



January 8, 2013 – Walworth County Board Meeting

**Report of the County Clerk Regarding
Communications Received After the Agenda Mailing**

County Clerk

The following items were placed on Supervisors' desks and are attached to this cover sheet:

Kimberly S. Bushey
County Clerk

- Ord. No. 757-01/13 – Amending Sections 62-1 and 62-43 of the Walworth County Code of Ordinances Relating to the Sale of Tax-Deeded Lands – *Vote Required: Majority* (Recommended by the Finance Committee 4-0)
- Res. No. 59-01/13 – Approving Revisions to the Tier 1 and Tier 2 Health Plans Relating to Ambulance Fees and Smoking Cessation Coverage – *Vote Required: Majority* (Recommended by the Human Resources Committee 3-0)
- Subcontractor Notice of Intention to File Claim for Lien received from Straight Edge Concrete LLC – To be referred to the Executive Committee
- Correspondence received from Delavan Lake Sanitary District in regard to park land potential on the west side of Delavan Lake – To be referred to the Park Committee
- Resolutions received from Rock and Ozaukee Counties – Urging State Legislators to Vote in Favor of Transportation Dollars for Transportation – To be referred to the Public Works Committee
- Agricultural Impact Statement for STH 20: Thomas Drive to Honey Creek Road; Walworth and Racine Counties (The complete Statement is on file in the County Clerk's office) – To be placed on file
- *Walworth County Aging & Disability Resource Center News*, January 2013 – To be placed on file

These items were received after the agenda mailing before the meeting. Other items that were placed on the Supervisors' desks at the meeting are not included on this report. Please contact the County Clerk's office for information regarding those items.

ORDINANCE NO. 757 – 01/13

AMENDING SECTIONS 62-1 AND 62-43 OF THE WALWORTH COUNTY CODE OF ORDINANCES RELATING TO THE SALE OF TAX-DEEDED LANDS

THE WALWORTH COUNTY BOARD OF SUPERVISORS DOES ORDAIN AS FOLLOWS:

1 **PART I: That Section 62-1 of the Walworth County Code of Ordinances is hereby**
2 **amended to read as follows (additions shown by underline; deletions shown by strike-**
3 **through):**

4
5 **“Sec. 62-1. Purpose and interpretation.**

6
7 (a) The purpose of this chapter is to set forth county policy concerning taxation and
8 to assign responsibility and establish uniform procedures relative to taxation issues.

9
10 (b) Nothing herein shall be interpreted as to diminish the duties and responsibility of
11 the county treasurer as set forth in the Wisconsin Statutes.

12
13 (c) With respect to section 62-43:

14
15 (1) Any person aggrieved by an interpretation of the above-stated section, by the
16 ~~deputy county administrator~~ director - central services, may appeal such decision
17 to the county administrator. Interpretations of the county administrator shall be
18 subject to review by the finance committee.

19
20 (2) The county administrator may promulgate such administrative procedures as may
21 be necessary to carry out the intent of ~~the above-stated section~~ this chapter.”

22
23 **PART II: That Section 62-43 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. 62-43. Sale of tax-deeded lands.**

28
29 (a) The county will sell tax deed lands pursuant to Wis. Stats. ch. 75 of the Wisconsin
30 Statutes.

31
32 (b) The county board of supervisors delegates authority to carry out the sale
33 provisions of Wis. Stats. § 75.35 and § ~~75.59~~ 75.69 to the ~~deputy county administrator~~ director -
34 central services or his or her designee.

35
36 (c) The county recognizes that in some cases, it may be undesirable to take title to
37 some properties due to issues including, but not limited to, liability, environmental
38 contamination or the presence of certain structures. The treasurer shall present to the finance

1 committee, in April of each year, a listing of such undesirable properties. The finance committee
2 will determine whether the county shall remove these parcels from the final judgment. If a
3 property is so removed, the treasurer shall contact the appropriate assessor and request that the
4 assessed value of the property be reduced.

5
6 ~~(e)~~(d) Pursuant to Wis. Stats. § 75.69, the ~~deputy county administrator~~ director - central
7 services or his or her designee shall:

8
9 (1) Advertise tax delinquent properties for sale.

10
11 (2) Sell tax deed lands by sealed bid or by online auction. With respect to online
12 auctions:

13
14 i. The committee will determine minimum acceptable bids prior to the parcel
15 being listed.

16
17 ii. The sale of the parcel will be awarded to the highest qualified bidder.

18
19 iii. Payment terms and conditions will be in accordance with the terms and
20 conditions of the online auction company.

21
22 iv. The director – central services will present a bid award report to the
23 finance committee.

24
25 v. Upon receipt of final payment from the online auction company, the parcel
26 will be conveyed to the prevailing bidder by quit claim deed.

27
28 vi. Aggrieved bidders may appeal the online sale process in writing to the
29 director – central services within 12 hours after the time of the auction
30 closing. The director – central services will consider the appeal, and the
31 process set forth in 62-1(c)(1) shall apply.

32
33 ~~(d)~~(e) The county finance committee shall accept and award the bid in the manner
34 prescribed in Wis. Stats. § 75.69 and section 2-133 of the Walworth County Code of Ordinances.

35
36 (f) The corporation counsel shall take all reasonable steps to promptly remove
37 occupants from properties to which the county has taken title.

38
39 (g) Administrative procedures authorized by 62-1(c)(2) shall provide specific rules to
40 be followed in cases where a discrepancy of five dollars or less has been made in the tender of
41 earnest money.”

42
43 **PART III: The ordinance shall be effective upon passage and publication.**

44
45 **PASSED and ADOPTED** by the Walworth County Board of Supervisors this 8th day of
46 January, 2013.

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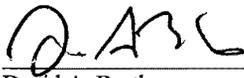
Nancy Russell
County Board Chair

Kimberly S. Bushey
Attest: County Clerk

County Board Meeting Date: January 8, 2013

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>1/2/13</u>		<u>1/2/13</u>
David A. Bretl	Date	Nicole Andersen	Date
County Administrator/Corporation Counsel		Deputy County Administrator - Finance	

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

Resolution No. 59 - 01/13
Approving Revisions to the Tier 1 and Tier 2 Health Plans Relating to Ambulance Fees and Smoking Cessation Coverage

1 Moved/Sponsored by: Human Resources Committee

2
3 **WHEREAS**, Walworth County operates a self-funded health plan for its employees and retirees;
4 and,

5
6 **WHEREAS**, staff recommends the following modifications:

- 7
8 A. With regard to ambulance fees, the Schedule of Benefits for Tier 1 will be revised to
9 add the following language:

10
11 *Ambulance fees shall be processed as in-network subject to deductible and 10% co-*
12 *insurance up to the out of pocket limit for the Tier 1 plan.*

- 13
14 B. With regard to smoking cessation coverage, the Schedule of Benefits for Tier 1 will
15 be amended to add the following language:

16
17 *All office visits and counseling fees to be covered at 100% when performed in-*
18 *network and a \$25 co-pay then deductible and 30% co-insurance up to the out of*
19 *pocket maximum when performed out of network.*

20
21 The Plan document for Tier 1 will be amended to add the following language:

22
23 *Charges for **smoking cessation** office visits and counseling fees will be paid under*
24 *the routine benefit. Prescription smoking cessation drugs are covered under the*
25 *Prescription Drug plan. However, smoking cessation drugs without a prescription*
26 *and over-the-counter smoking cessation products are not covered.*

27
28 The Plan documents for both Tier 1 and Tier 2 will be amended to add the following
29 language:

30
31 *Prescription-only smoking cessation drugs are covered at the co-pays listed above [in*
32 *the applicable Plan document] and are limited to 180 days maximum per Lifetime.*

33
34 **NOW, THEREFORE, BE IT RESOLVED** that the above-stated changes be and the same are
35 hereby approved, retroactive to January 1, 2013.

36
37 **BE IT FURTHER RESOLVED** that the Human Resources Committee will review the impact
38 of these changes in one year.

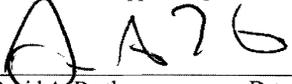
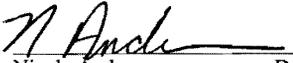
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Nancy Russell
County Board Chair

Kimberly S. Bushey
County Clerk

County Board Meeting Date: January 8, 2013

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:	
	
Date <u>1/3/13</u>	Date <u>1/3/13</u>
David A. Bretl County Administrator/Corporation Counsel	Nicole Andersen Deputy County Administrator - Finance
If unsigned, exceptions shall be so noted by the County Administrator.	

Policy and Fiscal Note
Resolution No. 59 – 01/13

- I. Title:** Approving Revisions to the Tier 1 and Tier 2 Health Plans Relating to Ambulance Fees and Smoking Cessation Coverage
- II. Purpose and Policy Impact Statement:** The purpose of this resolution is to approve revisions to both the Tier 1 and Tier 2 Health Plans with regard to coverage for ambulance fees and smoking cessation.
- III. Budget and Fiscal Impact:** Any fiscal impact of this resolution will be absorbed within the Health Insurance fund.
- IV. Referred to the following standing committees for consideration and date of referral:**

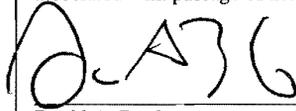
Committee: Human Resources

Meeting Date: December 20, 2012

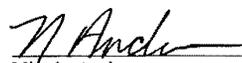
Vote: 3 – 0

County Board Meeting Date: January 8, 2013

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



David A. Bretl Date 1/3/13
County Administrator/Corporation Counsel



Nicole Andersen Date 1/3/13
Deputy County Administrator - Finance

FILED
2013 JAN -4 11:01

SUBCONTRACTOR* NOTICE OF INTENTION TO FILE CLAIM FOR LIEN

§779.06(2), Wis. Stats.

Date: January 2, 2013

One copy of this Notice is being given to the Owner by (check one):



Registered Mail - Return Receipt Requested
OR



Hand Delivery

OWNER'S NAME: Walworth County, a Wisconsin municipal corporation
OWNER'S ADDRESS: 100 W. Walworth Street
P. O. Box 1001
Elkhorn, WI 53121

The undersigned Subcontractor, having contracted with

B. R. Amon & Sons, Inc.

(name of party with whom Subcontractor contracted)

provided materials and/or labor for:

Concrete/Road Construction

(describe work performed)

to improve your property located at:

County Highway D roadway/right of way

(street address or legal description of improved property)

and, as of the date of this Notice, is owed the sum of \$ 17,943.93

(balance due)

If payment in full is not received within thirty (30) days from the date of this Notice, the Subcontractor intends to file a Claim for Lien on your Property.

SUBCONTRACTOR NAME:

Straight Edge Concrete LLC

By: _____

(signature)

Authorized Agent's Name: Mark Getka

(print name of person signing above)

Title: President

Address: P. O. Box 83

1119 McLean Road

Elkhorn, WI 53121

Telephone Number: (262) - 379-0393

* A Subcontractor is anyone who provides labor and/or materials for construction under a contract with any party except the Owner of the Property being improved.

Carbon set document - original and two copies - on bottom of original "FOR OWNER", first copy "FOR SUBCONTRACTOR," second copy "FOR PRIME CONTRACTOR/TITLE COMPANY (optional)"



Delavan Lake Sanitary District

OF THE TOWNS OF DELAVAN AND WALWORTH

January 4, 2013

Walworth County Government Center
Walworth County Park Committee
Nancy Russell
100 W. Walworth St.
Elkhorn, WI 53121

RECEIVED

JAN 04 2013

WALWORTH COUNTY BOARD

Re: Park Land Potential -Bensen Cottages
4221 South Shore Drive

Dear Committee Members:

This letter is a request to evaluate and consider the creation of a park on a group of parcels that create an approximate 8.5 acre parcel located on the west side of Delavan Lake.

Delavan Lake Sanitary District per my conversation with Nancy Russell on January 3rd, 2013 has put together a packet of information for your review and consideration.

The property has the first 75 feet in depth from the lake high-water mark along the lots frontage in a Primary Environmental Corridor. Note this parcel also includes an existing boat launch.

Ideally the property would be used as a light duty park and natural area with the boat launch restricted to low impact use for kayaks and canoes (no motorized watercraft). The property could easily be preserved as a wildlife natural area with simple hiking trails and picnic areas for the general public. A possible fishing pier could be added as well.

The district is in need of a parking and staging area for the weed harvesters to operate on the west side of Delavan Lake. Typically the harvesters take about 1.75 hours to travel from the east side of the lake to the west. To improve operation efficiencies this site would be ideal for harvester use and possible unloading of weeds.

Developing a cooperative partnership between various entities both public and private will also aid in a better score for utilizing grants to purchase the land and maintain and install needed paths, parking and recreational areas for the public's enjoyment and preservation of the lake.

It would be a pleasure to discuss this matter further and hopefully get a process started that would move this project forward for 2014 or 2015 goals.

I have spoken to the property owner and they are open to this option, however the price to purchase it will be pending proper appraisals, stewardship grant restrictions, partnership funding and the obvious availability of the property. Since no agreement has been reached to hold the property, it is still open for future sales if the correct buyers step in prior to this taking place.

I believe a partnership with the County, Kettle Moraine Land Trust, Delavan Lake Improvement Association, Town of Delavan and other entities both private and public may be achievable to purchase this property and put into a protected state.

DLSD commissioners have expressed an interest in the property and willingness to pursue this option if enough partners can be put together.

If you have any other questions, please feel free to contact me directly at the Sanitary District office.

Sincerely,

DELAVAN LAKE SANITARY DISTRICT

A handwritten signature in cursive script that reads "James DeLuca".

James DeLuca
District Administrator

BENAIM TRUST

PUBLIC USES / ACTIVITIES:

Large natural area – over 8.5 acres with 292.9' of lake frontage and 414' of South Shore Drive frontage.

First of a kind public natural area on Delavan Lake (new park on the lake)

Water base recreation area for non-motorized boat access (canoe & kayak)

Natural swimming area

Ice skating access

Nature area with walking trails, wildlife observation, photography & bird watching – viewing area for visitors to the lake

Walk in fishing / Ice fishing access

Habitat area

PROS:

A green space park on the west end of the lake will protect natural green space. Public use and activities location for future generations (development threat)

Property owned and it's use controlled by possible multiple partners, i.e. DLIA – Kettle Moraine Land Trust – Town of Delavan – Delavan Lake Sanitary District – State of Wisconsin – Walworth County – Walworth County Lakes Association – Garden Club

Grants – stewardship 50%-50% max based on appraised value

Favored project by the DNR – can score high for grants

Permanent site on west end of lake for harvesting operations with boat parking and off-loading site all in one location with current weed disposal site close by

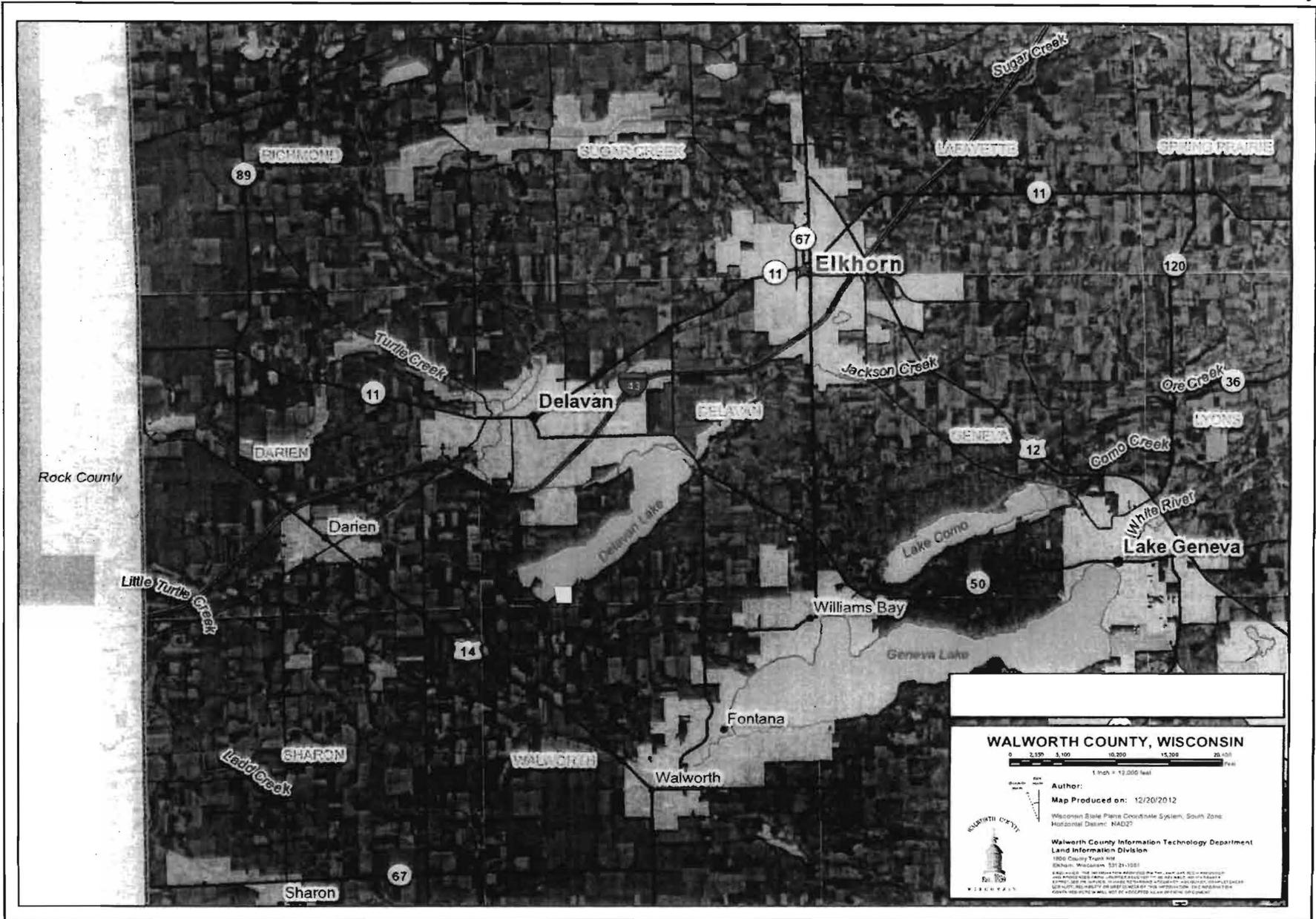
Boat parking – 292.9' Lake Frontage

Off-load site for harvesters – Cement boat ramp on site 18' wide already in place

Access to sewer easements on lakefront from this location

CONS:

Cost









4221 South Shore Drive

Benaim Trust



Tax Parcel Information

This is not official information. All official information is recorded in the Treasurer's office.

To verify tax payment/payoff status, contact the Walworth County Treasurer's Office at 262-741-4251.

Parcel Information

F D 3200055
TOWN OF DELAVAN
6013-UHS WALWORTH

Tax Year: 2011

Owner Name & Mailing Address

MARC A BENAIM TRUST
C/O PRIVATE TRUST CO
1422 EUCLID AVE SUITE 1130
CLEVELAND OH 44115-0000

Land: \$33,100
Improvements: \$0
Total: \$33,100

Valuation Information

Acres: 0.00
Fair Market Value: \$32,617
Assessment Ratio: 1.01479
Mill Rate: 0.0128912

Tax Information

Gross Tax: \$476.92
School Credit: \$50.22
First Dollar Credit: \$0.00
Lottery Credit: \$0.00
Special Assessments: \$0.00
Special Charges: \$44.00
Delinquent Utility Charges: \$0.00
Private Forest Crop Taxes: \$0.00
Managed Forest Land Taxes: \$0.00
Woodland Tax Law Taxes: \$0.00
Total Billed: \$470.70

Taxing Jurisdiction

STATE OF WISCONSIN \$5.55
TOWN OF DELAVAN \$76.88
GATEWAY TECHNICAL COLLEGE \$46.88
SCH FONTANA J 8 \$77.37
UHS WALWORTH \$54.68
COUNTY OF WALWORTH \$142.36
DELAVAN LAKE SANITARY DISTRICT \$22.98

Special Assessments/Charges

SNOW REMOVAL \$44.00

Legal Description

PT SW 1/4 SEC 32 T2N R16E DESC
AS: COM 734.25' E & 49.5' N OF
SW COR GOVT LOT 3 SEC 32, N
100', E 150', S 100', W 150'
TO POB

Copyright @ 2002 Walworth County Government. All Rights Reserved.
100 W Walworth, Elkhorn, WI 53121
10/22/2012 08:23 AM

<http://ctyweb.co.walworth.wi.us/taxroll.nsf/e85dce8d7692227786256b2f005bc314/ba60813e5b20bb6e862...> 10/22/2012

**Walworth County
Tax Parcel Information**

This is not official information. All official information is recorded in the Treasurer's office.

**To verify tax payment/payoff status, contact the Walworth County Treasurer's Office
at 262-741-4251.**

Tax Year: 2011

Parcel Information

F D 3200073A
TOWN OF DELAVAN
6013-UHS WALWORTH

Owner Name & Mailing Address

MARC BENAÏM TRUST
C/O PRIVATE TRUST CO
1422 EUCLID AVE SUITE 1130
CLEVELAND OH 44115-0000

Land: \$38,500
Improvements: \$0
Total: \$38,500

Valuation Information

Acres: 0.00
Fair Market Value: \$37,939
Assessment Ratio: 1.01479
Mill Rate: 0.0128914

Tax Information

Gross Tax: \$554.74
School Credit: \$58.42
First Dollar Credit: \$0.00
Lottery Credit: \$0.00
Special Assessments: \$0.00
Special Charges: \$44.00
Delinquent Utility Charges: \$0.00
Private Forest Crop Taxes: \$0.00
Managed Forest Land Taxes: \$0.00
Woodland Tax Law Taxes: \$0.00
Total Billed: \$540.32

Taxing Jurisdiction

STATE OF WISCONSIN \$6.46
TOWN OF DELAVAN \$89.42
GATEWAY TECHNICAL COLLEGE \$54.53
SCH FONTANA J 8 \$90.00
UHS WALWORTH \$63.60
COUNTY OF WALWORTH \$165.58
DELAVAN LAKE SANITARY DISTRICT \$26.73

Special Assessments/Charges

SNOW REMOVAL \$44.00

Legal Description

PT SW 1/4 SEC 32 T2N R16E DESC
AS: COM S 1/4 COR SEC 32, N
49.5', W 293.68' TO POB, N
350', W 221', S 150', W 75', S
100', E 150', S 100', E 146'
TO POB. 1.775 A

Copyright © 2002 Walworth County Government. All Rights Reserved.
00 W Walworth, Elkhorn, WI 53121
0/22/2012 08:23 AM

**Walworth County
Tax Parcel Information**

This is not official information. All official information is recorded in the Treasurer's office.

**To verify tax payment/payoff status, contact the Walworth County Treasurer's Office
at 262-741-4251.**

Tax Year: 2011

Parcel Information

F D 3200073
TOWN OF DELAVAN
6013-UHS WALWORTH

Owner Name & Mailing Address

MARC A BENAİM TRUST
C/O PRIVATE TRUST CO
1422 EUCLID AVE SUITE 1130
CLEVELAND OH 44115-0000

Valuation Information

Land: \$1,376,600
Improvements: \$0
Total: \$1,376,600

Acres: 0.00
Fair Market Value: \$1,356,533
Assessment Ratio: 1.01479
Mill Rate: 0.0128911

Tax Information

Gross Tax: \$19,834.56
School Credit: \$2,088.70
First Dollar Credit: \$0.00
Lottery Credit: \$0.00
Special Assessments: \$0.00
Special Charges: \$90.20
Delinquent Utility Charges: \$0.00
Private Forest Crop Taxes: \$0.00
Managed Forest Land Taxes: \$0.00
Woodland Tax Law Taxes: \$0.00
Total Billed: \$17,836.06

Taxing Jurisdiction

STATE OF WISCONSIN \$230.98
TOWN OF DELAVAN \$3197.18
GATEWAY TECHNICAL COLLEGE \$1949.79
SCH FONTANA J 8 \$3217.87
UHS WALWORTH \$2274.16
COUNTY OF WALWORTH \$5920.30
DELAVAN LAKE SANITARY DISTRICT \$955.58

Special Assessments/Charges

SNOW REMOVAL \$90.20

Legal Description

PT SW 1/4 SEC 32 T2N R16E DESC
AS: COM 49.5' N & 175' W OF S
1/4 COR SEC 32, N0D41'W 825.
74', S59D01'W 102.51', N30D30'
48"W 289.60' TO POB, S30D30'
48"E 289.60', N59D01'E 102.51'
S0D41'E 825.74', S89D41'W 221'
N 246', N42D22'W 111.71', S89D
37'W 133.50', N0D24'E 255.62',
N0D24'E 44.5' M/L TO SHR LAKE,

Copyright © 2002 Walworth County Government. All Rights Reserved.
100 W Walworth, Elkhorn, WI 53121
10/22/2012 08:21 AM

RESOLUTION

ROCK COUNTY PUBLIC WORKS COMMITTEE

Public Works Committee
INITIATED BY



Benjamin J. Coopman, Jr., P.E.,
Director of Public Works
DRAFTED BY

Public Works Committee
SUBMITTED BY

December 5, 2012
DATE DRAFTED

URGING STATE LEGISLATORS TO VOTE IN FAVOR OF TRANSPORTATION DOLLARS FOR TRANSPORTATION

- 1 **WHEREAS**, Wisconsin's transportation infrastructure is a fundamental component of its ability to
- 2 attract and retain business and produce jobs; and,
- 3
- 4 **WHEREAS**, gas tax and vehicle registration fees comprise over 85% of the state's segregated
- 5 transportation account. Revenues from these two user fees have been declining and are inadequate
- 6 to meet the existing transportation needs in this state; and,
- 7
- 8 **WHEREAS**, Wisconsin's past practice of transferring money from the segregated transportation
- 9 fund to the general fund has eroded the public's confidence that the "user fees" they pay through the
- 10 state gasoline tax and vehicle registration fees will be used for their intended purpose; and,
- 11
- 12 **WHEREAS**, Wisconsin's practice of replacing the dollars transferred from the state's segregated
- 13 transportation fund with General Obligation (GO) bonds put our state in the precarious position of
- 14 bonding to fund ongoing operations; and,
- 15
- 16 **WHEREAS**, the debt service for these bonds are being paid for out of the state's general fund which
- 17 hinders its ability to fund other programs like Shared Revenue, Youth Aids, Community Aids and
- 18 courts in the future; and,
- 19
- 20 **WHEREAS**, Rock County placed an advisory referendum on the November 2010 ballot asking
- 21 "Should the Wisconsin Constitution be amended to prohibit any further transfers or lapses from the
- 22 segregated transportation fund?"; and,
- 23
- 24 **WHEREAS**, the people of Rock County voted overwhelmingly in favor of this constitutional
- 25 amendment – just over 70% "yes"; and,
- 26
- 27 **WHEREAS**, Fifty-three other counties in Wisconsin also asked the same advisory referendum
- 28 question and the support was similar across the state with an average "yes" vote of 70%; and,
- 29
- 30 **WHEREAS**, first consideration of this constitutional amendment passed the Wisconsin State
- 31 Legislature overwhelmingly last session, on a bipartisan basis; and,
- 32
- 33 **WHEREAS**, the 2012-13 session of the Wisconsin State Legislature has the opportunity to pass
- 34 second consideration of this constitutional amendment and in so doing will give the citizens of the
- 35 entire state the opportunity to vote for amending the state constitution to ensure transportation
- 36 revenues are spent for transportation purposes; and,
- 37
- 38 **WHEREAS**, providing constitutional protection for transportation user fees will align Wisconsin
- 39 with our neighbors in Minnesota, Iowa and Michigan.
- 40
- 41 **NOW, THEREFORE, BE IT RESOLVED** that the Rock County Board of Supervisors duly
- 42 assembled this 13 day of December, 2012 strongly urges our state representatives to vote in
- 43 favor of second consideration of the joint resolution to protect the transportation fund, thereby giving
- 44 voters across this state the opportunity to vote on a binding referendum to amend the constitution
- 45 and ensure the transportation user fees they pay will be spent for transportation purposes.
- 46
- 47 **BE IT FURTHER RESOLVED** that the County Clerk is directed to provide a copy of this
- 48 resolution to the Rock County Legislative Delegation, Governor Scott Walker, Wisconsin Counties
- 49 Association and Wisconsin County Highway Association.

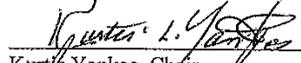
12-12A-214

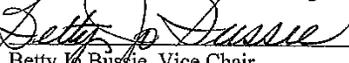
URGING STATE LEGISLATORS TO VOTE IN FAVOR OF TRANSPORTATION DOLLARS FOR TRANSPORTATION

Page Two

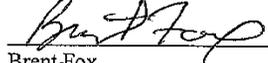
Respectfully submitted,

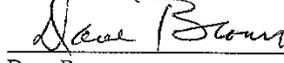
PUBLIC WORKS COMMITTEE


Kurtis Yankee, Chair


Betty Jo Bussie, Vice Chair


Eva M. Arnold


Brent Fox


Dave Brown

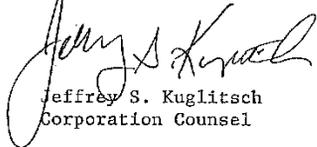
FISCAL NOTE:

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


Sherry Oja
Finance Director

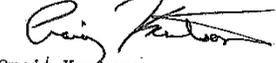
LEGAL NOTE:

Advisory only.

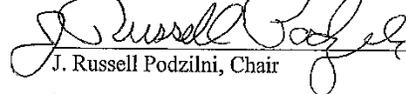

Jeffrey S. Kuglitsch
Corporation Counsel

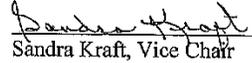
ADMINISTRATIVE NOTE:

Matter of Policy.


Craig Knutson
County Administrator

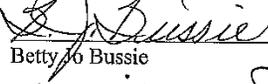
COUNTY BOARD STAFF COMMITTEE

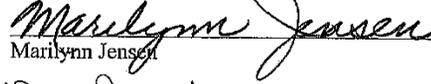

J. Russell Podzilni, Chair

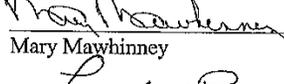

Sandra Kraft, Vice Chair

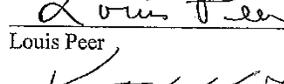

Eva Arnold

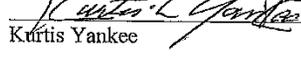

Henry Brill


Betty Jo Bussie


Marilynn Jensen


Mary Mawhinney


Louis Peer


Kurtis Yankee

- EXECUTIVE SUMMARY -
Support for Second Consideration of the
Constitutional Amendment to protect the Transportation fund

WCHA continues to work with TDA to garner support for passage of second consideration of the constitutional amendment to protect the transportation fund. This has been a top priority of both associations and working together 54 counties placed advisory referenda on the 2010 ballot. Another 10 counties passed resolutions of support. As a result of the overwhelming support by the public to the advisory referenda – 70% statewide – the legislature responded positively last session.

First consideration of the constitutional amendment (SJR 23) passed 82-11 in the Assembly and 26-6 in the Senate. If this legislature passes the same resolution under second consideration then a binding referendum question will be placed on a statewide ballot asking voters if they want to amend the constitution to protect the transportation fund. It is up to the legislature as to which general election the question would appear on the ballot. The earliest possible date would be the April 2013 general election. If that would be the desired choice for the legislature they would have to pass the joint resolution out before January 28th. The legislature could pass the joint resolution out any other time during the legislative session after that date and have the question placed on the ballot in either the spring or fall general election in 2014.

The Rock County Board of Supervisors passed a similar resolution of support on September 9, 2010. Passage of this second resolution of support will assure our state legislators of our continued interest and support for this funding guarantee effort.

RESOLUTION NO. 12-70

URGING STATE LEGISLATORS TO VOTE IN FAVOR OF
TRANSPORTATION DOLLARS FOR TRANSPORTATION

WHEREAS, Wisconsin’s transportation infrastructure is a fundamental component of its ability to attract and retain business and produce jobs; and

WHEREAS, gas tax and vehicle registration fees comprise over 85% of the state’s segregated transportation account. Revenues from these two user fees have been declining and are inadequate to meet the existing transportation needs in this state; and

WHEREAS, Wisconsin’s past practice of transferring money from the segregated transportation fund to the general fund has eroded the public’s confidence that the “user fees” they pay through the state gasoline tax and vehicle registration fees will be used for their intended purpose; and

WHEREAS, Wisconsin’s practice of replacing the dollars transferred from the state’s segregated transportation fund with general obligation (GO) bonds put our state in the precarious position of bonding to fund ongoing operations; and

WHEREAS, the debt service for these bonds are being paid for out of the state’s general fund which hinders its ability to fund other programs like Shared Revenue, Youth Aids, Community Aids and courts in the future; and

WHEREAS, Ozaukee County placed an advisory referendum on the November 2010 ballot asking "Should the Wisconsin Constitution be amended to prohibit any further transfers or lapses from the segregated transportation fund?"; and

WHEREAS, the people of Ozaukee County voted overwhelmingly in favor of this constitutional amendment – over 70% “yes”; and

WHEREAS, Fifty-three other counties in Wisconsin also asked the same advisory referendum question and the support was similar across the state with an average “yes” vote of 70%; and

WHEREAS, first consideration of this constitutional amendment passed the Wisconsin State Legislature overwhelmingly last session, on a bipartisan basis; and

WHEREAS, the 2012-13 session of the Wisconsin State Legislature has the opportunity to pass second consideration of this constitutional amendment and in so doing will give the citizens of the entire state the opportunity to vote for amending the state constitution to ensure transportation revenues are spent for transportation purposes; and

WHEREAS, providing constitutional protection for transportation user fees will align Wisconsin with our neighbors in Minnesota, Iowa and Michigan.

NOW, THEREFORE, BE IT RESOLVED that the Ozaukee County Board of Supervisors strongly urges our state representatives to vote in favor of second consideration of the joint resolution to protect the transportation fund, thereby giving voters across this state the opportunity to vote on a binding referendum to amend the constitution and ensure the transportation user fees they pay will be spent for transportation purposes.

FURTHER RESOLVED, by the Ozaukee County Board of Supervisors that the County Clerk shall forward a copy of this resolution to the Governor of the State of Wisconsin, Wisconsin Department of Transportation Secretary, Ozaukee County's Legislative Representatives, to the Wisconsin Counties Association and to all Wisconsin Counties.

Dated at Port Washington, Wisconsin, this 2nd day of January, 2013.

PUBLIC WORKS COMMITTEE				
	Yes	No	Abstain	Absent
Kathlyn T. Geracie	X			
Thomas E. Winker	X			
Daniel R. Buntrock	X			
Donald G. Dohrwardt	X			
Barbara J. Jobs	X			

(Certification on Back)

TO WHOM IT MAY CONCERN:

I, Julianne B. Winkelhorst, County Clerk for Ozaukee County, Wisconsin, hereby certify that the foregoing is a true and correct copy of Resolution No. 12-70, adopted by the Ozaukee County Board of Supervisors on January 2, 2013.

(S E A L) s/Julianne B. Winkelhorst

Julianne B. Winkelhorst
Ozaukee County Clerk

Adopted Vote: Ayes - 23
 Nays - 0
 Abstain - 1
 Absent - 2

AGRICULTURAL **I**MPACT **S**TATEMENT

RECEIVED
WALWORTH COUNTY CLERK
2013 JAN -2 AM 9:25



**STH 20: Thomas Drive to Honey
Creek Road
Walworth and Racine Counties**

Published December 28, 2012

Wisconsin Department of Agriculture,
Trade and Consumer Protection
DATCP #3865