



February 12, 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

- Ordinance No. 763-02/13 – Amending Sections 15-333 and 15-359 of the Walworth County Code of Ordinances Relating to Pay Plan Administration and Special Pay Premiums for Public Works Employees – *Vote Required: Majority* (The Human Resources Committee will consider this item at a special meeting prior to the February 12, 2013 County Board meeting)
- Resolution No. 69-02/13 – Approving an Off-Schedule Step Increase for the Machine Operator Position – *Vote Required: Majority* (The Human Resources Committee will consider this item at a special meeting prior to the February 12, 2013 County Board meeting)
- Correspondence received from Reesman's Excavating & Grading, Inc. in regard to the Boss Property – To be referred to the County Zoning Agency
- Statement of Relief Sought received from Carrie Carlsen for damage sustained to her vehicle – To be referred to the Executive Committee
- Rusk County Resolution Supporting Same Day Voter Registration – To be referred to the Executive Committee
- Notice of Complaint – Charge of Discrimination – Mr. Enoch L. Wilson vs. Walworth County (Sheriff's Office) – To be referred to the Executive Committee and the Human Resources Committee
- Notice of Stipulation as to Amount Due for Claim for Public Improvement Lien received for Walworth County Project No. 12027 – Rock Road Companies, Inc./B.R. Amon & Sons, Inc. – To be referred to the Executive Committee
- *Walworth County Aging & Disability Resource Center News*, February 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. 763 – 02/13

AMENDING SECTIONS 15-333 AND 15-359 OF THE WALWORTH COUNTY CODE OF ORDINANCES RELATING TO PAY PLAN ADMINISTRATION AND SPECIAL PAY PREMIUMS FOR PUBLIC WORKS EMPLOYEES

THE WALWORTH COUNTY BOARD OF SUPERVISORS DOES ORDAIN AS FOLLOWS:

1 **PART I: That Section 15-333 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. 15-333. Pay plan administration.**

6
7 (k) *Temporary assignments within pay plan.* The department head shall approve the
8 temporary assignment of an employee to a different position within the same pay plan. The pay
9 rate for the temporary assignment shall be as follows:

10
11 (2) *Same pay plan and higher pay range:* A regular employee temporarily assigned to
12 a position in a higher pay range for the time periods specified below shall be paid
13 at the pay step in the higher pay range as specified below. The higher rate shall
14 only apply when the employee has assumed all or a significant portion of the
15 higher-level duties and responsibilities of the higher classification. The temporary
16 rate shall only apply to actual hours worked and specifically excludes any paid
17 non-productive time.
18

Unit or Department	Time Period	Step
Public Works	Immediately	Employees same step in the higher pay range
Lakeland Health Care Center and Public Works (Facilities Division)	Immediately	Step which provides the minimum increase in pay rate
All other departments	Eight (8) hours or more	Step which provides the minimum increase in pay rate
HHS Professionals	At least five (5) consecutive work days	Step which provides the minimum increase in pay rate

19
20 **PART II: That Section 15-359 of the Walworth County Code of Ordinances is hereby**
21 **amended to read as follows (additions shown by underline; deletions shown by strike-**
22 **through):**

23
24 **“Sec. 15-359. Special pay premiums.**

1
2 (a) The director shall maintain schedules of the positions authorized to receive
3 special pay premiums under this section. Schedules first established under this section, and any
4 subsequent changes therein, shall be subject to review and approval of the committee.
5

6 (b) Any premium listed below is paid on productive hours only.
7

Type of Premium	How Much	Who	Special Notes
<u>Road or Marking/Signing Lead Worker Differential</u>	<u>\$1.00/hour</u>	<u>Patrolman/Woman Machine Operator</u>	<u>n/a</u>
<u>Shop Lead Worker Differential</u>	<u>\$0.75/hour</u>	<u>Mechanic II</u>	<u>n/a</u>
<u>Machine Operator Differential</u>	<u>\$0.50/hour</u>	<u>Patrolman/Woman Road Lead Worker Marking/Signing Lead Worker Mechanic II</u>	<u>n/a</u>
<u>Mechanic II Differential</u>	<u>\$0.50/hour</u>	<u>Patrolman/Woman Road Lead Worker Marking/Signing Lead Worker</u>	<u>n/a</u>

8
9 **PART III: The effective date of this ordinance shall be February 24, 2013.**

10
11 **PASSED and ADOPTED** by the Walworth County Board of Supervisors this 12th day of
12 February 2013.
13

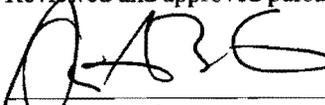
14
15
16 _____
17 Nancy Russell
18 County Board Chair

16 _____
17 Kimberly S. Bushey
18 Attest: County Clerk

19
20 County Board Meeting Date: February 12, 2013

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

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



David A. Bretl Date 2/12/13
County Administrator/Corporation Counsel

Nicole Andersen Date
Deputy County Administrator - Finance

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

Policy and Fiscal Note
Resolution No. 69-02/13

I. Title: Approving an Off-Schedule Step Increase for the Machine Operator Position

II. Purpose and Policy Impact Statement: The purpose of this resolution is to approve the off-schedule step increase for the machine operator position to resolve an equity issue. Effective February 17, 2013, the machine operator will move from Step 4 to Step 5 in the range below.

Machine Operator	Step 1	Step 2	Step 3	Step 4	Step 5	Step 6	Step 7	Step 8	Step 9
	Min				Mid/Market				Max
	\$20.15	\$20.77	\$21.39	\$22.00	\$22.62	\$23.24	\$23.86	\$24.47	\$25.09

III. Budget and Fiscal Impact: This position is included in the 2013 budget. The step change will result in an annual increase of \$1,519 and an increase in 2013 of \$1,321.

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

Committee: Human Resources

Meeting Date: February 12, 2013

Vote: 5 – 0

County Board Meeting Date: February 12, 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
 County Administrator/Corporation Counsel

2/12/13
 Date

 Nicole Andersen
 Deputy County Administrator - Finance

Date



RECEIVED
WALWORTH COUNTY CLERK

2013 FEB -8 PM 3:26

28815 Bushnell Rd., Burlington, WI 53105 • 262-539-2124 • Fax 262-539-2665

February 5, 2013

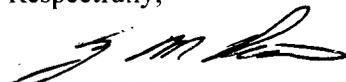
Walworth County Board of Supervisors
Walworth County Zoning Agency
100 West Walworth Street
PO Box 1001
Elkhorn WI, 53121

RE: Boss Property

Board Supervisors,

My company is acting as agent/operator contemplating the acquisition of the Boss property on STH 14 and County Highway M in Darien Township. The parcel is currently for sale and being promoted as zoned for extractive use. I have been made aware of the prior history on this parcel by Michael Cotter and staff members regarding the contentions on the zoning. We have an interest in purchasing the property and developing it into a gravel extraction site. The site is currently zoned for extractive mining. I am inquiring if the Board would allow this zoning classification to stand and consider a conditional use permit for mining on the property. I understand the actions of the current owner do not sit well with the board. I am asking that the board would provide me with a determination if they would consider hearing a conditional use permit request on the property. I do not want to be associated with the prior actions of the current owner, or be impacted negatively based on the prior history. I am simply asking the boards position on this property and if it is worth pursuing an offer on the parcel for our intended purpose. I do not want to get in the middle of a contentious situation. This is an attractive parcel for our intended use if the zoning would stand, and we could pursue a conditional use permit. The parcel has been previously mined for clay soils and restored. The agricultural usefulness of the property has been impacted by the prior removal of clay from the site. I request guidance from the board if pursuing this site is practical, or if our time is better spent pursuing other options.

Respectfully,



Gregory M. Reesman

WWW.REESMANS.COM

Sewer & Water • Wrecking • Ponds • Bulldozing • Site Development
Earth Moving • Snow Removal • Gravel • Top Soil • Parking Lots • Road Construction

Carrie Carlsen
W3074 Weaver Rd
Elkhorn, WI 53121
262-745-1640
Carrie.Carlsen@yahoo.com

2012 FEB -1 11:58

County Clerk

Statement of Relief Sought

I am looking for retribution in the amount of \$232.10, for an incident that happened on 12/22/2012 at approximately 8pm. I was traveling southbound on highway F between Bailey RD and Highway 67 intersection when a snowplow traveling northbound passed me. My vehicle was hit with large chunks of ice and snow cracking my windshield, despite my attempt to move as far to the right of my lane. This incident caused a crack from the lower left hand corner to 75% up to the top of the windshield. The entire windshield had to be replaced. The total cost of the windshield replacement is \$232.10. I contacted the county in regards to this matter and spoke with Janet Cline. I was informed that a county plow was running during the specified time frame and highway F was included on his route. Please review my claim and I ask that you refund me the total cost of replacement.

Thank you,

Carrie Carlsen



RESOLUTION #

SUPPORTING SAME DAY VOTER REGISTRATION

RUSK COUNTY

ROLL CALL Board Members	AYE (Yes)	NAY (No)	Abstain / Excused
1. PETER BOSS			
2. JERRY BILLER			
3. BOB NAWROCKI			
4. TONY HAUSER			
5. ARIAN KNOPS			
6. SANDY ROTH			
7. RANDY TATUR			
8. LYLE LIEFFRING			
9. GARY SWOVERLAND			
10. KEN PEDERSEN			
11. PHIL SCHNEIDER			
12. ROGER GIERKE			
13. MARK SCHMITT			✓
14. KARL FISHER			
15. DAVE HULBACK			
16. KATHY MAI			
17. DAVE WILLINGHAM			
18. RON FREEMAN			
19. JIM PLATTETER			✓
TOTAL	17		2

BOARD ACTION

Vote Required: Majority Vote of a Quorum

Motion to Approve Adopted

1st KNOPS Defeated

2nd HAUSER

No: _____ Yes: 17 Exc: 2

Reviewed by: _____, Corp. Counsel

Reviewed by: _____, Finance Director

FISCAL IMPACT: (Note if there is any fiscal impact or not)

Certification:

I, Denise Wetzel, Clerk of Rusk County, hereby certify that the above is a true and correct copy of a resolution that was adopted on the 24th day of JANUARY, 2012 by the Rusk County Board of Supervisors.

Denise Wetzel (ds)
Denise Wetzel
County Clerk, Rusk County

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TO THE RUSK COUNTY BOARD OF SUPERVISORS:

WHEREAS, it is a self-evident truth that more, rather than less voter participation is intrinsically desirable in a democracy and that a healthy democracy requires a high level of public participation; and

WHEREAS, for more than a century the State of Wisconsin has cultivated a proud tradition favoring public participation in the electoral process, as demonstrated by the fact that Wisconsin's voter turnout was third in the nation in the last six general elections; and

WHEREAS, states with same day voter registration have significantly higher voter participation rates than states that do not, as evidenced by studies showing 7-14% greater turnout in states with same day registration; and

WHEREAS, Wisconsin is one of the most politically active states in the union and its citizens consider it a civic duty to express our opinions at the ballot box and regard the right to vote as a sacred trust; and

WHEREAS, voter registration is required for every citizen who is a new voter, has moved, or has had a name change; and

WHEREAS, municipal clerks, many of whom are part-time, find that same day voter registration contributes to a more efficient voter registration system, and election inspectors do not find same day registration to be burdensome and take pride in seeing that every qualified elector's voice is heard at the ballot box; and

NOW, THEREFORE, BE IT RESOLVED that the Rusk County Board of Supervisors expresses its support for same day voter registration; and

BE IT FURTHER RESOLVED that the County Clerk is directed to distribute a copy of this resolution to Governor Scott Walker, to all Rusk County State Legislators, the Wisconsin Counties Association, and to all other Wisconsin Counties.

SUBMITTED BY: Rusk County

Finance Committee

Randy Tatur
Randy Tatur, Chairman

Pete Boss
Pete Boss, Vice Chairman

Arian Knops
Arian Knops

Jim Platteter
Jim Platteter

Karl Fisher
Karl Fisher

Department of Workforce Development
Equal Rights Division
819 N. 6th Street, Rm. 723
Milwaukee, WI 53203-1697
Telephone: (414) 227-4384
Fax: (414) 227-4084
TTY: (414) 227-4081

REC
WORTH
2013 FEB -4

STATE OF WISCONSIN

Department of Workforce Development

Scott Walker, Governor
Reginald J. Newson, Secretary
Joe Handrick, Division Administrator

NOTICE OF COMPLAINT - EEOC TO PROCESS INITIALLY

January 25, 2013

COUNTY CLERK
COUNTY OF WALWORTH
N6637 HODGES RD
ELKHORN WI 53121
Respondent

Re: ERD Case No. CR201300197
EEOC Case No. 443201300358C

To Whom It May Concern:

The enclosed charge of discrimination, which was originally filed with the Federal Equal Employment Opportunity Commission (EEOC), has also been filed with the State of Wisconsin Equal Rights Division (ERD). The ERD and the EEOC have a work sharing agreement which covers the processing of complaints of discrimination that are prohibited under both federal law and the Wisconsin Fair Employment Act. The work sharing agreement provides that the agency which originally receives the complaint will process it first. Therefore, the ERD will take no action pending the EEOC's processing of this complaint.

If you have any further questions regarding this case, please contact the EEOC at 414-297-1112. Remember to have your EEOC case number ready for reference.

cc: Complainant
Walworth County Sheriff's Dept
EEOC

Enclosure

BRENNAN ■ **STEIL** S.C.RECEIVED
WALWORTH COUNTY CLERK

ATTORNEYS AT LAW

2013 FEB -8 AM 11:15
ONE EAST MILWAUKEE STREET
JANESVILLE, WI 53545
PH: 608.756.4141
FAX: 608.756.9000

FACSIMILE COVER SHEET

DATE: February 8, 2013
NO. PAGES (including cover sheet): 3
TO: Kim Bushey, Walworth County Clerk
FAX NO.: (262)741-4287
FROM: William F. Springer
RE: Stipulation as to Amount Due For Claim for Public Improvement Lien
Walworth County Project No. 12027

COMMENTS: Please see attached.

Please call (608) 756-4141 and ask for Jackey Schultz if there is a problem in reception.

THE INFORMATION CONTAINED IN THIS FACSIMILE TRANSMISSION IS INTENDED ONLY FOR THE PERSONAL AND CONFIDENTIAL USE OF THE DESIGNATED RECIPIENT NAMED ABOVE. This transmission may be an attorney attorney-client communication, and as such is privileged and confidential. If the receiver of this transmission is not the intended recipient or an agent responsible for delivering it to the intended recipient, you are hereby notified that you have received this document in error, and that any review, dissemination, distribution or copying of this message is strictly prohibited. If you have received this communication in error, please notify us immediately by telephone (608/756-4141) and return the original message to us by mail. Thank you.

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BRENNAN ■ STEIL s.c.

ATTORNEYS AT LAW

ONE EAST MILWAUKEE STREET
JANESVILLE, WI 53545-3029
PHONE: 608.756.4141
FAX: 608.756.9000

February 8, 2013

Via E-mail: kbushey@co.walworth.wi.us; and
Via Facsimile: (262)741-4287

Kim Bushey
Walworth County Clerk
100 W. Walworth Street
Room 101
Elkhorn, WI 53121

**Re: Stipulation as to Amount Due for Claim for Public Improvement Lien
Walworth County Project No. 12027**

Dear Ms. Bushey:

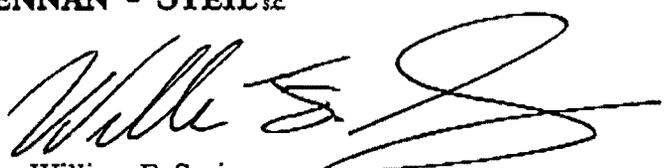
Enclosed please find a Notice of Stipulation as to Amount Due for Claim for Public Improvement Lien regarding Walworth County Project No. 12027 – CTH D, CTH ES to East County Line, Walworth County, WI (“Stipulation”). The parties have agreed to this Stipulation to avoid the necessity of filing a lawsuit pursuant to §779.15(3) Wis. Stats. By copy of this letter, the prime contractor is being served by U.S. Mail.

If you have any questions regarding this matter, please feel free to call me.

Very truly yours,

BRENNAN ■ STEIL s.c.

By:


William F. Springer

E-Mail: wspringer@brennansteil.com

WFS/pem
Enclosure

c: B.R. Amon & Sons, Inc. (w/ Encl.)
Rock Road Companies, Inc. (w/ Encl.)

00537019.DOCX

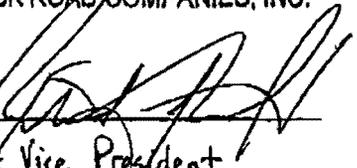
NOTICE OF STIPULATION AS TO AMOUNT DUE FOR CLAIM FOR PUBLIC IMPROVEMENT LIEN

TO: Walworth County
Kim Bushey
Walworth County Clerk
100 W. Walworth Street
Room 101
Elkhorn, WI 53121

1. Pursuant to Wis. Stats. s. 779.15(1), Rock Road Companies, Inc. ("Rock Road") served a Claim for Public Improvement Lien on Walworth County for the money held by Walworth County for B.R. Amon & Sons, Inc. ("Amon") related to the County D Road Project No. 12027 (the "Project"). Attached as Exhibit A is a copy of said lien.
2. Pursuant to Wis. Stats. s. 779.15(3), Amon disputed the amount due on the Lien by letter dated November 14, 2012. Attached as Exhibit B is a true and correct copy of said letter.
3. The undersigned agree and stipulate that the amount due to Rock Road on the Project is \$39,938.58. Accordingly, there is no need for a lawsuit to be initiated pursuant to Wis. Stats. s. 779.15(3) in order to determine the amount due on the Lien and preserve the Lien. Amon further authorizes Walworth County to make payment directly to Rock Road in the amount of \$39,938.58. Amon agrees to hold Walworth County harmless for any claims arising from said payment. Rock Road agrees to release the Lien upon receipt of the payment.

Dated this 6th day of February, 2013.

ROCK ROAD COMPANIES, INC.

By: 
Title: Vice President

B.R. AMON & SONS, INC.

By: 
Title: President