sup> Floor, New York, NY 10041-0099, not less than thirty (30) days nor more than sixty (60) days prior to April 13, 2012 and to the MSRB. Notice shall also be provided to Financial Security Assurance Inc., or its successor, the bond insurer of the Notes.

\*\* If the Notes are subject to the continuing disclosure requirements of SEC Rule 15c2-12 effective July 3, 1995, this Notice should be filed with the MSRB using Material Events Notice Cover Sheet available at [http://www.msrb.org/msrb1/cdi/pdf/Generic\\_Cover\\_Sheet\\_and\\_Instructions.pdf](http://www.msrb.org/msrb1/cdi/pdf/Generic_Cover_Sheet_and_Instructions.pdf)

EXHIBIT B

NOTICE OF FULL CALL\*

to Holders of

WALWORTH COUNTY, WISCONSIN  
GENERAL OBLIGATION PROMISSORY NOTES,  
DATED AUGUST 1, 2005

NOTICE IS HEREBY GIVEN that the Notes of the above-referenced issue which mature on the dates and in the amounts; bear interest at the rates; and have the CUSIP Nos. as set forth below have been called for prior payment on April 13, 2012 at a redemption price equal to 100% of the principal amount thereof plus accrued interest to the date of prepayment:

<u>Maturity Date</u>	<u>Principal Amount</u>	<u>Interest Rate</u>	<u>CUSIP No.</u>
04/01/2013	\$1,070,000	3.375%	933526KE4
04/01/2014	1,110,000	3.40	933526KF1
04/01/2015	1,155,000	3.50	933526KG9

Upon presentation and surrender of said Notes to Associated Trust Company, National Association, Green Bay, Wisconsin, the registrar and fiscal agent for said Notes, the owners thereof will be paid the principal amount of the Notes plus accrued interest to the date of prepayment.

Said Notes will cease to bear interest on April 13, 2012.

By Order of the  
County Board of Supervisors  
Walworth County  
County Clerk

Dated \_\_\_\_\_  
\_\_\_\_\_

\* To be provided to Associated Trust Company, National Association, Green Bay, Wisconsin. The registrar and fiscal agent shall be directed to give notice of such prepayment by facsimile transmission, registered or certified mail, or overnight express delivery to The Depository Trust Company, Attn: Supervisor, Call Notification Department, 55 Water Street, 50<sup>th</sup> Floor, New York, NY 10041-0099, not less than thirty (30) days nor more than sixty (60) days prior to April 13, 2012 and to the MSRB. Notice shall also be provided to XL Capital Assurance Inc., or its successor, the bond insurer of the Notes.

\*\* If the Notes are subject to the continuing disclosure requirements of SEC Rule 15c2-12 effective July 3, 1995, this Notice should be filed with the MSRB using Material Events Notice Cover Sheet available at [http://www.msrb.org/msrb1/cdi/pdf/Generic\\_Cover\\_Sheet\\_and\\_Instructions.pdf](http://www.msrb.org/msrb1/cdi/pdf/Generic_Cover_Sheet_and_Instructions.pdf)

**Policy and Fiscal Note**  
**Resolution No. 93-03/12**

- I. **Title:** Resolution Authorizing the Redemption of General Obligation Promissory Notes, Dated September 1, 2004, and General Obligation Promissory Notes, Dated August 1, 2005
- II. **Purpose and Policy Impact Statement:** The September 1, 2004 general obligation promissory notes become callable on April 1, 2012. The August 1, 2005 general obligation promissory notes also become callable on April 1, 2012. The principal due on April 1, 2013, 2014 and 2015, if paid early, would result in savings from reduced interest payments for the remaining years of outstanding debt.
- III. **Budget and Fiscal Impact:** This resolution, if approved, authorizes the 2013 and 2014 portions of the September, 2004 bond to be called on April 13, 2012. The 2013 principal amount of \$695,000 (3.45% interest rate) and the 2014 principal amount of \$725,000 (3.55% interest rate) will reduce outstanding principal by \$1,420,000.

The 2013, 2014 and 2015 portions of the August, 2005 bond will also be called on April 13, 2012. The 2013 principal amount of \$1,070,000 (3.375% interest rate); the 2014 principal amount of \$1,110,000 (3.4% interest rate); and the 2015 principal amount of \$1,155,000 (3.5% interest rate) will reduce outstanding principal by \$3,335,000.

\$4,760,466.42 will be required to call the above mentioned portions of the 2004 and 2005 bonds. The county's overall interest payments will be reduced by \$302,853.58. Un-assigned general funds will be used to call the debt. In addition, the county will pay their regularly scheduled principal and interest payments in 2012, which will result in both issues being fully redeemed in April, 2012.

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

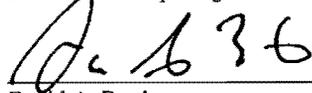
Committee: Finance

Meeting Date: February 23, 2012

Vote: 5-0

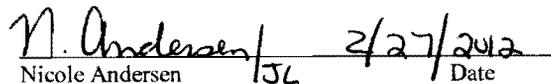
County Board Meeting Date: March 13, 2012

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  
County Administrator/Corporation Counsel

2/27/2012  
Date



Nicole Andersen  
Deputy County Administrator-Finance

**Resolution No. 94-03/12**  
**Authorizing Addition of Child Passenger Safety Enforcement Grant  
to Pre-Approved Recurring Grants List for Health and Human Services**

1 Moved/Sponsored by: Finance Committee

2  
3 **WHEREAS**, Section 30-313 of the Walworth County Code of Ordinances allows the  
4 establishment, by resolution, of a list of authorized recurring grants; and,

5  
6 **WHEREAS**, Resolution 08-05/05 established a list of pre-approved, recurring grants; and,

7  
8 **WHEREAS**, the Health and Human Services Department desires to add the Wisconsin  
9 Department of Transportation Child Passenger Safety Enforcement Grant to the aforementioned  
10 list; and,

11  
12 **WHEREAS**, inclusion of a grant on the authorized list provides authority to the County  
13 Administrator to approve the application and receipt of a grant so included until such time as a  
14 material change in conditions of a grant occurs; and,

15  
16 **WHEREAS**, a material change in conditions of a grant includes, but is not limited to, capital  
17 expenditures, capital acquisitions, increase in percent of county match or variation from the  
18 original intent of the grant; and,

19  
20 **WHEREAS**, the authorized list, at a minimum, will be reviewed on an annual basis and  
21 revisions proposed as necessary; and,

22  
23 **WHEREAS**, new grant opportunities for county departments may be added by authorization of  
24 the County Board at a future date; and,

25  
26 **NOW, THEREFORE, BE IT RESOLVED** that grants specifically requiring County Board  
27 authorization shall continue to be submitted for action; and,

28  
29 **BE IT FURTHER RESOLVED** that “one-time” grants continue to require authorization as  
30 specified in Chapter 30, Article VIII of the Walworth County Code of Ordinances; and,

31  
32 **BE IT FURTHER RESOLVED** by the Walworth County Board of Supervisors that the  
33 following recurring grant be and the same is hereby approved.  
34

<b>Program Title – Purpose</b>	<b>Federal Grantor</b>	<b>State Grantor or Passthrough Agency</b>	<b>Contract Amount County Share %</b>
Child Passenger Safety Enforcement		Wisc Dept of Transportation	25.00%

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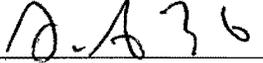
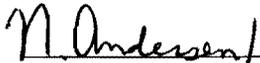
\_\_\_\_\_  
Nancy Russell  
County Board Chair

\_\_\_\_\_  
Kimberly S. Bushey  
County Clerk

County Board Meeting Date: March 13, 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
Date	Date
County Administrator/Corporation Counsel	Deputy County Administrator - Finance

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

**Policy and Fiscal Note**  
**Resolution No. 94-03/12**

- I. **Title:** Authorizing Addition of Child Passenger Safety Enforcement Grant to Pre-Approved Recurring Grants List for Health and Human Services
- II. **Purpose and Policy Impact Statement:** The purpose of this resolution is to authorize the addition of the Child Passenger Safety Enforcement Grant to the list of pre-approved, recurring grants.
- III. **Budget and Fiscal Impact:** The DOT Child Passenger Safety Enforcement Grant is an annual grant that awards \$500 to \$4,000 for the purchase of child and infant car safety seats. The grant requires a local match of 25%, which is attained in the form of salary and mileage for the Project Manager/Child Passenger Safety (CPS) Technician who is a WCDHHS employee.

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

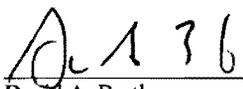
Committee: Finance

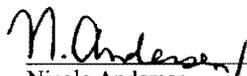
Meeting Date: February 23, 2012

Vote: 5 – 0

County Board Meeting Date: March 13, 2012

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

 2/28/2012  
David A. Bretl Date  
County Administrator/Corporation Counsel

 2/29/2012  
Nicole Andersen Date  
Deputy County Administrator - Finance

ORDINANCE NO. 720 – 03/12

AMENDING CHAPTER 15 OF THE WALWORTH COUNTY CODE OF ORDINANCES  
RELATING TO THE DECERTIFICATION OF AFSCME UNIONS

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

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

7 “Sec. 15-311. Compensation objectives.

- 8  
9 (3) Classifications of similar complexity ~~within a career group or bargaining unit~~  
10 shall receive similar compensation.  
11

12 Sec. 15-320. Pay plans.

13  
14 (a) The director shall assign, in accordance with policies established in this chapter,  
15 the proper pay plan and range for each classification authorized under section 15-318.  
16

17 (b) ~~The pay plan code established for each classification in sec. 15-318 shall be~~  
18 ~~interpreted as follows:~~  
19

20 PAY PLAN CODE:  
21

A	" <del>LHCC – 1925A</del> " means the pay plan for hourly employees represented by Local 1925A, AFSCME.
B	" <del>Courthouse – AFSCME 1925B</del> " means the pay plan for hourly employees represented by Local 1925B, AFSCME.
C	" <del>HHS – AFSCME 1925C</del> " means the pay plan for employees represented by Local 1925C, AFSCME.
D	" <del>Highway – AFSCME 1925</del> " means the pay plan for employees represented by Local 1925, AFSCME.
E	" <del>Health and Human Service Professionals</del> " means the pay plan for employees represented by the Health and Human Service Professional Association.

F	"Deputy Sheriff" means the pay plan for hourly employees represented by the Deputy Sheriffs' Association.
G	"Teachers" means the pay plan for school year employees represented by the Lakeland Education Association, WEAC.
H	"Non Union Hourly" means the pay plan for non-represented hourly employees.
I	"Salaried Exempt" means the pay plan for non-represented exempt employees.
K	"Appointed" means the pay plan for appointed employees.
L	"Elected Officials" means the pay plan established for elected officers.
M	Casual, LTE and Student Worker employees.
N	"County Board" means the pay plan for County Board Per Diem rates.
Q	"CDEB Management Staff" means the pay plan for non-represented salaried school-year employees.

1  
2 **Sec. 15-321. Overtime pay.**

3  
4 OVERTIME CODE

5  
6 3 These classes are nursing home positions scheduled to work weekends and paid  
7 on an hourly basis and are covered by the overtime pay provisions of the FLSA  
8 (i.e., non-exempt) and, therefore, receive overtime pay or compensatory time at  
9 the one and one-half (1.5x) time rate under the "8 and 80" system – overtime for  
10 any hours worked after more than 8 productive hours in a day and more than 80  
11 productive hours in a 14-day work period.

12  
13 **Sec. 15-322. Compensatory time.**

14  
15 (a) Any employee in a classification assigned to overtime code 2 shall be  
16 compensated for overtime hours worked by payment at the applicable overtime rate or by  
17 granting the employee compensatory time off at the rate of one and one-half hours for every  
18 overtime hour worked in excess of 40 productive hours per week. The limit on banked accrued  
19 compensatory time shall be 60 hours for all groups with the exception of AFSCME unit 1925 the  
20 patrolman/woman, mechanic II, machine operator, marking/signage lead worker, road lead  
21 worker and shop lead worker classifications in the public works departments which shall have a

1 limit of 120 hours. Compensatory time in excess of the limit shall be paid at the applicable  
2 overtime rate.

3  
4 (e) ~~Beginning January 1, 2012, a~~All unused compensatory time shall be paid out to  
5 the employee during the employee's last pay date of each year.

6  
7 (f) ~~Employees of AFSCME unit 1925A who have over 60 hours in their~~  
8 ~~compensatory time bank as of January 1, 2012 will be paid out all hours above 60.~~

9  
10 (g) ~~Employees of AFSCME unit 1925 who have over 60 hours in their compensatory~~  
11 ~~time bank as of January 1, 2012 will be paid out all hours above 60, however their cap will~~  
12 ~~remain at 120 hours.~~

13  
14 **Sec. 15-324. Performance based compensation for certain employees.**

15  
16 (2) No later than ~~March~~ May 31 of each year, the county board shall determine the  
17 performance based percentage increase available for employees whose  
18 performance is average in the second quartile of their pay range. The human  
19 resources committee shall determine the performance based pay increase  
20 percentages available for all other levels of performance at the first, second, third  
21 and fourth quartiles of each established range. These levels include:

22  
23 **Sec. 15-333. Pay plan administration.**

24

<b>Unit or Department</b>	<b>Time Period</b>	<b>Step</b>
1925 <u>Public Works</u>	Immediately	Employees same step in the higher pay range
1925A <u>Lakeland Health Care Center</u> 1925B (when working in a 1925 secondary classification)	Immediately	Step which provides the minimum increase in pay rate
1925B 1925C <u>All other departments</u>	Eight (8) hours or more	Step which provides the minimum increase in pay rate
HHS Professionals <u>Non-represented hourly</u>	At least five (5) consecutive work days	Step which provides the minimum increase in pay rate

25  
26 (e) ~~Return to former position. When an employee transfers to a different position and~~  
27 ~~within one (1) year returns to their former position, said employee shall return to the pay step in~~  
28 ~~the former position in effect immediately prior to transfer. The former pay step shall be subject~~  
29 ~~to any general wage increase.~~

30  
31 (p)(o) *Secondary classifications.* In some instances it may be advantageous for the  
32 county to assign more than one job classification to an employee. Each additional job

1 classification request for an employee shall be submitted to the director for consideration. If  
2 approved, the pay rate for the temporary assignment shall follow the rules set forth in 15-333 (k-  
3 l).

4  
5 (p) Hire above minimum – certified nursing assistants. Certified nursing assistants  
6 who have the following verifiable experience may be eligible to be hired above the minimum  
7 pay rate with the approval of the lakeland health care center administrator and labor/employee  
8 relations director:  
9

<u>Verifiable experience:</u>	<u>Starting rate:</u>
<u>Two (2) years of long term care facility experience working at least 20 hours per week.</u>	<u>Two (2) year wage rate</u>
<u>Ten (10) years of long term care facility experience working at least 20 hours per week.</u>	<u>Five (5) year wage rate</u>
<u>Fifteen (15) years of long term care facility experience working at least 20 hours per week.</u>	<u>Seven (7) year wage rate</u>
<u>Twenty+ (20+) years of long term care facility experience working at least 20 hours per week.</u>	<u>Ten (10) year wage rate</u>

10  
11 (q) Hire above minimum – correctional officers. Correctional officers who have the  
12 following verifiable experience may be eligible to be hired above the minimum pay rate with the  
13 approval of the appointing authority and director:  
14

<u>Verifiable experience:</u>	<u>Starting rate:</u>
<u>One (1) years corrections experience</u>	<u>One (1) year wage rate</u>
<u>Two (2) years corrections experience</u>	<u>Two (2) year wage rate</u>

15  
16 **DIVISION 4.**

17  
18 **MANAGEMENT SPECIAL PAY POLICIES**

19  
20 **Sec. 15-359. Special pay premiums.**

21  
22 (a) The director shall maintain schedules of the positions authorized to receive  
23 special pay premiums under this section. Schedules first established under this section, and any  
24 subsequent changes therein, shall be subject to review and approval of the committee.  
25

26 ~~(b) Special pay premiums for non-represented employees under this section shall be~~  
27 ~~as follows (special pay premiums for bargaining units are detailed in their respective~~  
28 ~~ordinances):~~  
29

30 ~~(1) Call-in pay, hourly employee: Two-hour minimum, may be required to work the~~  
31 ~~full two hours.~~  
32

33 ~~(2) Charge premium: \$1.40 per hour.~~  
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(3) — Shift premium, LPN unit supervisor and corrections sergeant, second (2<sup>nd</sup>) or third (3<sup>rd</sup>) shift: \$0.75 per hour.

(4) — Shift premium, RN unit supervisor, second (2<sup>nd</sup>) or third (3<sup>rd</sup>) shift: \$1.00 per hour.

(5) — Weekend premium, RN unit supervisor: \$5.00 per hour.

(6) — Weekend premium, LPN unit supervisor: \$4.00 per hour.

(7) — Assistant director of special education: up to \$5,000.00 annually.

(8) — School psychologist: up to \$2,500.00 annually.

(9) — Special education aide, summer school: \$13.67 per hour.

(c) — The weekend premium specified in (b) shall only apply to hours worked in excess of normally scheduled weekend hours, as long as the extra hours are not a result of employee-initiated trade days.

(d) (b) Any premium listed above below is paid on productive hours only.

<u>Type of Premium</u>	<u>How Much</u>	<u>Who</u>	<u>Special Notes</u>
Call-in Pay	2 hour minimum; may be required to work the full two hours	hourly employees	n/a
Shift Premium	\$0.75/hour	LPN - Unit Supervisor (2 <sup>nd</sup> and 3 <sup>rd</sup> shift)	Received for any hours worked from 2:45 p.m. to 7:30 a.m.
	\$1.00/hour	RN - Unit Supervisor and Assistant Nurse Manager (2 <sup>nd</sup> and 3 <sup>rd</sup> shift)	Received for any hours worked from 2:45 p.m. to 7:30 a.m.
	\$0.25/hour	All hourly LHCC employees in nursing excluding RN's and LPN's (2 <sup>nd</sup> and 3 <sup>rd</sup> shift)	Received for any hours worked from 2:45 p.m. to 7:30 a.m.
	\$0.50/hour additional	LHCC employees assigned to a 2 <sup>nd</sup> shift CNA or CMA position as of 1-1-12	An employee moving into a 2nd shift position after 1-1-12 will not be eligible for this premium
	\$0.25/hour	Food service and reception employees at LHCC	Received for any hours worked from 11:30 a.m. to 8:00 p.m.
	\$0.75/hour	Correctional or Communications Officers (2 <sup>nd</sup> shift)	Received for any hours worked from 3:00 p.m. to 11:00 p.m.
	\$0.25/hour	Correctional or Communications Officers (3 <sup>rd</sup> shift)	Received for any hours worked from 11:00 p.m. to 7:00 a.m.
	\$0.75/hour	Corrections Sergeants (2 <sup>nd</sup> and 3 <sup>rd</sup> shift)	Received for any hours worked from 2:45 p.m. to 7:00 a.m.
	\$0.20/hour	Health & Human Services (reception) working 2nd shift	Applies to a shift beginning in the reception unit on or after 12:00 p.m.
Charge Premium	\$1.40/hour	RN - Unit Supervisors	n/a
	\$1.00/hour	Communications Officers	n/a

<u>Weekend Differential</u>	<u>\$5.00/hour</u>	<u>RN - Unit Supervisors</u>	<u>For an employee who works additional straight-time hours on weekends in excess of their normally scheduled weekend hours, as long as the extra hours are not a result of employee-initiated trade days. A weekend is defined as a period beginning with the 3rd shift on Friday through the 2nd shift on Sunday.</u>
	<u>\$4.00/hour</u>	<u>LPN - Unit Supervisors</u>	<u>For an employee who works additional straight-time hours on weekends in excess of their normally scheduled weekend hours, as long as the extra hours are not a result of employee-initiated trade days. A weekend is defined as a period beginning with the 3rd shift on Friday through the 2nd shift on Sunday.</u>
	<u>\$2.00/hour</u>	<u>All LHCC employees scheduled to work weekends excluding RN's and LPN's</u>	<u>For an employee who works additional straight-time hours on weekends in excess of their normally scheduled weekend hours, as long as the extra hours are not a result of employee-initiated trade days. A weekend is defined as a period beginning with the 3rd shift on Friday through the 2nd shift on Sunday.</u>
<u>Standby Pay</u>	<u>\$1.50/hour, not on a holiday</u>	<u>LHCC employees</u>	<u>n/a</u>
	<u>\$2.00/hour, on a holiday set forth in 15-515(b)</u>	<u>LHCC employees</u>	<u>n/a</u>
<u>CDEB Stipend</u>	<u>Up to \$5,000 annually</u>	<u>Assistant director of special education</u>	<u>For additional work beyond contract days as set forth in 15-357 (c)</u>
	<u>Up to \$2,500 annually</u>	<u>School psychologist</u>	<u>For additional work beyond contract days as set forth in 15-357 (c)</u>
<u>Summer School</u>	<u>\$13.67/hour</u>	<u>Special Education Aides</u>	<u>n/a</u>

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**Sec. 15-363. ~~Exceptions for corrections division supervisory staff.~~ Uniforms – corrections division.**

(a) The county shall pay a semi-annual uniform allowance to all correctional officers, classification officers and corrections division supervisory staff.

(a) (b) New hires shall receive a semi-annual allowance of one hundred twenty-five dollars (\$125.00) payable six months after their start date and again on their one-year anniversary. After their one-year anniversary the employee will continue to receive additional uniform allowance per the schedule defined in (b) below.

1 (b) (c) Current employees and employees in their second year of employment and  
 2 beyond shall receive a semi-annual allowance in the amount of sixty-two dollars and fifty cents  
 3 (\$62.50).  
 4

5 (1) The January through June period will be paid on the last paycheck in June, and  
 6 the July through December period will be paid on the last paycheck in December.  
 7

8 (2) An employee reaching their one-year anniversary from January through June will  
 9 receive the June and December payments. An employee reaching their one-year  
 10 anniversary from July through December will receive only the December  
 11 payment.  
 12

13 (e) (d) No payment will be made to an employee who terminates during a semi-annual  
 14 period.”  
 15

16 **PART II: That Section 15-364 of Chapter 15 of the Walworth County Code of Ordinances**  
 17 **is hereby created to read as follows:**  
 18

19 **“Sec. 15-364. Emergencies and vacations – health and human services.**  
 20

21 (a) A health and human services employee called by a supervisor to handle an  
 22 emergency call outside of normal working hours shall receive the applicable pay for the actual  
 23 time spent on the call, rounded to the nearest quarter hour.  
 24

25 (b) A health and human services employee called in to work on an emergency when  
 26 the employee is on vacation shall receive the applicable pay for the actual time spent at work,  
 27 rounded to nearest quarter hour.”  
 28

29 **PART III: That Section 15-365 of Chapter 15 of the Walworth County Code of**  
 30 **Ordinances is hereby created to read as follows:**  
 31

32 **“Sec. 15-365. Longevity bonus.**  
 33

34 (a) Employees hired prior to January 1, 2012 who were eligible for longevity pay  
 35 through a collective bargaining agreement as of December 31, 2011 shall receive a longevity  
 36 bonus payment. The bonus payment will be based upon the hourly longevity benefit an  
 37 employee received and the FTE of the position they held as of December 31, 2011:  
 38

	1.00 FTE	1.00 FTE	.75-.99	.75-.99	.50 - .74	.50 - .74	.16 - .49	.16 - .49
Benefit as of	Yearly	Bi-weekly	FTE	FTE Bi-	FTE	FTE Bi-	FTE	FTE Bi-
1-1-12	Benefit*	Benefit	Yearly	weekly	Yearly	Weekly	Yearly	Weekly
			Benefit*	Benefit	Benefit*	Benefit	Benefit*	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 - \$0.42	\$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.

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

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

(d) If an employee receiving this benefit moves into a position that was not eligible for longevity pay as of December 31, 2011 (i.e. such as to a salaried-exempt position) the payment of this benefit will cease at the time of transfer to the new position.

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

**PART IV: That Division 7 of Article III of Chapter 15 of the Walworth County Code of Ordinances is hereby created to read as follows:**

**“DIVISION 7.**

**PUBLIC WORKS LICENSURE AND TOOL ALLOWANCE**

**Sec. 15-390. Commercial driver’s license.**

All employees in the following classifications are required to maintain a valid commercial driver’s license, including a tanker endorsement: patrolman/woman, mechanic II, machine operator, marking/signage lead worker, road lead worker and shop lead worker.

**Sec. 15-391. Hazardous materials endorsement.**

The director - central services shall determine, based on legal requirements, the number of positions in the highway division of the public works department that are required to hold a hazardous material endorsement. Employees shall be selected for the hazardous material endorsement with due consideration to their normal job assignments. The cost of maintaining the hazardous material endorsement shall be an employee cost.

**Sec. 15-392. Loss of commercial driver’s license.**

An employee whose commercial driver’s license is suspended or revoked due to a non-work related violation will be terminated. The work status of an employee whose commercial driver’s license is suspended or revoked due to a work-related incident will be addressed on a

1 case-by-case basis by the Director - Central Services and the Labor/Employee Relations  
2 Director.

3  
4 **Sec. 15-393. Tool allowance.**

5  
6 (a) The county will pay a yearly tool allowance of up to \$400.00 to all mechanics and  
7 the shop lead worker, if working more than 50% of the time as a mechanic, provided the  
8 employee furnishes a receipt for purchases made in the calendar year.

9  
10 (b) The county will purchase, on behalf of each mechanic and the shop lead worker, a  
11 policy insuring the employee's personal tools, up to a maximum of \$75,000."

12  
13 **Part V: That Section 15-517 of the Walworth County Code of Ordinances is hereby**  
14 **amended to read as follows (additions shown by underline; deletions shown by strike-**  
15 **through):**

16  
17 **"Sec. 15-517. Scheduling of accrued benefits.**

18  
19 (g) *Vacation scheduling for public works highway division and lakeland health care*  
20 *center nursing division. Vacations shall be scheduled for a minimum of a "half-shift" (defined*  
21 *as pre-lunch period or post-lunch period). Emergency absences of less than a "half-shift" may be*  
22 *charged against vacation at the sole discretion of and approval by management.*

23  
24 **PART VI: That Section 15-520 of Chapter 15 of the Walworth County Code of Ordinances**  
25 **is hereby created to read as follows:**

26  
27 **"Sec. 15-520. Intensive outpatient holiday coverage – health and human services.**

28  
29 (a) As part of the intensive outpatient (IOP) certification, the maximum time between  
30 counseling sessions cannot exceed 72 hours in any consecutive 7-day period. To fully comply  
31 with the regulations of the certification, during certain holidays that employees are granted off,  
32 group counseling sessions need to be held.

33  
34 (b) A health and human services employee required to hold intensive outpatient (IOP)  
35 counseling sessions during a 3+-day contiguous non-work period due to a county recognized  
36 holiday will receive the following in addition to their regular holiday benefits:

37 (1) straight-time for the actual hours spent at work, to the nearest quarter hour, at the  
38 applicable hourly rate.

39 (2) holiday hours equal to the actual time worked will be added to their holiday bank,  
40 regardless of which day during the 3+-day contiguous non-work period they  
41 provide the counseling sessions.

42  
43 (c) The only work that may be performed on these days will be IOP counseling and  
44 associated documentation.

1 (d) The scheduling of these holiday sessions will be pursuant to health & human  
2 service policies.”

3  
4 **PART VII: That Section 15-528 of Chapter 15 of the Walworth County Code of**  
5 **Ordinances is hereby created to read as follows:**

6  
7 **“Sec. 15-528. Vacation accrual change.**

8 (a) Effective January 1, 2012, employees in the classification of patrolman/woman,  
9 mechanic II, machine operator, marking/signage lead worker, road lead worker and shop lead  
10 worker will see a change in their vacation accrual method. In place of the bi-weekly accruals  
11 going into the “not available” bank and the entire bank being moved into the “available” bank on  
12 their anniversary date, the bi-weekly accruals will go into the “available” bank.

13 (b) To transition to the new system, all hours in the “not available” bank will be  
14 moved into the “available” bank as of January 1, 2012. Employees will be allowed to exceed the  
15 maximum accruals limit as set forth in 15-513(b) and will continue to add future accruals for a  
16 limited time. Employees will be allowed to continue to accrue above the maximum limit as well  
17 as bring their vacation bank down below the limit no later than June 30, 2012 by taking the hours  
18 as scheduled time-off. Any remaining time over the maximum accrual limit as of June 30, 2012  
19 will be paid out on the July 6, 2012 paycheck.

20 (c) After June 30, 2012, if an employee is at their maximum accrual limit no  
21 additional benefits will accrue until the balance falls below the maximum accrual limit.”

22  
23 **PART VIII: That Chapter 15 of the Walworth County Code of Ordinances is hereby**  
24 **amended to read as follows (additions shown by underline; deletions shown by strike-**  
25 **through):**

26  
27 **“Sec. 15-540. Labor-management health insurance committee.**

28  
29 The county will meet with employee representatives of the county, the local unions, ~~non-~~  
30 ~~represented hourly employees~~ and management on a quarterly basis to discuss health insurance.  
31 ~~Each union and the non-represented employees will be allowed two representatives per group.~~  
32 Selection of the ~~non-represented~~ employee representatives will be determined by management.

33  
34 **Sec. 15-546. Long-term disability.**

- 35  
36 (1) A plan where employees are eligible to collect long-term disability benefits after a  
37 90-day waiting period and where coverage will be equivalent to 70% of the  
38 employee’s base wages.  
39  
40 (2) The maximum covered salaries are:

41

Bargaining unit/position	Maximum covered salary*
county administrator	\$170,000
non-represented	\$145,000

AFSCME	\$50,000
HHS professionals	\$65,000
lakeland education association	\$108,000

\*Maximum covered salaries will be reviewed annually

(3) The county and employee shall pay the following portions of the premiums:

Bargaining unit/position	County	Employee
county administrator	up to 0.67 percent of base wages	Balance of premium
non-represented	up to 0.67 percent of base wages	Balance of premium
AFSCME	up to 0.25 percent of base wages	Balance of premium
HHS professionals	up to 0.25 percent of base wages	Balance of premium
lakeland education association	100%	0%

**Sec. 15-556. Retiree health insurance.**

(a) *Eligibility.* The following employees who began county service in the bargaining unit certified at that time prior to the dates below shall, for a continuous and indefinite period, be eligible to remain in the group health care plan at retirement:

Bargaining Unit	Date
Non-represented	December 1, 2005
[former] AFSCME 1925	December 20, 2005
[former] AFSCME 1925A	December 22, 2005
[former] AFSCME 1925B	December 22, 2005
[former] AFSCME 1925C	December 2, 2005
HHS professionals	November 11, 2005
lakeland education association	October 10, 2006
deputy sheriff association	January 1, 2005

(h) Employees beginning county service in the bargaining unit certified at that time on or after the following dates, shall not be eligible to remain in the group health care plan at retirement.

Bargaining Unit	Date
Non-represented	December 1, 2005
[former] AFSCME 1925	December 20, 2005
[former] AFSCME 1925A	December 22, 2005
[former] AFSCME 1925B	December 22, 2005
[former] AFSCME 1925C	December 2, 2005
HHS professionals	November 11, 2005
lakeland education association	October 10, 2006
deputy sheriff association	January 1, 2005



**Ordinance No. 720-03/12**  
**Fiscal Note and Policy Impact Statement**

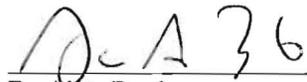
- I. Title:** Amending Chapter 15 of the Walworth County Code of Ordinances Relating to the Decertification of AFSCME Unions
- II. Purpose and Policy Impact Statement:** The purpose of this ordinance amendment is to amend Chapter 15 so as to reflect the decertification of the AFSCME Unions.
- III. Is 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: February 22, 2012

Vote: 4 – 0

County Board Meeting Date: March 13, 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.

 3/6/12  
\_\_\_\_\_  
David A. Bretl      Date  
County Administrator/Corporation Counsel

 3/6/12  
\_\_\_\_\_  
Nicole Andersen      Date  
Deputy County Administrator-Finance

ORDINANCE NO. 721 – 03/12

AMENDING SECTION 15-17 OF THE WALWORTH COUNTY CODE OF ORDINANCES RELATING TO THE RECLASSIFICATION OF A CLERK IV POSITION IN CLERK OF COURTS

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

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

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

9  
10 (d) Clerk of Courts

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

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

30  
31 PASSED and ADOPTED by the Walworth County Board of Supervisors this 13<sup>th</sup> day of  
32 March, 2012.

33  
34  
35  
36  
37 \_\_\_\_\_  
38 Nancy Russell  
39 County Board Chair

\_\_\_\_\_

Kimberly S. Bushey  
Attest: County Clerk



**Ordinance No. 721-03/12**  
**Fiscal Note and Policy Impact Statement**

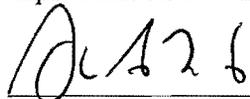
- I. Title:** Amending Section 15-17 of the Walworth County Code of Ordinances Relating to the Reclassification of a Clerk IV Position in Clerk of Courts
- II. Purpose and Policy Impact Statement:** The purpose of this ordinance amendment is to reclassify a vacant Clerk IV position to a Clerk II position due to a reduction in the level of duties performed by this position.
- III. Is this a budgeted item and what is its fiscal impact:** The Clerk IV position is budgeted in 2012. The reclassification to Clerk II will result in an annual savings of \$624 and a savings in 2012 of \$19,741 due to the current vacancy.
- IV. Referred to the following standing committee(s) for consideration and date of referral:**

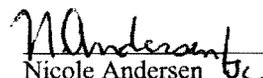
Committee: Human Resources Committee                      Date: February 22, 2012

Vote:                      4 – 0

County Board Meeting Date: March 13, 2012

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

 2/23/2012  
\_\_\_\_\_  
David A. Bretl                      Date  
County Administrator/Corporation Counsel

 2/23/12  
\_\_\_\_\_  
Nicole Andersen                      Date  
Deputy County Administrator-Finance

**Resolution No. 91 – 03/12**

**Setting Salaries for Register of Deeds, County Treasurer and County Clerk for 2013-2016**

Moved/Sponsored by: Human Resources Committee

**WHEREAS**, the County Board is required to adopt any changes in salaries for elected officers prior to the filing of nomination papers in April 2012; and,

**WHEREAS**, the Human Resources Committee recommends that the salaries for elected officers be set commensurate with the duties delegated to the elected officers by law or the County Board.

**NOW, THEREFORE, BE IT RESOLVED** by the Walworth County Board of Supervisors that the elected county officers shall be compensated at the following per annum rates for performance of those duties required by law and such other duties as may be delegated by the County Board and as specifically noted herein:

	<u>2012 Salary</u>	<u>First Monday in January 2013</u>	<u>First Monday in January 2014</u>	<u>First Monday in January 2015</u>	<u>First Monday in January 2016</u>
Register of Deeds	\$66,662	\$66,662	\$67,329	\$68,002	\$68,682
County Treasurer	\$66,662	\$66,662	\$67,329	\$68,002	\$68,682
County Clerk	\$66,662	\$66,662	\$67,329	\$68,002	\$68,682

**BE IT FURTHER RESOLVED** that each elected county officer shall be afforded the same group insurance and pension benefits as those provided to department heads of the county; and,

**BE IT FURTHER RESOLVED** that budgets for subsequent years shall be set at sufficient funding levels to cover these salaries and all related benefits.

\_\_\_\_\_  
Nancy Russell  
County Board Chair

\_\_\_\_\_  
Kimberly S. Bushey  
County Clerk

County Board Meeting Date: March 13, 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:

OC 1676      3/5/2012  
Date

David A. Bretl  
County Administrator/Corporation Counsel

N. Andersen      3/5/12  
Date

Nicole Andersen  
Deputy County Administrator - Finance

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





**Policy and Fiscal Note**  
**Resolution No. 92 - 03/12**

- I. **Title:** Reauthorization of Self-Insurance for Worker's Compensation
  
- II. **Purpose and Policy Impact Statement:** Every three years, each self-insured political subdivision must provide the Department of Workforce Development with a resolution, passed by the governing body, which states its intent and agreement to self-insure. Walworth County first elected to self-insure worker's compensation pursuant to resolution number 113 adopted in November 1981.
  
- III. **Budget and Fiscal Impact:** Adoption 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:**

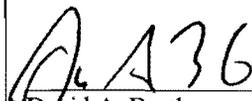
Committee: Human Resources

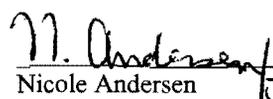
Meeting Date: February 22, 2012

Vote: 4 - 0

County Board Meeting Date: March 13, 2012

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

 2/23/2012  
David A. Bretl Date  
County Administrator/Corporation Counsel

 2/23/12  
Nicole Andersen Date  
Deputy County Administrator - Finance

**Resolution No. 90-03/12**  
**Supporting the Urban Nonpoint Source and Storm Water Management Planning Project Grant Application**

1 Moved/Sponsored by: Walworth County Land Conservation Committee  
2

3 **WHEREAS**, Walworth County lakes, streams, wetlands and groundwater are important natural  
4 resources in Walworth County and the State of Wisconsin; and,  
5

6 **WHEREAS**, storm water runoff from urban lands can deliver pollutants and impair the water  
7 quality and recreational use of Walworth County lakes, streams, wetlands and groundwater; and,  
8

9 **WHEREAS**, the Walworth County Land and Water Resource Management Plan Update,  
10 (adopted by the Walworth County Board of Supervisors in 2010) recommends the establishment  
11 of a *County-wide Storm Water Pollution Prevention Program* and the application for state and  
12 local grant funds to advance this program; and,  
13

14 **WHEREAS**, Walworth County desires to receive grant funding from the Wisconsin Department  
15 of Natural Resources, (WDNR) pursuant to ss. 281.66, Wis. Stats., and Chapters NR 151, 153  
16 and 155, Wis. Adm. Code, for the purpose of implementing measures to control nonpoint source  
17 water pollution; and,  
18

19 **WHEREAS**, the Walworth County Land Use and Resource Management Department -  
20 Conservation Division personnel are qualified to carry out the responsibilities of an urban storm  
21 water management planning project; and,  
22

23 **WHEREAS**, the Walworth County Board of Supervisors agrees to contribute at least 30  
24 percent (also called "match") needed for urban storm water management planning projects that  
25 are ultimately grant funded by the WDNR; and,  
26

27 **NOW, THEREFORE, BE IT RESOLVED**, that the Walworth County Board of Supervisors  
28 authorizes Louise A. Olson, County Conservationist, to submit a signed Urban Nonpoint Source  
29 and Storm Water Management Planning Project Grant Application; and,  
30

31 **BE IT FURTHER RESOLVED** that the Walworth County Board of Supervisors authorizes  
32 Louise A. Olson, County Conservationist to sign the grant agreement between Walworth County  
33 and the WDNR, submit a signed Environmental Hazard Assessment Form to the WDNR, if  
34 applicable, submit signed quarterly and final report forms to the WDNR and submit signed grant  
35 reimbursement requests to the WDNR.  
36  
37  
38

39 \_\_\_\_\_  
40 Nancy Russell  
41 County Board Chair  
42

\_\_\_\_\_   
Kimberly S. Bushey  
County Clerk

43 Action Required: Majority  X  Two-thirds \_\_\_\_\_ Other \_\_\_\_\_  
44

County Board Meeting Date: March 13, 2012

Policy and Fiscal Note is attached.

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

DA 36 2/23/2012  
David A. Bretl Date  
County Administrator/Corporation Counsel

N Andersen 2/24/2012  
Nicole Andersen Date  
Deputy County Administrator - Finance

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

**Policy and Fiscal Note**  
**Resolution No. 90-03/12**

- I. Title:** Supporting the Urban Nonpoint Source and Storm Water Management Planning Project Grant Application
- II. Purpose and Policy Impact Statement:** The purpose of this resolution is to support the Walworth County Land Use and Resource Management Department in seeking financial assistance from the Wisconsin Department of Natural Resources to partially fund the establishment of *County-wide Urban Storm Water Pollution Prevention Program* focused on protecting the water quality and recreation use of Walworth County lake, streams, wetlands and groundwater.

The establishment and the advancement of a County-wide Urban Storm Water Pollution Prevention Program is an initiative recommended in the *Walworth County Land and Water Resource Conservation Plan Update*, adopted by the Walworth County Board of Supervisors on February 9, 2010.

- III. Budget and Fiscal Impact:** Cost of the Urban Nonpoint Source Pollution and Storm Water Planning is as follows, assuming a January 1, 2013 starting date:

	<u>2013</u>	<u>2014</u>
Total Program Cost	\$55,250.00	\$55,250.00
State Grant Revenue	\$38,675.00	\$38,675.00
County Costs	<u>\$16,575.00</u>	<u>\$16,575.00</u>

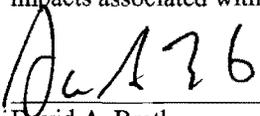
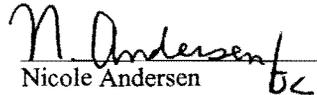
- IV. Referred to the following standing committees for consideration and date of referral:**

Committee: Land Conservation Committee      Meeting Date: February 20, 2012

Vote:                    4 – 0

County Board Meeting Date: March 13, 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      2/23/2012 <small>Date</small> County Administrator/Corporation Counsel	 Nicole Andersen      2/24/2012 <small>Date</small> Deputy County Administrator - Finance
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**Resolution No. 95 – 03/12**  
**Approving Submission of a Grant Application for Outdoor Recreation Aids**

1 Moved/Sponsored by: Park Committee

2  
3 **WHEREAS**, Walworth County and the Walworth County Snowmobile Alliance apply for  
4 funding from the Wisconsin Department of Natural Resources; and,

5  
6 **WHEREAS**, funding provides a statewide system of well-signed and well-groomed trails for  
7 public use and enjoyment on eligible projects such as trail development and maintenance, major  
8 rehabilitation of existing snowmobile bridges and rehabilitation of existing rail segments; and,

9  
10 **WHEREAS**, Walworth County has approximately 241.6 miles of public snowmobile trails  
11 maintained in cooperation with the Walworth County Snowmobile Alliance; and,

12  
13 **WHEREAS**, the State of Wisconsin of Department of Natural Resources requests that a  
14 resolution be adopted annually to remain eligible for Outdoor Recreation Aids in the form of  
15 Snowmobile Trail grants; and,

16  
17 **WHEREAS**, it is the county's intention to fulfill the DNR's request that staff become familiar  
18 with the applicable grant program's procedures for the purpose of undertaking the necessary  
19 actions to direct and complete the approved project.

20  
21 **NOW, THEREFORE, BE IT RESOLVED** that the Walworth County Board of Supervisors  
22 supports participating in the Wisconsin Department of Natural Resources for the 2012-13 grant  
23 process for the Outdoor recreation Aids Grant Agreement – Snowmobile Trail Aids.

24  
25 **BE IT FURTHER RESOLVED** that Public Works Director of Operations Larry Price be  
26 authorized to act as the primary contact for the grant project and that he be directed to perform  
27 the following duties: submit required materials for the completed application, carry out the  
28 acquisition or development project and close the grant project.

29  
30 **BE IT FURTHER RESOLVED** that said Director of Operations is further authorized to act on  
31 behalf of Walworth County in submitting an application to the State of Wisconsin, Department  
32 of Natural Resources for any financial aid that may be available and submitting reimbursement  
33 claims along with necessary supporting documentation within six months of the project  
34 completion date.

35  
36  
37  
38  
39 \_\_\_\_\_  
40 Nancy Russell  
41 County Board Chair

42 \_\_\_\_\_  
Kimberly S. Bushey  
County Clerk

County Board Meeting Date: March 13, 2012

Action Required:      Majority   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                      2/28/12  
Date  
County Administrator/Corporation Counsel

N. Andersen                      2/29/2012  
Date  
Deputy County Administrator - Finance

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

