

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

The Walworth County Board Committee of the Whole meeting was called to order by Chair Russell at 5:02 p.m. at the Government Center, 100 W. Walworth Street, Elkhorn, Wisconsin.

**Roll Call**

Roll Call was conducted and the following Supervisors were present: Richard Brandl, Tim Brellenthin, Vice-Chair Jerry A. Grant, Daniel G. Kilkenny, Kenneth H. Monroe, Carl Redenius, Joe Schaefer, Tim Schiefelbein, Rick Stacey, David A. Weber, and Chair Nancy Russell.

• **The purpose of the meeting is for:**

- Walworth County Metropolitan Sewerage District Commission (WalCoMet) presentation of the 2011 WalCoMet Annual Report  
Presenters: Karla Eggink, P.E., Administrator; Dean Logterman, President

Dean Logterman, President of the WalCoMet Board of Commissioners, stated they normally mail their annual report to the county; however, they wanted to personally present this report to the County Board this year. Mr. Logterman gave a brief description and history of WalCoMet. WalCoMet was formed after the Wisconsin Department of Natural Resources (DNR) ordered the creation of a metropolitan sewerage district to serve the Delavan Lake Sanitary District, City of Elkhorn, and City of Delavan. WalCoMet strictly focuses on waste water collection and waste water treatment. The district has five commissioners, who serve five-year terms and are appointed by the County Board. He stated the district has expanded to include the Village of Williams Bay, Geneva National, Como Sanitary District, Village of Darien, and other smaller entities. He said WalCoMet has never issued a tax and it strictly maintains a fund balance by use of user rates. He introduced Karla Eggink, who is the Administrator of WalCoMet.

Karla Eggink gave a brief presentation detailing the formation of WalCoMet and the communities served by WalCoMet. Ms. Eggink stated their service area is defined through Southeastern Wisconsin Regional Planning Commission (SEWRPC). She said they have a waste water treatment plant, ten lift stations throughout the service area, and approximately 38 miles of collecting sewer. She said WalCoMet employs 20 individuals to treat waste water. Ms. Eggink gave an overview of how waste water is treated, which is a process copied from nature. In 2011, WalCoMet collected approximately 4 million gallons of waste water per day, which is the lowest amount collected since 2004. She said the recession and the decrease in rainwater have impacted waste water collection and treatment. She stated the City of Elkhorn is the largest entity served with 4453 customer units, and the Town of Walworth is the smallest with 65 customer units. A customer unit is equivalent to a 5/8-inch water meter, which is found in the average residential home. She gave an overview of the revenue collected in 2011. She said 81% of revenue was collected from user fees and 7% was collected from investment interest income. She said the investment interest income has traditionally been much larger, but has declined due to the economic downturn. She also said the loss of the revenue has been offset by increasing user fees. She stated WalCoMet does not collect taxes or receive state aid. She gave an overview of how revenue collected in 2011 was distributed. She stated the new phosphorus limits set

by the DNR will cause the costs of waste water treatment to increase dramatically. She gave an overview of initiatives implemented in 2011, such as restructuring debt, a retirement from 2011 being left vacant, and investigating new management techniques for managing assets. WalCoMet has a countywide impact even though it does not serve the entire county.

Supervisor Kilkenny asked if WalCoMet was successful in handling the odor problem in Delavan. Eggink stated they had a 98.9% success of handling this problem; however, you will have some odors with waste water. Supervisor Kilkenny also asked if the lack of rainfall has assisted in determining better statistics for infiltration. Eggink said WalCoMet's base load low is being determined with the very dry conditions. Supervisor Stacey asked what the average cost is for sewer. Eggink stated the average cost is \$3 per 1,000 gallons of waste water treated; however, every community served by WalCoMet adds their own costs to this average and it is variable by community. Logterman said WalCoMet does not do any billing to individual customers. He stated each entity has to distribute the fee from WalCoMet to its customers through their own billing. Supervisor Weber asked if there was any way of putting the water back into the resource base rather than discharging the treated water into Turtle Creek. Logterman stated the waste water treated is discharged into Turtle Creek, which goes into the Rock River and heads south. He said it is a costly process to contain the water, and they do not have a means of putting it back in the ground. Chair Russell thanked Ms. Eggink and Mr. Logterman for the presentation.

- Gateway Technical College (GTC) presentation of Gateway's Structure and Vision and Campus Programs  
Presenters: Bryan Albrecht, President; Mike O'Donnell, Dean of Campus Affairs for Elkhorn/Burlington; Gary Olsen, Gateway Technical College Board Representative; Colleen Henningfeld, Student Representative; and, Lauri Howard, Director of Workforce Training

Bryan Albrecht, President of Gateway Technical College, started the presentation by introducing Colleen Henningfeld, who is a student at Gateway Technical College. Ms. Henningfeld stated she is a nursing student from East Troy and she is not your typical college student as she is 37 years old, married, and has children. She said the instructors at Gateway are excellent and she has had a great experience. She also said she has been very involved in school and is proud to be a student ambassador. Albrecht stated 20% of students served already have a Bachelor's degree, over 60% of students work, and the average student age is 31 years old. He also stated Gateway has an 88% job placement rate. Albrecht introduced Mike O'Donnell, Dean of Campus Affairs for Elkhorn and Burlington. Mr. O'Donnell gave a presentation of the Elkhorn Campus and explained what each building on the campus houses. Albrecht stated Gateway is the oldest technical college in the nation. He said 3,000 high school students attend Gateway and Gateway's Alternative High School is the largest high school in the area. Albrecht introduced Lauri Howard, who is the Director of Workforce Training. Ms. Howard gave an overview of the Workforce and Economic Development Department (WEDD) at Gateway. She said she has been asked to ensure that Gateway has a good presence in Walworth County; therefore, in partnership with Walworth County Economic Development Alliance (WCEDA), Walworth County Job Center, and the UW-Whitewater Innovation Center, they will be hosting events for area manufacturers to obtain their input on their training needs.

Albrecht introduced Gary Olsen, a trustee serving on the Gateway Technical College Board of Trustees. Mr. Olson said the focus of the board is determining how the college can best serve the community. He also said the college is a means for members of the community to get the skills they need to do jobs in the community. He stated there are sixteen technical colleges in Wisconsin and

Gateway is recognized as a leader and role model for other colleges. He also stated Gateway is recognized at a national level.

Supervisor Schaefer asked if Gateway has any capital improvement plans coming up and how Gateway budgets for those. Albrecht stated Gateway's budget is set through a budget council and they also have a borrowing process. He said they will be borrowing \$12 million this year for capital improvement plans throughout the district, which will be for equipment in the classrooms and facility renovations. He also said every project goes before Gateway's Board of Trustees and the state board for approval. He stated these projects are done in partnership with the private sector and they have sponsors for nearly every building project done. Supervisor Schaefer confirmed Gateway is taxed on equalized value. Albrecht stated Act 10 has frozen their taxing authority for the last couple of years. He said they have increased enrollment, which increases tuition received and they are receiving more aid due to serving more students. He said this has helped offset Act 10; however, this is not a long term solution. He also said they are working with the legislature to determine what the funding model should be for a technical education. Supervisor Schiefelbein asked what percentage of Gateway's budget is supplied by Walworth County taxes and what percentage of the services does the county receive. Albrecht stated the taxes received are approximately one-third for each county and it has been that way for several years. He said the fastest growing campus is Elkhorn serving approximately 2,000 students; therefore, they are expanding programs at this campus. Chair Russell stated that constituents have expressed concerns to her about the availability of programs at the Elkhorn campus and students in the nursing program having to take classes at the Racine and Kenosha campuses. She said those nursing students experience classes being full and having to wait to take these classes until there is availability, which they cannot afford to do as they need to seek employment. Albrecht stated he will personally look into these issues. He said students in the nursing program are in the same pool to be selected for clinicals regardless of which campus they attend, but it is perceived that all the attention is given to Racine or Kenosha. He said this is due to those campuses having more students; therefore, the percentage is always going to look higher.

### **Adjournment**

On motion by Supervisor Brandl, seconded by Supervisor Weber, 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 July 10, 2012 Committee of the Whole Meeting.

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

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

The Walworth County Board of Supervisors meeting was called to order by Chair Russell at 6:34 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, Tim Brellenthin, Vice-Chair Jerry A. Grant, Daniel G. Kilkenny, Kenneth H. Monroe, Carl Redenius, Joe Schaefer, Tim Schiefelbein, Rick Stacey, David A. Weber, and Chair Nancy Russell. 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 Weber, the agenda was approved by voice vote with no withdrawals.

**Approval of the Minutes**

On motion by Supervisor Weber, seconded by Vice-Chair Grant, the June 12, 2012 County Board Meeting minutes were approved by voice vote.

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

Wayne Redenius, Town of Richmond Chair, spoke to the Board in regard to a letter he forwarded to the Board regarding concerns of the Turtle Inn property. He expressed the importance of this issue and he stated this property has been the subject of complaints, alleged violations, and court cases spanning a 30-year time period. Mr. Redenius respectfully asked that a timeline for responses and action to the three items outlined in his letter be put together and given back to the board as well as documentation as to how those decisions and actions were arrived at.

**Appointments/Elections**

1. Walworth County Housing Authority Board of Commissioners
  - John Bigler – To complete the unfinished term of Gen Krahn-Reed scheduled to begin upon appointment and ending on July 30, 2015
  - Rev. Scott McLeod – Five-year term to begin upon appointment and ending on June 30, 2017 (Recommended by the Executive Committee 4-0)

On motion by Supervisor Weber, seconded by Supervisor Brandl, the appointments of John Bigler and Rev. Scott McLeod to the Walworth County Housing Authority Board of Commissioners were 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
2. Claims: None.

3. Correspondence from Judy O'Donell, Town of LaFayette Supervisor, in regard to residents' concerns regarding the Shooting Range on Hodges Road (To be referred to the County Zoning Agency and the Executive Committee)
4. Correspondence from Daniel D. Cooper, Town of LaFayette Chair, in regard to residents' concerns regarding the Shooting Range on Hodges Road (To be referred to the County Zoning Agency and the Executive Committee)
5. Report of the County Clerk Concerning Communications Received by the Board and Recommended to be Placed on File
  - There were none.
6. Report of the County Clerk Concerning Communications Received by the Board After the Agenda Mailing
  - Res. No. 28-07/12 – Approving a Memorandum of Understanding between the Kaiser Group and Walworth County for the Provision of One-Stop Job Services in the County – Vote Required: Majority (Recommended by the Executive Committee 4-0)
  - Res. No. 31-07/12 – Authorizing the Proper County Officials to Quit Claim a Portion of Cty Trunk Highway N to Allen and Margaret Curler – Vote Required: Majority (Recommended by the Public Works Committee 4-1)
  - Correspondence from Wayne Redenius, Town of Richmond Chair, requesting information and action in regard to zoning and sanitation concerns for the Turtle Inn property – To be referred to the County Zoning Agency
  - Correspondence from Supervisor Rick Stacey in regard to property foreclosures – To be referred to the County Zoning Agency and the Finance Committee
  - Wood County Resolution No. 12-6-4 – To seek state support of frac sand mining via policy development and allocation of state resources in this area of economic development – To be referred to the Executive Committee
  - Ashland County Resolution – Requesting that the Department of Health Services Incentivize More Effective Regional Collaboration, Cost Savings and Efficiency in Income Maintenance (IM) Administration by Bringing More Equity to Calendar Year 2013 Consortia Funding Allocations – To be referred to the Health and Human Services Board
  - SEWRPC Calendar Year 2013 Budget adopted by the Commission on June 20, 2012 – To be placed on file (The complete budget can be viewed in the County Clerk's office.)
  - Answer, Affirmative Defenses, and Claim for Surplus of Defendant, Eastown Manor Condominium Association, Inc. – Wells Fargo Bank, N.A., Plaintiff vs. James W. Jackson, Debra Lee Tessner-Jackson, State of Wisconsin, WEA Insurance Corporation, Eastown Manor Condominium Association, Inc., Defendants – To be placed on file
  - *Walworth County Aging & Disability Resource Center News*, July 2012 – To be placed on file
7. Report of the County Clerk Concerning Zoning Petitions (To be referred to the County Zoning Agency)
  - Lincoln Holding Group, LLC, Jonathan Duggan- Applicant, Geneva Township, Rezone approx. 2.48 acres of R-1 Single Family Residential to R-3 Two-Family Residence District (unsewered)
  - Lakewood Farms Inc., Stephen O'Bryan – Applicant, East Troy Township, Rezone & shoreland boundary correction on approx. 1.95 acres of C-2 Upland Resource Conservation & C-4 Lowland Resource Conservation Districts (shoreland) to C-2, C-4 & C-1 Lowland Conservation District (non-shoreland)
  - James Friemoth, LaFayette Township, Rezone approx. 1.84 acres of A-1 Prime Agricultural to A-5 Agricultural-Rural Residential District
  - Ordinance Amendments: Amendment to Sections 74-44, 74-51, 74-52, 74-54, 74-55, 74-56, 74-57, 74-58 74-59, 74-61, 74-62, 74-64, 74-67, 74-74, 74-83, 74-90, 74-92, 74-104, 74-125, and 74-131 of the Walworth County Code of Ordinances – Zoning and Sections 74-166, 74-167, 74-171, 74-178, 74-179, 74-181, 74-182, 74-184, 74-185, 74-186, 74-188, 74-191, 74-194, 74-203, 74-

212, 74-219, 74-221, 74-233, 74-257 and 74-763 of the Walworth County Code of Ordinances -- Shoreland Zoning

## **Unfinished Business**

## **New Business**

## **Reports of Standing Committees**

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

1. Michael J. Nigbor, Lafayette Township. Rezone 3.88 acres of A-1 to A-5 with a conditional use and rezone the parent A-1 parcel to A-2 – Approved: 6-0 (June 21, 2012 County Zoning Agency Public Hearing)
2. 5 Walworth LLC, Walworth Township. Rezone approximately .27 acres of R-1 to C-4 and .01 acres of C-4 to R-1 – Approved: 6-0 (June 21, 2012 County Zoning Agency Public Hearing)

On motion by Supervisor Stacey, seconded by Supervisor Weber, the County Zoning Agency Report of Proposed Zoning Amendments, Items 1 and 2, were approved as recommended by the County Zoning Agency.

### **Executive Committee**

1. Res. No. 28-07/12 – Approving a Memorandum of Understanding between the Kaiser Group and Walworth County for the Provision of One-Stop Job Services in the County – *Vote Required: Majority* (Recommended by the Executive Committee 4-0)
2. Res. No. 29-07/12 – Authorizing Walworth County Cooperation Agreement for Community Development Block Grant (CDBG) Program – *Vote Required: Majority* (Recommended by the Executive Committee 4-0)
3. Res. No. 30-07/12 – Denying the Claim of Keith Miller – *Vote Required: Majority* (Recommended by the Executive Committee 4-0)

On motion by Supervisor Weber, seconded by Supervisor Brandl, Item 1, **Resolution No. 28-07/12**, was approved by voice vote. Administrator Bretl stated this is a memo of understanding between the County and the Kaiser Group for operation of a one-stop job center, which the Kaiser Group has been running for many years. He also stated the County is in the process of obtaining competitive proposals for a number of other services that had been provided by the Kaiser Group, which the Kaiser Group may or may not bid. Bretl said this memo of understanding is for the operation of the Job Center and to formalize the relationship with the Kaiser Group. He also said this was not bid out; however, it could be competitively bid out in the future.

On motion by Supervisor Weber, seconded by Supervisor Brandl, Item 2, **Resolution No. 29-07/12**, was approved by voice vote. On motion by Supervisor Weber, seconded by Vice-Chair Grant, Item 3, **Resolution No. 30-07/12**, was approved by voice vote.

### **Finance Committee**

1. Ord. No. 732-07/12 – Amending Section 30-286 of the Walworth County Code of Ordinances Relative to Clerk of Courts Fees – *Vote Required: Majority* (Recommended by the Finance Committee 4-0)
2. Res. No. 27-07/12 – Accepting a \$6,000 Donation from AAA Wisconsin to Purchase a Speed Trailer – *Vote Required: Majority* (Recommended by the Finance Committee 4-0)

On motion by Vice-Chair Grant, seconded by Supervisor Stacey, Item 1, **Ordinance No. 732-07/12**, was approved by voice vote. On motion by Supervisor Brandl, seconded by Vice-Chair Grant, Item 2, **Resolution No. 27-07/12**, was approved by voice vote.

### **Human Resources Committee**

1. Ord. No. 733-07/12 – Amending Section 15-17 of the Walworth County Code of Ordinances Relating to a Casual Clerk II Position in the Sheriff’s Office – *Vote Required: Two-thirds* (Recommended by the Human Resources Committee 5-0)

Supervisor Weber offered a motion, seconded by Vice-Chair Grant, to approve Ordinance No. 733-06/12. On motion by Supervisor Stacey, seconded by Vice-Chair Grant, **Ordinance No. 733-06/12** was approved by unanimous consent.

### **Land Conservation Committee**

1. Res. No. 25-07/12 – Approving the Walworth County Farmland Preservation Plan Update – *Vote Required: Majority* (Recommended by the Land Conservation Committee 4-0)
2. Res. No. 26-07/12 – Supporting the Lake Management Planning Project Grant Application – *Vote Required: Majority* (Recommended by the Land Conservation Committee 4-0)

On motion by Vice-Chair Grant, seconded by Supervisor Weber, Item 1, **Resolution No. 25-07/12**, was approved by voice vote. On motion by Supervisor Brandl, seconded by Vice-Chair Grant, Item 2, **Resolution No. 26-07/12**, was approved by voice vote.

### **Public Works Committee**

1. Res. No. 31-07/12 – Authorizing the Proper County Officials to Quit Claim a Portion of Cty Trunk Highway N to Allen and Margaret Curler – *Vote Required: Majority* (Recommended by the Public Works Committee 4-1)

Supervisor Schaefer offered a motion, seconded by Supervisor Stacey, to approve Resolution No. 31-07/12. John Kendall, 3296 Highway J, East Troy, Chairman of the Town of Troy. Mr. Kendall said he received a phone call from Supervisor Monroe pertaining to the Curler property and asked if the town board was aware that there were only two options for this property. These options being the deeding of the right away or tearing down the overhang. He gave examples of other properties in the Town of Troy where he felt precedence has been set and the property owners had to tear down their porches or overhangs or were denied permits. Kathleen Tolber, W2620 Highway J, Town Supervisor in the Town of Troy. Ms. Tolber said that she was unaware of the two options. She said the town has set precedence and she feels that if this goes through, they will run into many problems. Allen Curler, W4140 Woodview Trc. Mr. Curler referenced the properties that were mentioned by Mr. Kendall and he explained that his situation is different from those mentioned. He thanked the Public Works Committee, the County Zoning Agency, and the County Board for the time they put into this.

Supervisor Kilkenny stated that according to the resolution, the right of way at the location in question is significantly wider than what the county requires, therefore, he does not have an issue with giving the deed. Larry Price, Public Works Director of Operations, confirmed, as stated in the resolution, the right of way is significantly larger than what is required for a right of way. Bretl stated this resolution was a late entry to the agenda and that Mr. Curler will be responsible for paying the costs of a survey or legal description in order to convey the property. **Resolution No. 31-07/12** was approved by voice vote. Supervisors Monroe and Redenius requested that their votes be recorded as “No”.

**Reports of Special Committees**

There were none.

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

There were none.

**Chairperson’s Report**

Chair Russell stated that there will not be a County Board meeting in August; however, if a meeting is required, it will be held on Monday, August 13, 2012 at 6:00 p.m. Supervisors Brandl and Monroe stated that their respective town/village board meetings are that same evening and requested that the County Board meeting be moved to 5:00 p.m. Chair Russell stated they would take that into consideration.

**Adjournment**

On motion by Supervisor Kilkenny, seconded by Supervisor Weber, the meeting was adjourned at 6:55 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 July 10, 2012 meeting.

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

**AUGUST 16, 2012**  
**WALWORTH COUNTY BOARD OF SUPERVISORS**  
**SPECIAL COUNTY BOARD MEETING**

The Walworth County Board of Supervisors meeting was called to order by Chair Russell at 5:21 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, Tim Brellenthin, Vice-Chair Jerry A. Grant, Daniel G. Kilkenny, Kenneth H. Monroe, Carl Redenius, Joe Schaefer, Tim Schiefelbein, Rick Stacey, David A. Weber, and Chair Nancy Russell. A quorum was established.

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

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

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

There was none.

**Communications and Matters to be Referred**

1. Correspondence received from the Walworth County Fair Office regarding a request for the Fairest of the Fair Megan Welsh to make a presentation to the County Board (To be placed on file)(It is anticipated that the county board will suspend its rule and consider the request and permit the Fairest of the Fair to make a short presentation at tonight's meeting)
2. Report of the County Clerk Concerning Zoning Petitions (To be referred to the County Zoning Agency)

Supervisor Weber offered a motion, seconded by Supervisor Schaefer, to suspend the rules and permit Megan Welsh, 2012 Fairest of the Fair, to make a short presentation. Vice-Chair Grant moved for unanimous consent, seconded by Supervisor Stacey. Motion carried. Megan Welsh, 2012 Walworth County Fairest of the Fair, gave a brief presentation highlighting the events of the 2012 Walworth County Fair. Ms. Welsh stated they have added new events and they have a great grandstand lineup this year. She thanked the County Board for their support. Susan Pruessing, Walworth County Fair Office, distributed items to those present.

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

1. Lincoln Holding Group LLC, Geneva Township. Rezone approximately 2.48 acres of R-1 to R-3 – Approved: 6-0 (July 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, was approved as recommended by the County Zoning Agency.

**Human Resources Committee**

1. Ord. No. 734-08/12 – Amending Section 15-17 of the Walworth County Code of Ordinances Relating to a Teacher Position at CDEB – *Vote Required: Two-thirds* (Recommended by Children with Disabilities Education Board 4-0 and Human Resources Committee 5-0)

Supervisor Weber offered a motion, seconded by Supervisor Schaefer, to approve Item 1, Ordinance No. 734-08/12. On motion by Supervisor Stacey, seconded by Vice-Chair Grant, **Ordinance No. 734-08/12** was approved by unanimous consent.

**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.

**Adjournment**

On motion by Supervisor Weber, seconded by Supervisor Brandl, the meeting was adjourned at 5:28 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 August 16, 2012 Special County Board meeting.

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

145686

STATE OF WISCONSIN

CIRCUIT COURT  
CIVIL BRANCH

WALWORTH COUNTY

Travis Jack, an adult individual,  
2532 West Surrey Avenue  
Phoenix, AZ 85029,

Plaintiff,

vs.

Chaim Dovid Sachs, an adult individual  
401 East Cravath Street  
Whitewater, WI 53190,

Asset Acceptance LLC, a foreign limited liability company  
26555 Evergreen, Suite 1010  
Southfield, MI 48076,

State of Wisconsin  
c/o Attorney General 's Office  
Room 114 East, State Capital  
Madison, WI 53702,

and

Walworth County, a Wisconsin Municipality  
c/o Kimberly S. Bushey, Walworth County Clerk  
100 West Walworth St  
Elkhorn, WI 53121,

Defendant.

SUMMONS

Case Classification: Other- Real Estate

Case Code: 30405

Case No.:

12 CV 00898

FILED  
CIRCUIT COURT  
JUL 26 2012  
CLERK OF COURTS-WALWORTH CO.

RECEIVED  
WALWORTH COUNTY CLERK  
2012 JUL 30 AM 10:48

THE STATE OF WISCONSIN,

To each person named above as a defendant:

You are hereby notified that the plaintiff named above has filed a lawsuit or other legal action against you. The Complaint, which is attached, states the nature and basis of the legal action.

Within 20 days, or within 45 days if you are the State of Wisconsin or an insurance company, or within 60 days if you are the United States of America, after receiving this Summons, 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, which address is Walworth County Clerk of Circuit Court, Walworth County Judicial Center, 1800 County Trunk NN, Elkhorn, WI 53121, and to Kelly Law Office, S.C., plaintiff's attorneys, whose address is Kelly Law Office, S.C., 205 West Center Street, Whitewater, WI 53190. You may have an attorney help or represent you.

If you do not provide a proper answer within 20 days, or within 45 days if the defendant is the State of Wisconsin or an insurance company, or within 60 days if the defendant is the United States of America, the Court may grant judgment against you for the award of money or other legal action requested in the Complaint, and you may lose your right to object to anything that is or may be incorrect in the Complaint. A judgment may be enforced as provided by law. A judgment awarding money may become a full lien against any real estate you own now or in the future and may also be enforced by garnishment or seizure of property.

Dated at Whitewater, Wisconsin, on July 26, 2012.

Kelly Law Office, S.C.  
205 W Center Street  
PO Box 96  
Whitewater, WI 53190  
Telephone: (262) 473-3411  
Fax: (262) 473-3808

Kelly Law Office, S.C.  
Attorneys for Plaintiff



Richard C. Kelly  
WI State Bar No. 1011220

STATE OF WISCONSIN

CIRCUIT COURT  
CIVIL BRANCH

WALWORTH COUNTY

Travis Jack, an adult individual,  
2532 West Surrey Avenue  
Phoenix, AZ 85029,

Plaintiff,

vs.

Chaim Dovid Sachs, an adult individual  
401 East Cravath Street  
Whitewater, WI 53190,

Asset Acceptance LLC, a foreign limited liability company  
26555 Evergreen, Suite 1010  
Southfield, MI 48076,

State of Wisconsin  
c/o Attorney General 's Office  
Room 114 East, State Capital  
Madison, WI 53702,

and

Walworth County, a Wisconsin Municipality  
c/o Kimberly S. Bushey, Walworth County Clerk  
100 West Walworth St  
Elkhorn, WI 53121,

Defendant.

COMPLAINT

Case Classification: Other- Real  
Estate

Case Code: 30405

Case No.:

12 CV 00898

FILED  
CIRCUIT COURT  
JUL 26 2012

CLERK OF COURTS-WALWORTH CO.

The plaintiff, Travis Jack, by his attorneys, Kelly Law Office, S.C., complains of the above named defendants and for cause of action alleges and shows to the Court:

1. The plaintiff is an adult individual residing at 2532 West Surrey Ave., Phoenix, AZ 85029, and by occupation is a banker.
2. The defendant, Chaim Dovid Sachs, is an adult individual, a resident of Walworth County, Wisconsin residing at 401 East Cravath St., Whitewater, WI 53190, and his present occupation is not known.
3. The defendant, Asset Acceptance, LLC is a limited liability company organized in a foreign state of the United States of America, with its principal offices

located in the State of Michigan, and having offices located at 26555 Evergreen, Suite 1010, Southfield, MI 48076.

4. The State of Wisconsin is State of the United States of America, and its Attorney General's office is located in the State Capital of Wisconsin, room 114 East, Madison, WI 53702.

5. The defendant, Walworth County, is a Wisconsin municipality, and its duly elected County Clerk is Kimberly S. Bushey, whose office is located in the Walworth County Government Center at 100 West Walworth St., Elkhorn, WI 53121.

6. The plaintiff was the owner in fee simple on January 30, 2010 and February 24, 2010 of the real estate at 401 East Cravath Street in the City of Whitewater, Walworth County, more particularly described as: Lot 8 in Block 2 of Dann's Addition to the Village (now City) of Whitewater, Walworth County, Wisconsin, parcel identification number: /DA 00016.

7. The plaintiff as vendor and the defendant, Chaim Dovid Sachs, as purchaser (hereafter "purchaser") entered into a Land Contract executed by the vendor on January 30, 2010 and by the purchaser on February 24, 2010 for the sale by the plaintiff and the purchase by the purchaser of the real estate described in the previous paragraph on the terms as provided in the Land Contract, a true and correct copy of which is annexed hereto, marked Exhibit "A", and incorporated and made part of this complaint.

8. On March 1, 2010 the Land Contract was recorded in the office of the Register of Deeds for Walworth County, Wisconsin as document no. 783945.

9. Pursuant to the Land Contract, the plaintiff as vendor, agreed that upon payment of the purchase price and all other sums due and owing at the time and in the manner as provided in the Land Contract, the plaintiff would, on demand thereafter, execute a Warranty Deed in fee simple title to the premises, as provided in the Land Contract. Pursuant to the Land Contract, the plaintiff let the purchaser into possession of the premises. The purchaser agreed that time is of the essence in the performance of the terms and covenants of the Land Contract.

10. The purchaser failed to pay to the plaintiff \$8.42 of the monthly installment payment due April 1, 2012, and further failed to pay the monthly installment payments of the purchase price due and owing on the first days of May, June and July, 2012.

11. The balance due on the Land Contract as of July 24, 2012, is the sum of \$114,659.68, plus unpaid interest of \$2,232.11 or a total sum of \$116,891.79, together with interest on at the rate of 6.25% per annum. The plaintiff has demanded payment of said sum from the purchaser, who has failed to pay such sum or any part thereof.

12. On July 24, 2012, the plaintiff declared the entire outstanding balance of the purchase price to be due and payable.

13. The purchaser, also, in default of the terms of the Land Contract is delinquent in the amount of \$2,454.15, exclusive of fee and interest, in payment of real estate taxes, and \$500 in payment of homeowners insurance premiums.

14. The plaintiff is ready and willing to perform the terms and provisions of the Land Contract to be performed on the part of the plaintiff.

15. The real estate described above consists of a single family dwelling located at 401 East Cravath Street in the City of Whitewater, Wisconsin and, upon information and belief, is occupied by the defendant as his homestead.

16. No proceedings, except this action, have been commenced for the amount due on the land contract.

17. The defendant, Asset Acceptance LLC, may claim some interest or lien in and to the premises described above in paragraph 6, by virtue of a judgment docketed in circuit court for Walworth County, Wisconsin on March 30, 2012, in its favor as plaintiff against the defendant Chaim Dovid Sachs, file number 2012SC000469, in the sum of \$1,301.53. The interest of lien, if any, of the defendant, Asset Acceptance LLC, is subject and subordinate to the interest of the plaintiff and the lien of the Land Contract.

18. The defendant, the State of Wisconsin, may claim some interest or lien in or to the premises described above in paragraph 6, by virtue of a support lien in favor of the Department of Children and Families of the State of Wisconsin docketed on July 8, 2012 as number 401411 in the office of the clerk of circuit court for Walworth County in the amount of \$840.00 against the defendant Chaim Dovid Sachs. The interest of lien, if any, of the State of Wisconsin in and to the premises is subject and subordinate to the interest of the plaintiff and the lien of the Land Contract.

19. The defendant, Walworth County, may claim some interest or lien in or to the premises described above in paragraph 6, by virtue of the following judgments in favor of the Walworth County clerk of circuit court:

a. Judgment docketed in circuit court for Walworth County on May 30, 2012, case number 2012FA000150, in favor of Walworth County clerk of circuit court, plaintiff, vs. Chaim D. Sachs, 401 East Cravath St., Whitewater, WI 53190, defendant, in the sum of \$125.44

b. Judgment docketed in circuit court for Walworth County on July 7, 2012, file number 2012FA000150, in favor of Walworth County clerk of circuit court, plaintiff, vs. Chaim D. Sachs, 401 East Cravath St., Whitewater, WI 53190, defendant, in the sum of \$50.00

c. Judgment docketed in circuit court for Walworth County on July 24, 2012, file number 2012FA000150, in favor of Walworth County clerk of circuit court, plaintiff, vs. Chaim D. Sachs, 401 East Cravath St., Whitewater, WI 53190, defendant, in the sum of \$450.00

WHEREFORE, the plaintiff demands judgment against the defendant, as follows:

A. That the defendant, Chaim Dovid Sachs, pay to the plaintiff, or bring into Court to be paid, the amount actually due upon the Land Contract, including interest and all other sums due thereon, by a date certain within such reasonable time as the Court may deem proper, together with the cost of this action and reasonable attorney fees.

B. That in default of such payment, the defendants and all persons claiming under them subsequent to the filing of a notice of the pendency of this action, be forever barred and foreclosed of all right, title, interest, and equity of redemption in and to the real estate described in the Land Contract, or any part thereof.

C. That the plaintiff recover his costs, disbursements and reasonable attorney fees of this action.

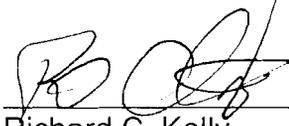
D. For such other and further relief as shall be just and equitable and in accordance with the rules and practice of this Court.

Dated at Whitewater, Wisconsin, on July 26, 2012.

---

Kelly Law Office, S.C.  
205 W Center Street  
PO Box 96  
Whitewater, WI 53190  
Telephone: (262) 473-3411  
Fax: (262) 473-3808

Kelly Law Office, S.C.  
Attorneys for Plaintiff

A handwritten signature in black ink, appearing to read 'R. C. Kelly', is written over a horizontal line.

Richard C. Kelly  
WI State Bar No. 1011220

LAND CONTRACT

(TO BE USED FOR NON-CONSUMER-ACT TRANSACTIONS)

783945



Document Number

Document Name

CONTRACT, by and between Travis Jack, a single person
("Vendor," whether one or more),
and Chaim Dovid Sachs, a single person

("Purchaser," whether one or more).
Vendor sells and agrees to convey to Purchaser, upon the prompt and full
performance of this Contract by Purchaser, the following real estate, together
with the rents, profits, fixtures and other appurtenant interests ("Property"),
Walworth County, State of Wisconsin:

Lot 8 in Block 2 of Dann's Addition to the Village (now City) of
Whitewater, Walworth County, Wisconsin

Recorded
Mar. 01, 2010 AT 09:09AM
CONNIE J WOOLEVER
REGISTER OF DEEDS
WALWORTH COUNTY, WI
Fee Amount: \$17.00
Transfer Fee: \$355.50
Total Pages 4

Recording Area

Name and Return Address
Kelly Law Office, S.C.
P.O. Box 96
Whitewater, WI 53190-0096

1700

/DA 00016

Parcel Identification Number (PIN)

This is homestead property
(is) (is not)

This is a purchase money mortgage.
(is) (is not)

Purchaser agrees to purchase the Property and to pay to Vendor at an address
to be determined

the sum of \$ 118,500.00 in the following manner:

- (a) \$ 2,000.00 at the execution of this Contract; and
(b) the balance of \$ 116,500.00, together with interest from the date hereof on the balance
outstanding from time to time at the rate of 6.25 % per annum until paid in full as follows: in

equal amortized monthly installment of \$661.42 each, the first installment due July 1, 2009, and subsequent
installments due on the first day of each month thereafter, except three years after the date of this contract, the rate of
interest on the unpaid balance shall be adjusted annually to the greater of 7% per annum or the Home Equity prime
rate plus one & one-half percent, and the equal amortized installments shall be adjusted accordingly. In addition to the
monthly amortized installment, Purchaser shall pay \$160/mo to anticipate annual real estate taxes and homeowners
insurance premiums, which amount shall be adjusted annually to anticipate changes in taxes and premiums.

provided the entire outstanding balance shall be paid in full on or before June 31, 2049 ("Maturity
Date"). Payments shall be applied first to interest on the unpaid balance at the rate specified and then to principal.

CHOOSE ONE OF THE FOLLOWING OPTIONS; IF NO OPTION IS CHOSEN, OPTION A SHALL APPLY:

- x A. Any amount may be prepaid without premium or fee upon principal at any time.
B. Any amount may be prepaid without premium or fee upon principal at any time after
C. There may be no prepayment of principal without written permission of Vendor.

**CHOOSE ONE OF THE FOLLOWING OPTIONS; IF NEITHER IS CHOSEN, OPTION A SHALL APPLY:**

- A. Any prepayment shall be applied to principal in the inverse order of maturity and shall not delay the due dates or change the amount of the remaining payments until the unpaid balance of principal and interest is paid in full.
- B. In the event of any prepayment, this Contract shall not be treated as in default with respect to payment so long as the unpaid balance of principal and interest (and in such case accruing interest from month to month shall be treated as unpaid principal) is less than the amount that said indebtedness would have been had the monthly payments been made as specified above; provided that monthly payments shall continue in the event of credit of any proceeds of insurance or condemnation, the condemned premises being thereafter excluded from this Contract.

Purchaser shall pay prior to delinquency all taxes and assessments levied on the Property at the time of the execution of this Contract and thereafter, and deliver to Vendor on demand receipts showing such payment.

Purchaser shall keep the improvements on the Property insured against loss or damage occasioned by fire, extended coverage perils and such other hazards as Vendor may require, without co-insurance, through insurers approved by Vendor, in the amount of the full replacement value of the improvements on the Property. Purchaser shall pay the insurance premiums when due. The policies shall contain the standard clause in favor of Vendor's interest, and evidence of such policies covering the Property shall be provided to Vendor. Purchaser shall promptly give notice of loss to insurance companies and Vendor. Unless Purchaser and Vendor otherwise agree in writing, insurance proceeds shall be applied to restoration or repair of the Property damaged, provided Vendor deems the restoration or repair to be economically feasible.

- Purchaser is required to pay Vendor amounts sufficient to pay reasonably anticipated taxes, assessments, and insurance premiums as part of Purchaser's regular payments [CHECK BOX AT LEFT IF APPLICABLE].

Purchaser shall not commit waste nor allow waste to be committed on the Property, keep the Property in good tenantable condition and repair, and free from liens superior to the lien of this Contract, and comply with all laws, ordinances and regulations affecting the Property. If a repair required of Purchaser relates to an insured casualty, Purchaser shall not be responsible for performing such repair if Vendor does not make available to Purchaser the insurance proceeds therefor.

Vendor agrees that if the purchase price with interest is fully paid and all conditions fully performed as specified herein, Vendor will execute and deliver to Purchaser a Warranty Deed in fee simple of the Property, free and clear of all liens and encumbrances, except those created by the act or default of Purchaser, and:

**CHOOSE ONE OF THE FOLLOWING OPTIONS; IF NO OPTION IS CHOSEN, OPTION A SHALL APPLY:**

- A. Purchaser states that Purchaser is satisfied with the title as shown by the title evidence submitted to Purchaser for examination, at the time of execution of this Contract.
- B. Purchaser states that the following exceptions set forth in the title evidence submitted to Purchaser for examination, at the time of execution of this Contract, are unsatisfactory to Purchaser: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_
- C. No title evidence was provided prior to execution of this Contract.

**CHOOSE ONE OF THE FOLLOWING OPTIONS; IF NEITHER IS CHOSEN, OPTION A SHALL APPLY:**

A. Purchaser agrees to pay the cost of future title evidence.

B. Vendor agrees to pay the cost of future title evidence.

Purchaser shall be entitled to take possession of the Property on July 1, 2009.

Time is of the essence as to all provisions hereunder.

Purchaser agrees that in the event of a default in the payment of principal or interest which continues for a period of 15 days following the due date or a default in performance of any other obligation of Purchaser which continues for a period of 15 days following written notice thereof by Vendor (delivered personally or mailed by mail), the entire outstanding balance under this contract shall become immediately due and payable at Vendor's option and without notice (which Purchaser hereby waives), and Vendor may singly, alternatively or in combination: (i) terminate this Contract and either recover the Property through strict foreclosure or have the Property sold by foreclosure sale; in either event, with a period of redemption, in the court's discretion, to be conditioned on full payment of the entire outstanding balance, with interest thereon from the date of default and other amounts due hereunder (failing which all amounts previously paid by Purchaser shall be forfeited as liquidated damages for failure to fulfill this Contract and as rental for the Property); (ii) sue for specific performance of this Contract; (iii) sue for the unpaid purchase price or any portion thereof; (iv) declare this Contract at an end and remove this Contract as a cloud on title in a quiet-title action if the equitable interest of Purchaser is insignificant; (v) have Purchaser ejected from possession of the Property and have a receiver appointed to collect any rents, issues or profits; or (vi) pursue any other remedy available in law or equity. An election of any of the foregoing remedies shall only be binding on Vendor if and when pursued in litigation. All costs and expenses including reasonable attorney fees of Vendor incurred to pursue any remedy hereunder to the extent not prohibited by law and expenses of title evidence shall be paid by Purchaser and included in any judgment. The parties agree that Vendor shall have the options set forth in this paragraph available to exercise in Vendor's sole discretion.

Following any default in payment, interest shall accrue at the rate of 12 % per annum on the entire amount in default (which shall include, without limitation, delinquent interest and, upon acceleration or maturity, the entire principal balance).

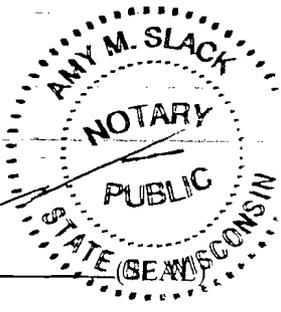
Vendor may waive any default without waiving any other subsequent or prior default of

Purchaser may not transfer, sell or convey any legal or equitable interest in the Property, including but not limited to a lease for a term greater than one year, without the prior written consent of Vendor unless the outstanding balance payable under this Contract is paid in full. In the event of any such transfer, sale or conveyance without Vendor's written consent, the entire outstanding balance payable under this Contract shall become immediately due and payable in full at Vendor's option without notice.

Vendor may mortgage the Property, including the continuation of any mortgage in force on the date of this Contract, provided Vendor shall make timely payment of all amounts due under any mortgage, and the total due under such mortgages shall not at any time exceed the then remaining principal balance under this Contract. If Vendor defaults under such mortgages and Purchaser is not in default hereunder, Purchaser may make payments directly to Vendor's mortgagee and such payments will be credited as payments hereunder.

All terms of this Contract shall be binding upon and inure to the benefit of the heirs, legal representatives, successors and assigns of Vendor and Purchaser.

Dated 1/30/2010



VENDOR:

PURCHASER:

\* [Signature]  
\*Travis Jack

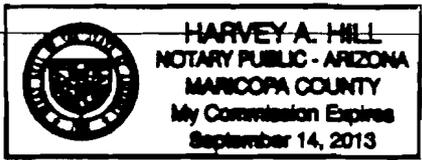
(SEAL)

[Signature]  
\* Chaim David Sachs

(SEAL)

\_\_\_\_\_  
\* (SEAL)

\_\_\_\_\_  
\* (SEAL)



AUTHENTICATION

ACKNOWLEDGMENT

Signature(s) \_\_\_\_\_

STATE OF WISCONSIN )

authenticated on \_\_\_\_\_

Brown ) ss.  
COUNTY )

\* \_\_\_\_\_

Personally came before me on 2/24/10  
the above-named Chaim David Sachs

TITLE: MEMBER STATE BAR OF WISCONSIN  
(If not, \_\_\_\_\_  
authorized by Wis. Stat. § 706.06)

to me known to be the person(s) who executed the  
foregoing instrument and acknowledged the same.

THIS INSTRUMENT DRAFTED BY:  
Atty Richard C. Kelly, Kelly Law Office, S.C.  
Whitewater, WI 53190

\* [Signature]  
Notary Public, State of Wisconsin  
My Commission (is permanent) (expires: 8-5-12)

STATE OF ARIZONA }  
COUNTY OF MARICOPA } ss.

This instrument was acknowledged before me this 30 day of  
January, 2010, by Harvey A. Hill  
in witness whereof I herewith set my hand and official seal.  
[Signature] NOTARY PUBLIC

(Signatures may be authenticated or acknowledged. Both are not necessary.)

NOTE: THIS IS A STANDARD FORM. ANY MODIFICATIONS TO THIS FORM SHOULD BE CLEARLY IDENTIFIED.

LAND CONTRACT

STATE BAR OF WISCONSIN

FORM NO. 11-2003

\* Type name below signatures.

STATE OF WISCONSIN

CIRCUIT COURT  
CIVIL BRANCH

WALWORTH COUNTY

Travis Jack, an adult individual,  
2532 West Surrey Avenue  
Phoenix, AZ 85029,

Plaintiff,

vs.

Chaim Dovid Sachs, an adult individual  
401 East Cravath Street  
Whitewater, WI 53190,

Asset Acceptance LLC, a foreign limited liability company  
26555 Evergreen, Suite 1010  
Southfield, MI 48076,

State of Wisconsin  
c/o Attorney General 's Office  
Room 114 East, State Capital  
Madison, WI 53702,

and

Walworth County, a Wisconsin Municipality  
c/o Kimberly S. Bushey, Walworth County Clerk  
100 West Walworth St  
Elkhorn, WI 53121,

Defendants.

**LIS PENDENS**

Case Classification: Other- Real  
Estate

Case Code: 30405

Case No.:

12 CV 000

FILED  
CIRCUIT COURT  
JUL 25 2012  
CLERK OF COURTS-WALWORTH CO.

NOTICE IS HEREBY GIVEN that an action has been commenced and is pending in the above-named Court upon the Complaint of the above-named plaintiff against the above-named defendants, on file, herein; that the object of the said action is to foreclose a Land Contract dated January 30, 2010 and February 24, 2010, entered into by and between the plaintiff and the defendant; the Land Contract having been recorded in the Office of the Register of Deeds of Walworth County, Wisconsin on March 1, 2010 at 9:09 a.m. as Document No. 783945; and that said action affects the title to the real estate described in said Land Contract, as follows:

Lot 8 in Block 2 of Dann's Addition to the Village (now City) of Whitewater,  
Walworth County, Wisconsin.  
parcel identification number: /DA 00016.

Dated at Whitewater, Wisconsin, on July 26, 2012.

Kelly Law Office, S.C.  
205 W Center Street  
PO Box 96  
Whitewater, WI 53190  
Telephone: (262) 473-3411  
Fax: (262) 473-3808

Kelly Law Office, S.C.  
Attorneys for Plaintiff



---

Richard C. Kelly  
WI State Bar No. 1011220

RECEIVED  
WALWORTH COUNTY CLERK

2012 AUG 13 PM 4:00

**PROGRESSIVE**

Payment Address  
24344 Network Place  
Chicago, IL 60673-1243

Document Address  
P.O. Box 512929  
Los Angeles, Ca 90051  
Phone: (877)818-0139  
Fax: (888) 781-6947

Certified Mail 91 7108 2133 3934 1925 3024 Return Receipt Requested

WALWORTH COUNTY SHERIFF'S DEPARTMENT  
ATTN: AMANDA LEGEL  
PO BOX 1001  
ROOM 101: COUNTY GOVERNMENT CENTER  
ELKHORN, WI 53121

Your Client: DOUSTANY, D.  
Your Claim Number: UNKNOWN  
Our Insured: SIVEK, ROBERT  
Our Claim Number: 12-2732612  
Amount Subject to Reimbursement: 1,207.98  
Amount of Insured's Deductible: 500.00

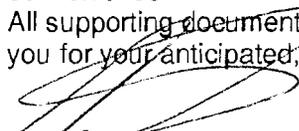
Please take this as formal notice of our subrogation rights relative to the above -captioned claim. We have completed our investigation into the facts of the above-captioned loss and find that your insured was the proximate cause of the accident.

Location of Loss: WHITEWATER LAKE  
Date and Time of Loss: 07-07-12 @ 3:00 PM

Description of Loss: Our name insured's 2012 SUNCR LX22SE was in the waters of Whitewater Lake. A Walworth County Sheriff's Department black boat waived down our insured's boat to check boat registration. The Walworth County Sheriff's Department officer threw a bow line to connect boats while registration was being reviewed, but neglected to place boat fenders out on the Walworth County black boat. As the Sheriff was reviewing the registration a wave came and knocked the Walworth County black boat into our insured's boat. The Walworth Department black boat caused damages to the left rear of our insured's boat. We are seeking reimbursement from Walworth County Sheriff's Department for the repairs done to our insured's boat as a result of this loss.

Please make your draft payable to Progressive Universal Insurance Co as subrogee of "SIVEK, ROBERT W", in the amount stated above and mail it to the attention of the undersigned at your earliest convenience.

All supporting documentation is enclosed. I have diaried my file ahead fifteen (15) days. Thank you for your anticipated, prompt attention to this matter.

  
Jason E Saba  
Subrogation Representative  
Progressive Universal Insurance Co  
Tel. 877-818-0139 Ext 37273  
Fax. 888-781-6947  
Email: Jason\_E\_Saba@progressive.com

CMSD2340 /CMSM2340 P A C M A N AUG 02 12 - 16:13  
OPID: A088515 CLAIM PAYMENT INQUIRY TERMID: ?07K  
INSD: SIVEK, ROBERT W POL: 13143900 -8  
DOL : JUL 07 12 WI-WISPT -BRN-A CLM: 122732612 ACTIVE REP: J HOEYE

PAY TO THE ORDER OF: TOTAL DRAFT AMOUNT: 707.98

LINE 1: JNT'S MARINE PRO'S ON BEHALF OF \*\*\*\*\*  
LINE 2: ROBERT SIVEK, ONLY  
LINE 3:

ADDRESS: N8066 COUNTY HWY. P

CITY: WHITEWATER ST/PR\* WI ZIP/CPC: 53190 CENTRY\* USA

IN PAYMENT OF: COLL: 12' SUNCRUISER, LESS \$500 DEDUCTIBLE

1099 ? Y FEDERAL TAX ID: 270400432 LAST UPDT REP: JAH0061  
CDS CODE \* 13 PCL EFT TRACE #: ISSUING REP: J HOEYE  
BANK CODE\* AS2 ISSUE DATE : JUL 25 12 APPROVED BY:  
STATE \* WI AREA \* 695 REVIEW DATE: 00 00  
STOP RSN \* DRAFT # : 475101412 REVIEWED BY:

COMMAND:

Date: 7/19/2012 08:29 PM  
 Estimate ID: 12 2732612-01  
 Estimate Version: 0  
 Committed  
 Profile ID: \* Madison:all\_part\_1

**PROGRESSIVE**

Damage Assessed By: JUSTIN TAYLOR

Claim Rep: JUSTIN TAYLOR  
 (608) 235-2384

\* Product Type: Boat  
 \* Date of Loss: 7/7/2012  
 \* Deductible: 500.00  
 \* Claim Number: 12-2732612-01

Insured: ROBERT SIVEK  
 Owner: ROBERT SIVEK  
 Address: 125 LAKEVIEW DR 414, BLOOMINGDALE, IL 60108  
 Telephone: Home Phone: (630) 774-4640

Mitchell Service: 910822

Description: 12 SUNCAT CHER LX22 SE  
 Style: Pontoon Boat  
 HIN: GEN97837C212  
 OEM/ALT: A  
 Vehicle Production Date: 00/00  
 Boat Length: 22  
 Search Code: SOUTHWEST1

Line Item	Entry Number	Labor Type	Operation	Line Item Description	Part Type/ Part Number	Dollar Amount	Labor Units
<u>MANUAL ENTRIES</u>							
1	900500	MCH *	REMOVE/REPLACE	PORT REAR FENCE	New	475.00	4.0*
2	900500	MCH *	REMOVE/REPLACE	PART SHIPPING	New	125.00	0.0*
3	900500	MCH *	REMOVE/REPLACE	BOAT PICK UP	Sublet	75.00	0.0*
4	900500	MCH *	REMOVE/REPLACE	USE OF SHOP TRAILER FOR PICK UP	Sublet	30.00	0.0*

\* - Judgment Item

All manufacturers requirements regarding seat belt and supplemental restraint system replacement must be adhered to. If additional parts or operations are necessary to properly accomplish this, please contact the estimating claims rep.

**Estimate Totals**

I. Labor Subtotals		Units	Rate	Add'l Labor Amount	Sublet Amount	Totals	II. Part Replacement Summary		Amount
Mechanical		4.0	110.00	0.00	0.00	440.00 T	Taxable Parts		705.00
		Taxable Labor				440.00	Sales Tax @ 5.500%		38.78
		Labor Tax		@ 5.500 %		24.20	Total Replacement Parts Amount		743.78
Labor Summary		4.0				464.20			

ESTIMATE RECALL NUMBER: 07/19/2012 09:31:07 12 2732612-01  
 Mitchell Data Version: OEM: JUN\_12\_V  
 MAPP:JUN\_12\_V0715 Copyright (C) 1994 - 2012 Mitchell International  
 Software Version: 7.0.442 All Rights Reserved

Date: 7/19/2012 08:29 PM  
 Estimate ID: 12-2732612-01  
 Estimate Version: 0  
 Committed  
 Profile ID: \* Madison:all\_part\_1

III. Additional Costs	<u>Amount</u>	IV. Adjustments	<u>Amount</u>
Total Additional Costs	0.00	Insurance Deductible	500.00-
		Customer Responsibility	500.00-
		I. Total Labor:	464.20
		II. Total Replacement Parts:	743.78
		III. Total Additional Costs:	0.00
		Gross Total:	1,207.98
		IV. Total Adjustments:	500.00-
		Net Total:	707.98

THIS IS A DAMAGE ASSESSMENT ONLY - NOT AN AUTHORIZATION TO REPAIR -  
 BASED ON DAMAGE VISIBLE OR CERTAIN AT THE TIME IT WAS WRITTEN.

IF FRAME OR UNIBODY REPAIR IS INCLUDED ON THIS ESTIMATE, THE AMOUNT  
 SHOWN INCLUDES TIME OR ALLOWANCE FOR MEASURING BEFORE, DURING AND  
 AFTER THOSE REPAIRS.

THE OWNER OF THE VEHICLE MAY SELECT THE REPAIR FACILITY OF HIS/HER  
 CHOICE.

TO ENSURE PROPER AND PROMPT PAYMENT FOR ADDITIONAL DAMAGE DISCOVERED  
 DURING THE COURSE OF REPAIRS, CONTACT PROGRESSIVE FOR SUPPLEMENT  
 HANDLING PROCEDURES.

PROGRESSIVE HONORS THE PREVAILING LABOR MARKET RATE IN YOUR AREA FOR  
 YOUR PROPERTY. IF YOU CHOOSE A SHOP THAT CHARGES IN EXCESS OF  
 PREVAILING LABOR MARKET RATES, YOU WILL BE RESPONSIBLE FOR THE  
 DIFFERENCE.

LIFETIME GUARANTEE FOR SHEET METAL AND PLASTIC BODY PARTS

The replacement parts written on the estimate are intended to return  
 your vehicle to its pre-loss condition with proper installation.  
 After repair, if any sheet metal or plastic body part included in the  
 estimate fails to return your vehicle to its pre-loss condition  
 (assuming proper installation), in terms of form, fit, finish,  
 durability or functionality, Progressive will arrange and pay for the  
 replacement of the part, to the extent not covered by a  
 manufacturer's or other warranty. This service will be performed at  
 no cost to you (including associated repair and rental car costs). To  
 obtain service under this Guarantee, call Progressive at  
 1-800-274-4641. This Guarantee applies as long as you own or lease  
 the vehicle. This Guarantee is not transferable and terminates if you  
 sell or otherwise transfer your vehicle.

THIS GUARANTEE DOES NOT COVER NORMAL WEAR AND TEAR OR DAMAGE CAUSED  
 BY IMPROPER MAINTENANCE, NEGLIGENCE, ABUSE OR SUBSEQUENT ACCIDENT. THIS  
 GUARANTEE IS LIMITED TO ARRANGING FOR THE SELECTION OF REPAIR PARTS  
 THAT WILL RETURN YOUR VEHICLE TO ITS PRE-LOSS CONDITION. ACCORDINGLY,  
 PROGRESSIVE WILL NOT BE LIABLE FOR ANY INDIRECT, INCIDENTAL OR  
 CONSEQUENTIAL DAMAGES THAT RESULT FROM THE INSTALLATION OR USE OF  
 THESE PARTS.

Part Type Terms and Abbreviations

NEW and OEM or part number displayed - These refer to a new, original  
 equipment manufacturer part.

NON-OEM and A/M and Qual REPL - These refer to an after-market part,  
 which is a new, non-original equipment manufacturer part.

ESTIMATE RECALL NUMBER: 07/19/2012 09:31:07 12-2732612-01

Mitchell Data Version: OEM: JUN\_12\_V

MAPP:JUN\_12\_V0715 Copyright (C) 1994 - 2012 Mitchell International  
 Software Version: 7.0.442 All Rights Reserved

Page 2 of 3

Date: 7/19/2012 08:29 PM  
Estimate ID: 12-2732612-01  
Estimate Version: 0  
Committed  
Profile ID: 'Madison:all\_part\_1

USED/RECYCLED and I,KQ - These refer to a used OEM part.  
REMANUFACTURED and RECOND. and RECORE - These refer to used/recycled  
OEM parts that have been refurbished.

REPAIR SHOP'S AUTHORIZED REPRESENTATIVE'S SIGNATURE INDICATING  
AGREEMENT ON COST TO RETURN THE VEHICLE TO PRE-LOSS CONDITION  
INCLUDING TOW/STORAGE CHARGES:

SHOP SIGNATURE: \_\_\_\_\_ EST. COMPLETION DATE: \_\_\_\_\_

ANY PERSON WHO, WITH INTENT TO DEFRAUD OR KNOWING THAT HE/SHE IS  
FACILITATING A FRAUD AGAINST AN INSURER, SUBMITS AN APPLICATION OR  
FILES A CLAIM CONTAINING A FALSE OR DECEPTIVE STATEMENT IS GUILTY OF  
INSURANCE FRAUD.

Event Log

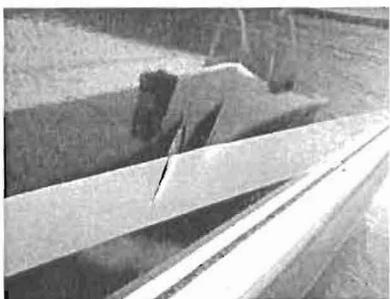
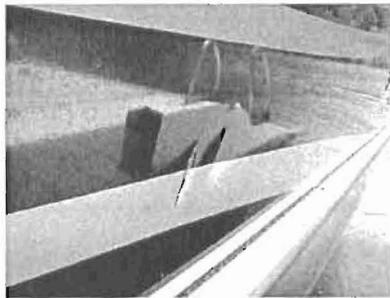
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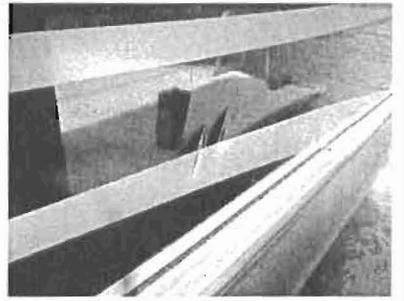
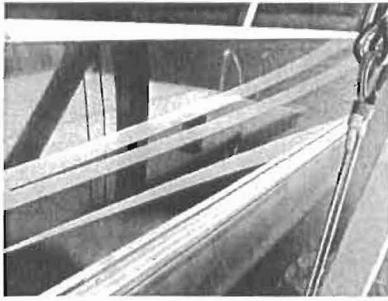
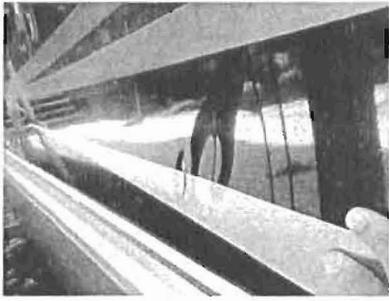
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Mitchell Data Version: OEM: JUN\_12\_V

Software Version: MAPP:JUN\_12\_V0715 Copyright (C) 1994 - 2012 Mitchell International  
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Page 3 of 3





STATE OF WISCONSIN  
NOTICE OF CLAIM

Pursuant to Wisconsin Stat. § 89.30

RECEIVED  
WALWORTH COUNTY CLERK

2012 AUG 17 PM 4:09

CLAIMANT:

Jeffrey S. Akright, on his behalf  
and on behalf of all those similarly situated,  
Walworth County Jail  
1770 County Road NW  
Elkhorn, Wis. 53121

RESPONDENT:

Sheriff David Graves  
Walworth County Jail  
1770 County Road NW  
Elkhorn, Wis. 53121

STATE OF WISCONSIN

SS.

COUNTY OF WALWORTH

I, Jeffrey S. Akright, Claimant, on his behalf and on behalf of all those similarly situated, first being duly sworn on oath and affirmation here by swear that the following, except upon information and belief, is true and correct:

1. ~~on~~ upon information and belief, Sheriff David Graves implemented new policy and procedure, on or around January 01, 2011, pertaining to processing monies received to inmates at Walworth County Jail.

2. upon information and belief, if an inmate at Walworth County Jail receives monies from friends or family, Sheriff David Graves implemented a policy that charges the inmate three dollars and twenty five cents, \$3.25, as a convenience fee for processing the money to the inmates ~~banking~~ account.

3. upon information and belief, Sheriff David Graves policy of charging inmates and their family and friends a fee of three dollars and twenty five cents \$3.25, for processing monies received by the inmate, is a disproportionate tax as the three dollar and twenty five cents, \$3.25, does not benefit the inmate body as a whole.

4. upon information and belief, the three dollar and twenty five cent, \$3.25, is placed into the county the county treasury, thus not used for the inmates at Walworth County Jail as a group, for religious items, books, recreation equipment, ect.

5. Claimant, on his behalf and on behalf of all those similarly situated, seeks reimbursement of all fees taken by Sheriff David Graves as claimed a convenience fee for processing all monies sent to inmates at Walworth County Jail.

6. Claimant, on his behalf and on behalf of all those similarly situated, seeks an immediate injunction prohibiting Sheriff David Graves from charging the \$3.25 convenience fee for monies received by inmates at Walworth County Jail.

Executed this 6<sup>th</sup> day of August, 2012, at Walworth County Wisconsin.

~~Subscribed this~~

Subscribed and sworn to before me

this 6<sup>th</sup> day of August, 2012

M. Zinn

my commission expires 1-12-14

Notary Public of Wisconsin



Jeffrey S. Akright

Walworth County Jail  
1770 County Road NN  
Elkhorn, Wis. 53121



WISCONSIN DEPARTMENT OF  
ADMINISTRATION

SCOTT WALKER  
GOVERNOR  
MIKE HUEBSCH  
SECRETARY

Division of Housing  
101 E. Wilson Street, Floor 5  
P.O. Box 7970  
Madison, WI 53707-7970

July 12, 2012

**RECEIVED**

JUL 16 2012

Nancy Russell, Chairperson  
Walworth County Board  
1770 County Road NN  
P. O. Box 1004  
Elkhorn, WI 53121

**WALWORTH COUNTY ADMINISTRATION**

RE: Walworth County  
Community Development Block Grant  
Emergency Assistance Program  
Contract #EAP 08-13

Dear Ms. Russell:

Four years ago last month, the storms and flooding from 2008 left many communities in southern Wisconsin in serious distress. Farms, businesses, residential neighborhoods and public facilities throughout 31 counties set about the difficult task of fixing roads, bridges and dams, repairing or replacing public infrastructure, and re-building communities.

An unprecedented \$140 million in federal government support was made available through the Department of Housing and Urban Development (HUD) and Community Development Block Grant - Emergency Assistance Program (CDBG-EAP). This disaster recovery support (combined with assistance from FEMA, Rural Development, EDA, SBA and other agencies), enabled many communities like yours to not only repair the damages from 2008 but, in many cases, minimize the impact from future severe storms and flooding.

Today, many communities have completed or are near completion of CDBG-EAP funded disaster recovery projects. By the end of 2012, approximately 65% of all CDBG-EAP funding and mitigation activities will have been completed. By the end of 2014, all federal funds are scheduled to be expended and mitigation activities completed.

The Flood Recovery Program (located in the Department of Administration's Division of Housing) would like to remind you of your contractual obligations and federal regulations governing the Emergency Assistance Program. These responsibilities were specified in detail in **CDBG-EAP Contract 08-13** which **Walworth County**, as grantee, signed.

As you approach the completion of your CDBG Disaster Recovery activities, your project will be monitored by a representative from the Dept. of Administration. Please note that project monitoring visits include a review of your project files, which are expected to include documentation regarding the following:

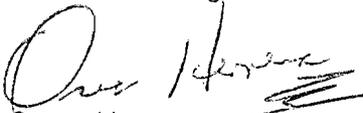
July 12, 2012

Page 2 of 2

1. Financial, Statistical and Performance Reporting – Evidence of submitted quarterly progress reports, all financial records (up-to-date grant transaction journal, drawdown register, bank statements, copies of all disbursement requests, as well as annual audit information).
2. Environmental Review Reporting – All projects and activities must have supportive documentation of environmental clearance from the Dept. of Administration (and/or the Dept. of Commerce) as well as relevant background information from other agencies (DNR, WI Historical Society, National Historic Registry, Fish and Wildlife Service and Wisconsin Coastal Zone Management Program) where appropriate.
3. File Maintenance and Records Retention – Files should include copies of the original application, signed contract, all correspondence associated with the CDBG-EAP contract, a demographic profile of the community, summary of project beneficiaries, Excessive Use of Force policy and Anti-Displacement Policy (housing projects only).
4. Federal Labor Standards Compliance and Davis-Bacon Wage Rates - Grantee files must contain copies of the federal wage decision used for the project construction, weekly payroll monitoring, employee interviews.
5. Contractor and consultant procurement – All grantees are required to have a locally-adopted procurement policy which is used in the implementation of your CDBG-EAP grant for both contractors and professional services (engineers, project administrators and consultants). A copy of the procurement policy and documentation of the process (bid announcements, selection criteria, preconstruction conferences, formal contractor or professional service award) should be in the project file.
6. Equal Opportunity and Section 3 Actions and Reporting – HUD regulations require that grantees apply equal opportunity and non-discrimination practices and policies throughout their contract bidding and program participant eligibility guidelines. Documentation of such policies and practices will need to be demonstrated in the project files and progress reporting.

In the time remaining before the completion of your community's CDBG-EAP projects, please work with your assigned project representative to: (a) address any questions related to the items above, (b) schedule your project monitoring visit, and (c) initiate the formal project close-out process, which includes the submittal of final forms and supporting documentation.

On behalf of Governor Walker and Department of Administration Secretary Huebsch, I congratulate you on your flood recovery efforts and thank you for your continued cooperation and attention to your contractual obligations.



Oscar Herrera

Director

Bureau of Affordable Housing

CC: Lisa Marks, Housing Division Administrator  
Mark Williams, CDBG-EAP Project Representative



WISCONSIN DEPARTMENT OF  
ADMINISTRATION

RECEIVED  
WALWORTH COUNTY CLERK

2012 AUG 13 AM 8:59

SCOTT WALKER  
GOVERNOR

MIKE HUEBSCH  
SECRETARY

Division of Intergovernmental Relations  
Post Office Box 8944  
Madison, WI 53708-8944  
Voice (608) 266-0288  
Fax (608) 267-6917

KIMBERLY BUSHEY  
CLERK, WALWORTH COUNTY  
PO BOX 1001  
ELKHORN, WI 53121-

August 10, 2012

Dear County Clerk:

The preliminary estimate of the January 1, 2012 population for WALWORTH County is 102,530. This represents a change of 302 persons (0.3 percent) since the 2010 Census.

<u>Municipality</u>	<u>2010 Census Count</u>	<u>2012 Prelim. Estimate</u>
TOWN OF BLOOMFIELD	6,278	1,641
TOWN OF DARIEN	1,693	1,696
TOWN OF DELAVAN	5,285	5,268
TOWN OF EAST TROY	4,021	4,025
TOWN OF GENEVA	4,993	4,989
TOWN OF LA FAYETTE	1,979	1,977
TOWN OF LA GRANGE	2,454	2,453
TOWN OF LINN	2,383	2,398
TOWN OF LYONS	3,698	3,693
TOWN OF RICHMOND	1,884	1,889
TOWN OF SHARON	907	903
TOWN OF SPRING PRAIRIE	2,181	2,181
TOWN OF SUGAR CREEK	3,943	3,938
TOWN OF TROY	2,353	2,357
TOWN OF WALWORTH	1,702	1,692
TOWN OF WHITEWATER	1,471	1,473
VILLAGE OF BLOOMFIELD	0	4,623
VILLAGE OF DARIEN	1,580	1,587
VILLAGE OF EAST TROY	4,281	4,283
VILLAGE OF FONTANA	1,672	1,674
VILLAGE OF GENOA CITY	3,036	3,046
VILLAGE OF MUKWONAGO	101	109
VILLAGE OF SHARON	1,605	1,599
VILLAGE OF WALWORTH	2,816	2,813
VILLAGE OF WILLIAMS BAY	2,564	2,577
CITY OF BURLINGTON	0	0
CITY OF DELAVAN	8,463	8,442
CITY OF ELKHORN	10,084	9,998

<u>Municipality</u>	<u>2010 Census Count</u>	<u>2012 Prelim. Estimate</u>
CITY OF LAKE GENEVA	7,651	7,654
CITY OF WHITEWATER	11,150	11,552
Total for County of WALWORTH	102,228	102,530

Approximately 78,844 of the estimated population for the County of WALWORTH are of voting age. The County's voting age population is the summation of the voting age population for all communities within the county. This approximation is a courtesy estimate which helps you comply with Wisconsin Statute 5.66 which requires municipal clerks to approximate the number of electors prior to elections. The voting age population was calculated by applying the census proportion of persons ages 18 and over to the preliminary January 1st estimate and then multiplying the result by a state-wide factor to account for the general aging of the population.

# COUNTY POPULATION ESTIMATE CHALLENGE FORM

If you believe the estimate of the county or any of its component municipalities is not a reasonable approximation of the population, complete this form and submit it **with administrative data** that can be used to evaluate the challenge. Submit the challenge **on or before September 15, 2012.**

**Mail challenges to:**

**Philip Wells  
Demographic Services Center  
WI Department of Administration  
PO Box 8944  
Madison, WI, 53708-8944  
(608) 266-1927**

The Council/Board of the County of \_\_\_\_\_

has authorized me to submit a challenge to the correctness of the annual preliminary population estimate prepared for our county. The county contends the estimate is inaccurate because it is based upon inadequate information.

**Evidence based upon administrative records or other information is presented in support of this contention, as required by §16.96 of the Wisconsin Statutes.**

**The statutes do not permit the Department of Administration to accept the results of a population enumeration conducted by any group, agency or unit of government other than the U. S. Census Bureau.**

NAME: \_\_\_\_\_

TITLE: \_\_\_\_\_

MAILING ADDRESS: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

DAYTIME TELEPHONE: (      ) \_\_\_\_\_

SIGNATURE: \_\_\_\_\_ DATE: \_\_\_\_\_

# CHANGE OF ADDRESS/OFFICE HOLDER NOTIFICATION

(This side of form is for Change of Address or Office Holder only.)

## MAIL TO:

**Demographic Services Center  
WI Department of Administration  
PO Box 8944  
Madison, WI, 53708-8944**

Please note **name/address change** below for:

County of: \_\_\_\_\_

NAME: \_\_\_\_\_

TITLE: \_\_\_\_\_

OFFICIAL MAILING ADDRESS: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

DAYTIME TELEPHONE: (      ) \_\_\_\_\_

SIGNATURE OF RESPONDENT: \_\_\_\_\_

DATE: \_\_\_\_\_

THE TOWN OF DELAVAN  
Walworth County, Wisconsin  
5621 Town Hall Road, Delavan, Wisconsin 53115  
(262) 728-3471 Fax: (262) 728-3473  
Email - admin@townofdelavan.com

RECEIVED  
WALWORTH COUNTY CLERK

2012 AUG 20 AM 9:34

RYAN SIMONS, Town Chair  
CHRIS MARSICANO, Supervisor  
KIM JEDLICKA, Supervisor  
HERB SESSNER, Supervisor  
BARB MILITELLO, Supervisor

JOHN OLSON, Administrator  
DIXIE BERNSTEEN, Clerk  
LAURA DUCHEMIN, Treasurer

August 17, 2012

Kim Bushey

Walworth County

100 W. Walworth St.

Elkhorn, WI 53121

Dear Kim,

Attached is an excerpt from the legal summary of Judge Carlson's Findings & Orders on 6-26-12 from the Town of Delavan's Tax Assessment Trial—WIMP No. 210020201. Significant refunds were ordered for tax years 2009 & 2010 with 2011 yet to be litigated. Refund amounts approximate \$250,000 for each year with The Town of Delavan being responsible for between 10-15% of the total. We anticipate charging back the remaining 85-90% to the other taxing entities. We strongly encourage you and/or your representatives to attend the final hearing before Judge Carlson on September 13<sup>th</sup> beginning at 9:30am where he will hear objections to the plaintiff's values used to determine the final refund amounts. As these refunds are significant and will have a negative financial impact to all, we will be considering our appeal options and plan on asking you to join our efforts.

1. **Presumption of Correctness.** *The Plaintiffs' overcame the presumption of correctness afforded Mr. Keith Munson's values for a laundry list of reasons cited by the Plaintiffs in their proposed revised Findings of Fact – Mainly, that Mr. Munson did not maintain a detailed written sales analysis, did not apply time adjustments in the most consistent manner, and rejected sales he felt were not indicative of the market.*
2. **Values.** *C.J. Heise's (Plaintiffs') appraisals are credible as a general matter/on the whole, and are adopted by the Court – However, the Court has provided us time to bring individual challenges to specific appraisals based on (a) lack of location adjustments between lakes, (b) the use of a land appraisal where improvements exist, or (c) the rejection of a valid/arm's-length recent sale of the subject property. The Judge was clear that we should only challenge those individual appraisals where we believe we can present compelling evidence from the trial record that the appraisals are unreliable. In other words, because the record is closed, there will not be additional testimony, only argument from the trial transcripts and record at trial. We are compiling this information, and will need to make a decision as to which appraisals to challenge. As explained below, we ordered several portions of the trial transcript.*
3. **Refund Based on Values.** *The Plaintiffs' are awarded refunds equal to the difference between the tax they paid based on Munson's assessments versus the tax that would be owned on Heise's appraisals. According to our preliminary numbers/calculations, this amounts to \$207,487.76 for 2009 and \$250,896.09 for 2010 (a total of \$458,383.85).*
4. **Uniformity Refund.** *The Judge accepted the Stipulation & Order regarding the uniformity violation in Assembly Park – However, he adopted our proposed uniformity remedy (reimbursing the amount of tax the Plaintiffs' overpaid in 2009 and 2010 based on the underassessment in Assembly Park). This is equal to a 2.67% reduction per Plaintiff. Again, according to our preliminary numbers/calculations, this amounts to \$27,643.32 for 2009 and \$29,784.59 for 2010 a total of \$57,427.91).*
5. **Statutory Attorney Fees.** *Each Plaintiff will also be entitled to statutory attorney fees pursuant to Wis. Stat. § 814.04 – This is a set \$ amount based on the amount of recovery: \$500.00 if the award is over \$10,000.00, \$300.00 if the award is between \$1,000.00 and \$10,000.00, and \$100.00 if the award is less than \$1,000. Again, based on our preliminary numbers, the Plaintiffs are owed an aggregate amount of \$17,800.00 in attorney fees. Statutory attorney fees are recoverable by the Plaintiffs because they were at least partially successful in receiving judgment in their favor. This number is subject to change based on the consolidation of the two cases – I will let you know about this sooner rather than later!*
6. **Interest.** *Plaintiffs are finally owed statutory interest as allowed by Wis. Stat. § 74.37 – This will equal a total amount for 2009 and 2010, plus a daily amount for each year until the refunds are paid in whole. I will get these numbers to you ASAP as well, as the calculation is a bit involved!*
7. **Reassessment/Revaluation.** *The Judge ordered, per the parties' stipulation, that Assembly Park be reassessed as of January 1, 2012. Judge Carlson, after some deliberation, ultimately decided he did not have the power to order a town-wide revaluation for 2013, but encouraged the Town*

*to consider the same. We will need to decide how to deal with Plaintiffs' action regarding 2011. However, it is almost certain that Plaintiffs will first ask Judge Carlson to reconsider his own decision, and will then Appeal to the Wisconsin Court of Appeals.*

8. **Attorney Fees as a Sanction.** *The Judge, of course, declined to hold the Town or our firm liable for any of Plaintiffs' actual attorney fees. The Judge pointed out that there were obviously defensible issues not subject to given that he accepted our uniformity remedy argument.*

If you have any questions, please don't hesitate to contact me directly at 728-3471 or 608-792-8831.

Sincerely,



John P. Olson

Administrator

C: Delavan-Darien School District  
Walworth Joint School District #1  
Fontana Joint 8 School District  
Gateway Technical College  
Delavan Lake Sanitary District

July 26, 2012

**RECEIVED**

JUL 30 2012

Nancy Russell, County Board Chair  
Walworth County  
100 W. Walworth Street, P.O. Box 1001  
Elkhorn, WI 53121

**WALWORTH COUNTY BOARD**

Bryan D. Albrecht, President  
Gateway Technical College District  
3520 30th Avenue  
Kenosha, WI 53144

Board of Education  
c/o District Administrator  
Delavan-Darien School District  
324 Beloit Street  
Delavan, WI 53115

**RE: City of Delavan, Wisconsin  
Proposed Creation of Tax Incremental District No. 5  
Proposed Project Plan Amendment for Tax Incremental District No. 4**

Enclosed is a copy of the Notice of Public Hearing relating to the proposed creation of Tax Incremental District No. 5 and proposed amendment of the Project Plan for Tax Incremental District No. 4 (the "Districts"). This notice is being provided to you as required by Wisconsin Statute 66.1105(4)(a) and (e), to notify you of the public hearing to be held by the Plan Commission on this matter.

Prior to creating a Tax Incremental District, a community must convene a Joint Review Board ("JRB") to review the proposal, per Wisconsin State Statutes. The JRB shall consist of the following five members (see separate attachment for guidelines in appointment), per Wisconsin State Statutes 66.1105(4m):

- one representative chosen by the School District that has power to levy taxes on the property within the District
- one representative chosen by the Wisconsin Technical College District System that has power to levy taxes on this property within the District
- one representative chosen by the County that has power to levy taxes on the property within the District
- one representative chosen by the City
- one public member

We would request that you appoint your representative prior to the **JRB's organizational meeting which has been scheduled for 4:00 p.m. on August 13, 2012 at the Delavan City Hall, located at 123 S. Second Street.**

[www.ehlers-inc.com](http://www.ehlers-inc.com)



Wisconsin  
Offices also in Illinois and Minnesota

phone 262-785-1520  
fax 262-785-1810  
toll free 800-717-9742

375 Bishops Way, Suite 225  
Brookfield, WI 53005-6202

JRB  
City of Delavan, Wisconsin  
July 26, 2012  
Page 2 of 3

The main purpose of the August 13 meeting is to select a chairperson and the public member. At this meeting, the JRB will also set a date or dates to meet again for the purpose of considering approval of the proposed creation and amendment. Copies of the draft Project Plans will be distributed at this meeting. **If you have not already confirmed your attendance, please call Paula Czaplewski at (262) 785-1520, or e-mail Paula at [paula@ehlers-inc.com](mailto:paula@ehlers-inc.com), as soon as possible to let us know who will be your appointed representative at this meeting, and a phone number where they can be reached.**

As part of its deliberations, the JRB must review the public records, Project Plan documents, and the resolutions adopted by the City's Plan Commission and Common Council. Its decision, by majority vote, must be made and submitted to the City within 30 days of receipt of the adopted Common Council resolutions. The decision to approve or deny either of the Districts shall be based on the following criteria:

- A. Whether development expected in the tax incremental district would occur without the use of tax incremental financing;
- B. Whether the economic benefits of the tax incremental district, as measured by increased employment, business and personal income and property value, are sufficient to compensate for the cost of the improvements; and
- C. Whether the benefits of the proposal outweigh any loss, if it occurs, in the tax revenues of the overlying jurisdictions.

In addition to the Notice of Public Hearing, we have attached a draft of a suggested agenda for the organizational meeting of the JRB. Should you have any questions or need any additional information regarding this proposal, please contact us.

Sincerely,

**EHLERS & ASSOCIATES, INC.**



Todd Taves, CIPFA  
*Financial Advisor/  
Executive Vice President*

JRB  
City of Delavan, Wisconsin  
July 26, 2012  
Page 3 of 3

cc: Steven Koch, City of Delavan Attorney  
Susan Kitzman, City Clerk  
Denise Pieroni, City Administrator  
Mayor Mel Nieuwenhuis  
Mark Zlevor, CFO, Technical College  
Jessica Lanser, County Comptroller  
Carey Bradley, School District Business Services  
Walworth County Metro Sewerage District  
Lake Comus Pro & Rehab District  
Paula Czaplewski, TIF & Disclosure Coordinator, Ehlers

**AGENDA**  
**JOINT REVIEW BOARD**  
**CITY OF DELAVAN**  
**TAX INCREMENTAL DISTRICT NO. 5 CREATION**  
**AND**  
**TAX INCREMENTAL DISTRICT NO. 4**  
**PROJECT PLAN AMENDMENT**

**August 13, 2012 at 4:00 p.m.**

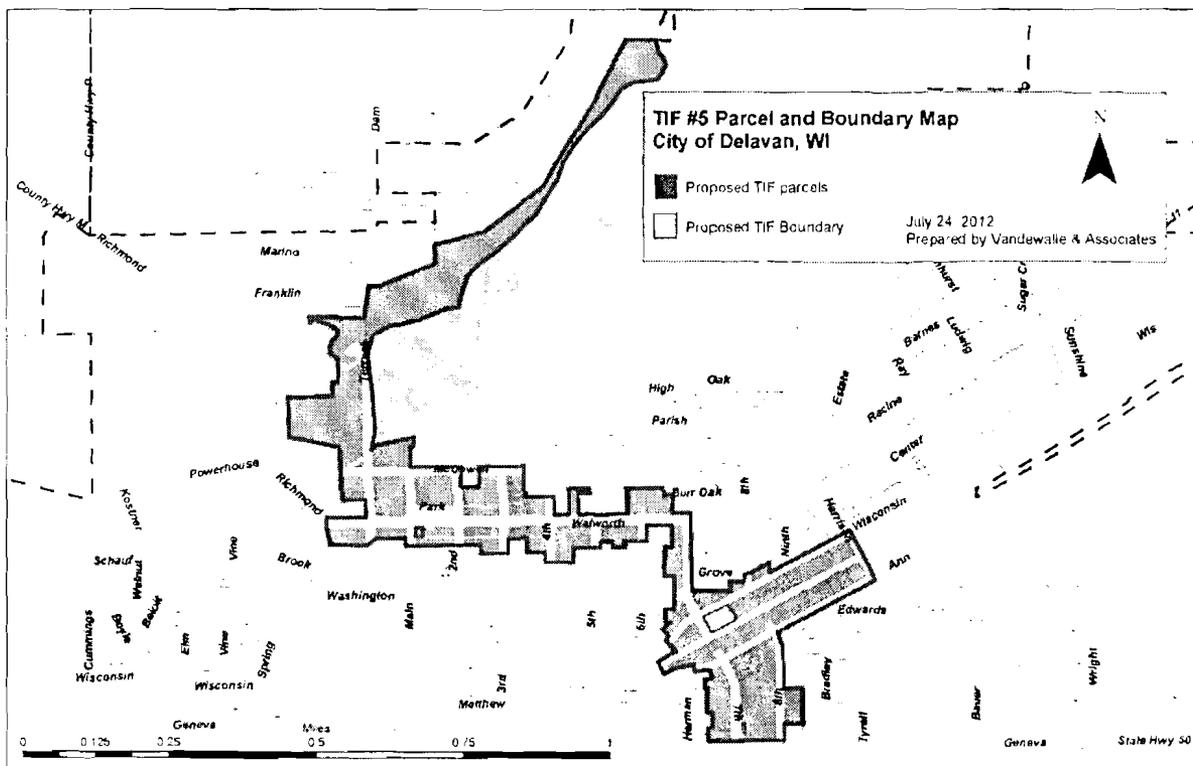
**Delavan City Hall**  
*123 S. Second Street*

1. Call to order
  2. Appointment of public member
  3. Appointment of Chairperson
  4. Discuss responsibilities of the Joint Review Board
  5. Discuss & review project plans
  6. Discuss interest in maintaining a Standing Joint Review Board
  7. Set next meeting date
  8. Adjourn
-

## NOTICE OF PUBLIC HEARING AND JOINT REVIEW BOARD MEETING

Notice is hereby given that the City of Delavan will hold an organizational Joint Review Board meeting on August 13, 2012 at 4:00 p.m. at the Delavan City Hall, located at 123 S. Second Street. The purpose of this meeting is to organize a Joint Review Board for purposes of considering the proposed creation of Tax Incremental District No. 5 and a proposed amendment to the Project Plan of Tax Incremental District No. 4.

Notice is further given that the Plan Commission of the City of Delavan will hold a public hearing on August 20, 2012 at 6:00 p.m. at the Delavan City Hall, located at 123 S. Second Street, for the purpose of providing the community a reasonable opportunity to comment upon the proposed boundaries and Project Plan for Tax Incremental District No. 5, and the proposed amendment to the Project Plan of Tax Incremental District No. 4. The proposed boundaries of Tax Incremental District No. 5 are reflected on the map below.



Proposed projects costs within Tax Incremental District No. 5 include cash grants to owners, lessees or developers of land located within the district (development incentives)

The proposed amendment to the Project Plan of Tax Incremental District No. 4 is to allow it to share surplus increments with Tax Incremental District No. 5 under the provisions of Section 66.1105(6)(f) of the Wisconsin Statutes.

Copies of the Project Plans for both Districts, including a map of the proposed boundaries of Tax Incremental District No. 5, are available on request for viewing during normal

business hours in the offices of the City Clerk at the Delavan City Hall, located at 123 S. Second Street.

By Order of the Plan Commission of the  
City of Delavan, Wisconsin

*Published  
August 2, 2012  
& August 9, 2012*

## **JRB RESPONSIBILITIES**

1. Review public record
2. Review planning documents
3. Review Common Council resolution
4. Decision to approve or deny
  - A. Whether development expected in the Tax Incremental District would occur without the use of tax incremental financing;
  - B. Whether the economic benefits of the Tax Incremental District, measured by increased employment, business and personal income and property value, are sufficient to compensate for the cost of the improvements;
  - C. Whether the benefits of the proposal outweigh any loss, if any occurs, in the tax revenues of the overlying taxing districts.

Attendance at public hearing is optional, but recommended.

### **GUIDELINE IN APPOINTMENT OF JRB** WI State Statutes Section 66.1105(4m)(ae)1.

School Board President or designee (e.g. District Finance Director, etc.)

County Executive, County Board Chair, or designee (e.g. County Treasurer, etc.)

Technical College Director or designee (e.g. District CFO, etc.)

Mayor or designee (e.g. Economic Development Director, City Treasurer, etc.)

When designees are used, preference shall be given to persons with knowledge of local government finance.

If a District is located in a union high school district, the seat that is held by the school district representative shall be held by 2 representatives, each of whom has one-half of a vote.

If more than one school district, union high school district, elementary school district, technical college district, or county has the power to levy taxes on the property within the District, the entity which is located on the property of the District that has the greatest value shall choose that representative.

The public member and the board's chairperson shall be selected by a majority of the other board members before the public hearing.

**RECEIVED**

AUG 28 2012

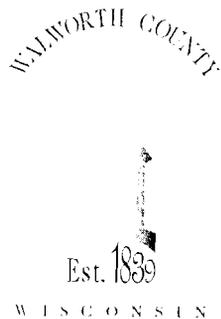
To the Walworth County Board,

**WALWORTH COUNTY BOARD**

Recently my domestic partner's (of 10 years) mother passed away. I was denied a funeral day by the jail administration. I was told that it did not fit with the county's ordinance. In today's society the family structure is changing. More and more families are not legally married for various reasons. I would like to ask the county board to amend the ordinance to reflect this change in families. I would like that domestic partners and their family be added to the bereavement ordinance.

Thank You,

Keith Clayton



RECEIVED  
WALWORTH COUNTY CLERK  
2012 AUG -3 AM 11:34

County Treasurer

To: Nancy Russell, County Board Chair  
✓ Kim Bushey, County Clerk

Kathy M. Du Bois  
County Treasurer

From: Kathy Du Bois  
County Treasurer

Re: County Board Sunshine Fund

Date: August 3, 2012

I request that the County Board take action at its next meeting to approve a payroll deduction to replenish the County Board Sunshine Fund. The current balance is \$88.94.

The Sunshine Fund is created through payroll deduction. The last payroll deduction approved by the County Board occurred July 2010 in the amount of \$20.00 per county board member.

If you have any questions, please do not hesitate to contact me.

kd



WISCONSIN  
HISTORICAL  
SOCIETY

RECEIVED  
WALWORTH COUNTY CLERK

2012 JUL 19 AM 8:54

**TO:** Local and State Officials

**FROM:** Michael Stevens, State Historic Preservation Officer

**RE:** State and National Register of Historic Places nomination

**DATE:** July 17, 2012

We are pleased to inform you that the *Whitewater Passenger Depot located at 301 W. Whitewater Street in Whitewater, Walworth County, Wisconsin* will be considered by the Wisconsin Historic Preservation Review Board for nomination to the Wisconsin State Register of Historic Places and the National Register of Historic Places.

This action will be considered at the Wisconsin Historic Preservation Review Board meeting on *Friday, August 24, 2012 at the Wisconsin Historical Society, 816 State Street, Madison, Wisconsin*. The enclosed agenda gives the times of the full board and committee meetings.

Any comments or questions should be directed to Daina Penkiunas at (608) 264-6501.

State Historic Preservation Review Board Meeting

August 24, 2012

Wisconsin Historical Society

816 State Street, Madison

AGENDA

- Times as Noted**      **COMMITTEE MEETINGS**  
*Individual properties are presented only at the applicable committee meetings. See the list below to determine the committee meeting(s) where a specific nomination will be presented.*
- 9:30-11:00 AM**      **Architecture Committee (AR), Murphy Board Room, Room 318**  
Klingholz, Charles and Herriette, House, Town of Manitowoc Rapids, Manitowoc County (AR, H)  
Pritzlaff, John, Hardware Company, Milwaukee, Milwaukee County (AR, H)  
Pulaski Presbyterian Church Complex, Town of Pulaski, Iowa County (AR)  
Upper Twin Falls Bridge, Town of Florence, Florence County (AR)  
Whitewater Passenger Depot, Whitewater, Walworth County (AR, H)
- 9:45-11:00 AM**      **History Committee (H), Sellery Room, First Floor**  
Whitewater Passenger Depot, Whitewater, Walworth County (AR, H)  
Klingholz, Charles and Herriette, House, Town of Manitowoc Rapids, Manitowoc County (AR, H)  
Pritzlaff, John, Hardware Company, Milwaukee, Milwaukee County (AR, H)
- 11:00-12:00**      **FULL REVIEW BOARD MEETING, Murphy Board Room, Room 318**  
*Committees provide recommendations on individual properties for consideration by the Review Board. Historic Districts are presented to the board; the board votes on both individual properties and districts.*
- Individual Nominations (Action on Individual Nominations)**  
Klingholz, Charles and Herriette, House, Town of Manitowoc Rapids, Manitowoc County (AR, H)  
Pritzlaff, John, Hardware Company, Milwaukee, Milwaukee County (AR, H)  
Pulaski Presbyterian Church Complex, Town of Pulaski, Iowa County (AR)  
Upper Twin Falls Bridge, Town of Florence, Florence County (AR)  
Whitewater Passenger Depot, Whitewater, Walworth County (AR, H)
- PRESENTATION OF INDIVIDUAL PROPERTY CERTIFICATES**
- Historic Districts (Presentation and Action on District Nominations) –**  
Bascom Hill Historic District (Additional Documentation), Madison, Dane County
- Delistings**  
Buckstaff Observatory, Oshkosh, Winnebago County  
Savage House, Town of Dunkirk, Dane County
- 12:00 – 12:30 PM**      **LUNCH BREAK FOR BOARD MEMBERS**
- 12:30 PM -**      **REVIEW BOARD BUSINESS MEETING, Murphy Board Room, Room 318**  
Call to order  
Minutes of Review Board Meeting on February 17, 2012  
Presentation of the WHS Board of Curators **2012 Historic Preservation** award to Mark Bruhy  
Report by Chairperson Luchterhand  
Reports by SHPO and Staff  
Adjournment



Division of Transportation System Development  
 Southeast Regional Office  
 141 N.W. Barstow Street  
 P.O. Box 798  
 Waukesha, WI 53187-0798

RECEIVED  
 WALWORTH COUNTY CLERK

2012 JUL 25 AM 9:18

Scott Walker, Governor  
 Mark Gottlieb, P.E., Secretary  
 Internet: [www.dot.wisconsin.gov](http://www.dot.wisconsin.gov)  
 Telephone: (262) 548-5903  
 Facsimile (FAX): (262) 548-5662  
 E-Mail: [waukesha.dtd@dot.wi.gov](mailto:waukesha.dtd@dot.wi.gov)

July 24, 2012

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

Re: Local Officials Meeting  
 ID 1320-17-00

WIS 11  
 US 14 to Turtle Creek Drive  
 Walworth County

Greetings:

The Wisconsin Department of Transportation Southeast Region Office invites you to attend a local officials meeting to discuss future improvements to WIS 11 in Walworth County.

The meeting will be held on **Wednesday, September 12, 2012, at 3 p.m. at the Delavan-Darien High School, 150 Cummings Street, Delavan, WI 53115.**

This meeting will be an opportunity to discuss the project concepts and schedule prior to the general Public Information Meeting on Wednesday October 10, 2012 (separate invite to follow).

The proposed project will consist of the rehabilitation of WIS 11 from US 14 to Turtle Creek Drive. In general, the pavement will be milled and then paved with a new layer of asphalt. The project is in its initial phases of design. Intersections will be evaluated to determine if turn lanes and/or bypass lanes are required to bring the highway up to current standards. Construction is currently scheduled for 2017-2018.

If you are unable to attend, please consider sending a representative in your place. Please pass this notice on to other local officials or newly elected officials that would like to attend this meeting. We look forward to your participation in this important meeting. If you have any questions regarding the project or the meeting, please call me at (262) 548-8734, or Dawn Marshall, Design Leader, at (262) 548-6443.

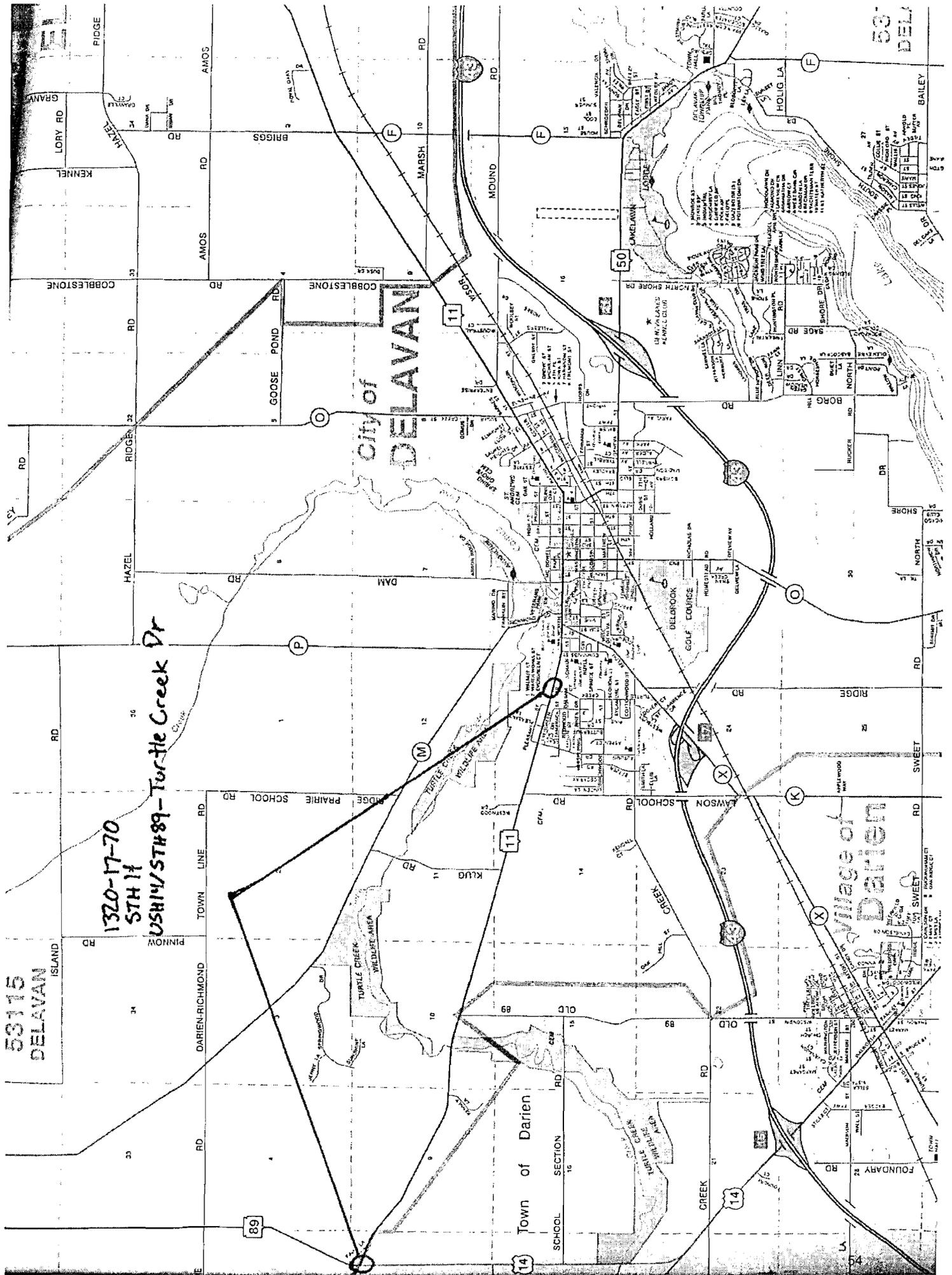
Sincerely,

*Jason Zemke*

Jason Zemke  
 WisDOT Project Manager

Enclosures: Project Location Map

cc: Dawn Marshall, Design Leader



53115  
DELAN

1320-17-70  
STH 14  
US 814/ST#89 - Turtle Creek Dr

City of  
DELAN

Village of  
Darien

Town of Darien  
SECTION 15

53 DEL



Division of Transportation  
 System Development  
 Southeast Regional Office  
 141 N.W. Barstow Street  
 P.O. Box 798  
 Waukesha, WI 53187-0798

Scott Walker, Governor  
 Mark Gottlieb, P.E., Secretary  
 Internet: [www.dot.wisconsin.gov](http://www.dot.wisconsin.gov)  
 Telephone: (262) 548-5903  
 Facsimile (FAX): (262) 548-5662  
 E-Mail: [waukesha.dtd@dot.state.wi.us](mailto:waukesha.dtd@dot.state.wi.us)

RECEIVED  
 WALWORTH COUNTY CLERK  
 2012 JUL 27 AM 8:56

July 26, 2012

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

Dear Resident or Property Owner:

Subject: Public Information Meeting prior to roadway improvement  
 Project ID: 1320-17-00  
 Highway: WIS 11  
 Project Limits: US 14 to Turtle Creek Drive

You are invited to attend a public information meeting to learn more about the Wisconsin Department of Transportation's (WisDOT) rehabilitation of WIS 11 between US 14 and Turtle Creek Drive. Construction is currently scheduled to begin in fall of 2017.

**Where:** Delavan-Darien High School  
 Quad 151  
 150 Cummings Street, Delavan WI 53115

**When:** October 10, 2012  
 4-6 p.m.

The project proposes to mill off 1-inch of the existing asphalt pavement and then pave 4 ¼ inches of new asphalt. This will raise the resulting roadway approximately 3 ¼ inches. Structure repair work is warranted at the box culvert between US 14 and Pinks Lane. Intersection improvements are being evaluated at this time. These improvements may include the addition of bypass lanes, or modifications to bring the existing ones up to current standards. Existing ditches will be evaluated and improved if necessary to meet current standards. Right-of-way acquisition is anticipated to accommodate these improvements.

The purpose of the public information meeting is to discuss the project with the general public and identify issues that may need further consideration during the design process. Persons knowledgeable of historical or archeological information that would be relevant to the project are encouraged to attend the meeting or contact project staff. Displays of the project plans will be on hand and WisDOT representatives will be available for one-on-one discussion. Please plan to provide your input at the meeting.

Delavan-Darien High School is wheelchair accessible. Hearing impaired citizens may contact WisDOT through the Wisconsin Telecommunication Relay System (dial 711). We look forward to your participation in this meeting. If you cannot attend this meeting or would like additional information, contact the project staff listed below:

Jason Zemke  
WisDOT Project Manager  
Phone: (262) 548-8734  
Email: [Jason.Zemke@dot.wi.gov](mailto:Jason.Zemke@dot.wi.gov)

Dawn L. Marshall  
WisDOT Design Leader  
Phone: (262) 548-6443  
Email: [Dawn.Marshall@dot.wi.gov](mailto:Dawn.Marshall@dot.wi.gov)

Sincerely,

*Jason Zemke*

Jason Zemke  
WisDOT Project Manager



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WALWORTH COUNTY CLERK

2012 AUG 22 AM 8:53

## NOTICE OF ENTRY IN THE NATIONAL REGISTER AND/OR STATE REGISTER OF HISTORIC PLACES

*Name of property:* Elkhorn Municipal Building

*Location:* 9 S. Broad Street, Elkhorn, Walworth County, Wisconsin

*Date of Entry:* August 7, 2012

*Designation:*         State Register of Historic Places  
                              National Register of Historic Places

The property listed above has been entered in the National Register of Historic Places by the Secretary of the Interior, and listed in the State Register of Historic Places by the State Historic Preservation Office.

Accordingly, this property is entitled to the benefits and protections of the National Historic Preservation Act of 1966, as amended and under Chapter 44, Wisconsin Statutes. It will receive limited protection from encroachment by federal or state assisted or licensed projects or state facilities development projects, and may be eligible to apply for matching grants for research, restoration, acquisition, or stabilization. Certain tax incentives are available to depreciable properties listed in the State Register or National Register.

The State Register and National Register programs are administered by the Division of Historic Preservation-Public History of the Wisconsin Historical Society, Michael Stevens, State Historic Preservation Officer. Questions about the State Register and National Register programs in Wisconsin should be addressed to:

Division of Historic Preservation-Public History  
Wisconsin Historical Society  
816 State Street  
Madison, WI 53706  
Telephone: 608/264-6501



WISCONSIN  
HISTORICAL  
SOCIETY

RECEIVED  
WALWORTH COUNTY CLERK

2012 AUG 22 AM 8:53

## NOTICE OF ENTRY IN THE NATIONAL REGISTER AND/OR STATE REGISTER OF HISTORIC PLACES

*Name of property:* Elkhorn Band Shell

*Location:* Sunset Park, bounded by Devendorf, W. Centralia, and Park Streets,  
Elkhorn, Walworth County, Wisconsin

*Date of Entry:* August 7, 2012

*Designation:*         State Register of Historic Places  
                              National Register of Historic Places

The property listed above has been entered in the National Register of Historic Places by the Secretary of the Interior, and listed in the State Register of Historic Places by the State Historic Preservation Office.

Accordingly, this property is entitled to the benefits and protections of the National Historic Preservation Act of 1966, as amended and under Chapter 44, Wisconsin Statutes. It will receive limited protection from encroachment by federal or state assisted or licensed projects or state facilities development projects, and may be eligible to apply for matching grants for research, restoration, acquisition, or stabilization. Certain tax incentives are available to depreciable properties listed in the State Register or National Register.

The State Register and National Register programs are administered by the Division of Historic Preservation-Public History of the Wisconsin Historical Society, Michael Stevens, State Historic Preservation Officer. Questions about the State Register and National Register programs in Wisconsin should be addressed to:

Division of Historic Preservation-Public History  
Wisconsin Historical Society  
816 State Street  
Madison, WI 53706  
Telephone: 608/264-6501

W2139 State Road 11  
Elkhorn, WI 53121  
August 17, 2012

**RECEIVED**

AUG 17 2012

Ms. Nancy Russell, Chairperson  
Walworth County Board  
100 W. Walworth St  
Elkhorn, WI 53111

**WALWORTH COUNTY BOARD**

Dear Ms. Russell,

As a member of The Greater Milwaukee Chapter of the American Payroll Association we are seeking to create public awareness of National Payroll week which is September 2 – 8, 2012. During this week we would like to recognize those members of the payroll profession who consistently meet the challenges of accurately processing payroll for the American worker. In addition to processing payroll, many of these individuals are active in providing education to the public concerning the payroll tax system.

Payroll professionals, in both the private and public sector, work to ensure that their employers are compliant with all aspects of federal and state tax laws and government regulations. In this past year we have seen many changes in both state and federal regulations that have impacted the processing of payrolls. The challenges these changes have created have been met and resolved by these payroll professionals.

In order to recognize these professional, we are respectfully requesting that Walworth County proclaim the week of Labor Day as National Payroll Week. I am enclosing sample language which can be used if you are able to grant our request.

If you would have any questions concerning our request, I would be happy to discuss them with you. I can be reached on my cell phone at 262.215.4896 or my work number 262.741.4374. Thank you for your consideration

Sincerely,



Trina M. Adams, CPP  
Government Liaison Officer  
Greater Milwaukee Chapter of the American Payroll Association  
Attach: (1)

Whereas the American Payroll Association and its 23,000 members have launched a nationwide public awareness campaign that pays tribute to the more than 156 million people who work in the United States and the payroll professionals who support the American system by paying wages, reporting worker earnings and withholding federal employment taxes; and

Whereas payroll professionals in Walworth County, Wisconsin play a key role in maintaining the economic health of Walworth County, carrying out such diverse tasks as paying into the unemployment insurance system, providing information for child support enforcement, and carrying out tax withholding, reporting and depositing; and

Whereas payroll departments collectively spend more than \$15 billion annually complying with myriad federal and state wage and tax laws; and Whereas payroll professionals play an increasingly important role ensuring the economic security of American families by helping to identify noncustodial parents and making sure they comply with their child support mandates; and

Whereas payroll professionals have become increasingly proactive in educating both the business community and the public at large about the payroll tax withholding systems; and

Whereas payroll professionals meet regularly with federal and state tax officials to discuss both improving compliance with government procedures and how compliance can be achieved at less cost to both government and businesses; and

Whereas the week in which Labor Day falls has been proclaimed National Payroll Week, I hereby give additional support to the efforts of the people who work in Walworth County, Wisconsin and of the payroll profession by proclaiming the first full week of September Payroll Week .



September 6, 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**

- Vilas County Finance Committee Resolution, Florence County Resolution #2012-16, Forest County Resolution No. 30-2012, Pepin County Resolution #29-2012, and Monroe County Resolution No. 06-12-05 – To support funding allocation methodology for IM consortia that reduces no consortia greater than the overall statewide percentage reduction
- Wood County Resolution #12-7-3 and Price County Resolution #26-12 – Requesting that the Department of Health Services incentivize more effective regional collaboration, cost savings and efficiency in Income Maintenance (IM) administration by bringing more equity to calendar year 2013 consortia funding allocations

FINANCE COMMITTEE RESOLUTION

2012 JUL 23 AM 9:18

Re: TO SUPPORT FUNDING ALLOCATION METHODOLOGY FOR IM CONSORTIA THAT REDUCES NO CONSORTIA GREATER THAN THE OVERALL STATEWIDE PERCENTAGE REDUCTION

WHEREAS, as a result of regionalization of Income Maintenance Administration brought about by Wisconsin Act 32, the 2011-2013 Biennial Budget Bill, Vilas County entered into an agreement with 12 counties in the northern region and formed the Northern IM Consortium; and

WHEREAS, the total reduction in state funding to counties for the administration of Income Maintenance programming was 17%; and

WHEREAS, due to time constraints related to budgeting and implementation, counties and consortia agreed to a caseload allocation methodology for the initial 1<sup>st</sup> year of the state/consortia contract (2012); and

WHEREAS, the caseload allocation methodology financially affected counties and consortia inequitably, resulting in a greater adverse impact on small, rural, remote counties including Vilas County; and

WHEREAS, the Northern IM Consortium (12 counties) and the Western Region for Economic Assistance Consortium (8 counties) sustained a 37% and 31% reduction in state funding, respectively; and

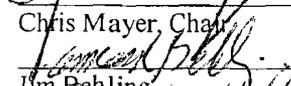
WHEREAS, this level of inequitable reduction of funding creates conditions and staffing levels in the two consortia that jeopardizes the consortia's ability to sustain a system that can meet performance measures and comply with state and federal regulations; and

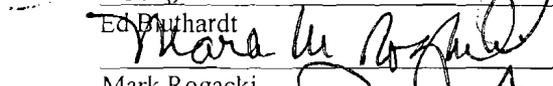
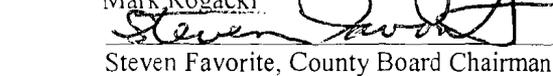
WHEREAS, a funding methodology of reducing no consortia by greater than the overall statewide reduction of 17% would increase Vilas County's allocation by approximately \$9,808.00, and would increase the Northern Income Maintenance Consortium total allocation by approximately \$296,648.00.

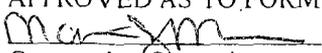
NOW, THEREFORE, BE IT RESOLVED this 18<sup>th</sup> day of July, 2012, that the Vilas County Finance Committee hereby supports a funding allocation methodology for IM Consortia that reduces no consortia by greater than the overall statewide reduction of 17%.

BE IT FURTHER RESOLVED that a copy of this resolution be forwarded to Vilas County's legislative delegation as well as the Wisconsin Counties Association, the Wisconsin Counties Human Service Association and the Clerk's office in all 72 counties of Wisconsin.

By:  
Vilas County Finance Committee

  
Chris Mayer, Chair  
  
Jim Behling  
  
Linda Thorpe

  
Ed Burhardt  
  
Mark Rogacki  
  
Steven Favorite, County Board Chairman

APPROVED AS TO FORM  
  
Corporation Counsel

RESOLUTION # 2012-16

**TO SUPPORT FUNDING ALLOCATION METHODOLOGY FOR IM CONSORTIA THAT REDUCES NO CONSORTIA GREATER THAN THE OVERALL STATEWIDE PERCENTAGE REDUCTION**

WHEREAS, as a result of regionalization of IM Administration brought about by Wisconsin Act 32, the 2011-2013 Biennial Budget Bill, Florence County entered into an agreement with 12 counties in the northern region and formed the Northern IM Consortium; and

WHEREAS, the purpose of the consortia models was to preserve local presence and oversight while maximizing efficiencies to facilitate a 17% reduction statewide in IM funding which helped balance the 2012-2013 State Budget; and

WHEREAS, by legislative design, IM consortia were to achieve cost savings by 1) establishing a single call center in each consortia, 2) implementing a state operated Central Document Processing Unit, and 3) other efficiencies achieved by administering IM programs regionally; and

WHEREAS, the Department of Health Services adopted a funding formula in 2012 that allocated funding by basepad, eliminated the "small county allocation" beneficial to less populated counties, and implied a finding that smaller, more rural communities were overcompensated; however, no finding was ever made by DHS; and

WHEREAS, the Northern IM (Florence County's) and the Western Regional Economic Assistance (WREA) consortia were most negatively impacted by the current methodology and suffered 37% (\$549,748) and 31% (\$419,553) reductions, respectively while other consortia suffered reductions ranging from 20% in the Southern Consortium (\$303,841) to as little as 7% in the moraine Lakes Consortium (\$109,725); and

WHEREAS, continuing to use the current allocation formula for CY2013 perpetuates this inequity and absent finding, places an undue burden on negatively impacted consortia, does not incentivize all consortia to leverage the same efficiencies, and is unfair to the elderly, disabled, and other individuals who depend on timely access to income maintenance benefits in rural Northern and Western Wisconsin communities;

NOW, THEREFORE BE IT RESOLVED that the Florence County Board of Supervisors assembled this 21<sup>st</sup> day of August 2012, does hereby recommend that a request be made to DHS to adopt a new funding methodology for CY2013 that equalizes funding sources among consortia, rewards collaboration, and drives regional IM systems to leverage the efficiencies mandated by the Legislature;

BE IT FURTHER RESOLVED that a copy of this resolution be forwarded to Florence County's legislative delegation as well as the Wisconsin Counties Association, the Wisconsin Counties Human Service Association and the Clerk's office in all 72 counties of Wisconsin;

Passed by Florence County Human Services Board on July 26, 2012 and recommended for consideration by the Florence County Board;

Fiscal Impact: This funding methodology would increase Florence County's allocation by approximately \$95,000.00 and would increase the Northern IM consortium total allocation by approximately \$295,648.00. This increase would be accomplished through existing state dollars being reallocated differently across consortia.

Adopted by the Florence County Board of Supervisors this 21<sup>st</sup> day of August, 2012.

  
Jeanette Bomberg  
County Board Chairperson

  
Geraldine Meyer  
County Clerk

## RESOLUTION NO. 30-2012

Resolution offered by SOCIAL SERVICES COMMITTEE

**RESOLVED** by the Board of Supervisors of Forest County, Wisconsin, That

**WHEREAS**, as a result of regionalization of IM Administration brought about by Wisconsin Act 32, the 2011-2013 Biennial Budget Bill, Forest County entered into an agreement with 12 counties in the northern region and formed the Northern IM Consortium; and

**WHEREAS**, the total reduction in state funding to counties for the administration of Income Maintenance programming was 17%; and

**WHEREAS**, due to time constraints related to budgeting and implementation, counties and consortia agreed to a caseload allocation methodology for the initial 1<sup>st</sup> year of the state/consortia contract (2012); and

**WHEREAS**, the caseload methodology agreed upon in such an expedient manner financially affected counties and consortia inequitably, resulting in a greater adverse impact on small, rural, remote counties; and

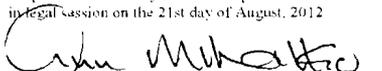
**WHEREAS**, the Northern IM Consortium (12 counties) and the Western Region for Economic Assistance Consortium (8 counties) sustained a 37% and 31% reduction in state funding respectively; and

**WHEREAS**, that level of inequitable reduction of funding creates conditions and staffing levels in the two consortia that jeopardizes the consortia's ability to sustain a system that can meet performance measures and comply with state and federal regulations.

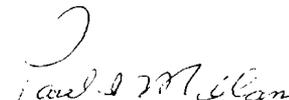
**NOW, THEREFORE, BE IT RESOLVED THAT THE FOREST COUNTY BOARD OF SUPERVISORS** does hereby support a funding allocation methodology for IM Consortia that reduces no consortia by greater than the overall statewide reduction of 17%.

**BE IT FURTHER RESOLVED**, that a copy of this resolution be forwarded to the Wisconsin Counties Association, the Wisconsin Counties Human Service Association and the Clerk's office in all 72 counties of Wisconsin.

I, the county Clerk, in and for the said County of Forest, State of Wisconsin, do hereby certify that the foregoing is a true and correct copy of a resolution adopted by the County Board of Supervisors of Forest County, Wisconsin, in legal session on the 21st day of August, 2012.

  
Cheryl F. Forstety  
Forest County Clerk

Dated on this 21st day of August, 2012

  
Paul J. Milan  
Forest County Supervisor

E:\applic Cheryl F forstety\IMfunding.res

ROLL CALL SHEET

COUNTY BOARD

Date 8-21-12

No. 30-2012

Resolution 2

Ordinance \_\_\_\_\_

Motion: \_\_\_\_\_

Adopted

1st Stamper

Lost \_\_\_\_\_

2nd Berg

Tabled \_\_\_\_\_

	Aye	No	Absent
Albrecht	/		
Berg <u>X</u>	/		
Bunda	/		
Chaney	/		
Cleerman	/		
Collins	/		
Dailey	/		
Dehart	/		
Gifford	/		
Huettl, E	/		
Kincaid	/		
Landru	/		
LeMaster	/		
Lukas	/		
Matuszewski	/		
Millan	/		
Shaffer	/		
Stamper	/		
Stormer			/
Tauer	/		
Vollmar	/		
TOTAL	20	0	1

RESOLUTION # 29-2012

**TO SUPPORT FUNDING ALLOCATION METHODOLOGY FOR IM CONSORTIA THAT REDUCES NO CONSORTIA GREATER THAN THE OVERALL STATEWIDE PERCENTAGE REDUCTION**

**WHEREAS**, as a result of regionalization of IM (Income Maintenance) Administration brought about by Wisconsin Act 32, the 2011-2013 Biennial Budget Bill, Pepin County entered into an agreement with seven other counties (Buffalo, Clark, Jackson, La Crosse, Monroe, Trempealeau and Vernon) in the Western Region and formed the Western Region for Economic Assistance Consortium; and,

**WHEREAS**, the total reduction in state funding to counties for the administration of Income Maintenance programming was 17%; and,

**WHEREAS**, due to time constraints related to budgeting and implementation, counties and consortia agreed to a caseload allocation methodology for the initial first year of the State/Consortia Contract (2012); and,

**WHEREAS**, the caseload methodology financially affected counties and consortia in a vastly inequitable manner resulting in a greater adverse impact to small rural counties; and,

**WHEREAS**, the Northern IM Consortium (12 counties) and the Western Region for Economic Assistance Consortium (8 counties) sustained a 37% and 31% reduction in state funding respectively; and,

**WHEREAS**, that level of equitable reduction of funding creates conditions and staffing levels in the two consortia that jeopardizes the consortia's ability to sustain a system that can meet performance measures and comply with state and federal regulations, which in turn creates a burden on the elderly, disabled and other individuals they serve who depend on timely access to Income Maintenance benefits.

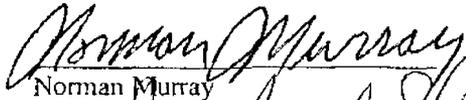
**NOW THEREFORE BE IT RESOLVED**, that the Pepin County Board of Supervisors does hereby support a funding allocation methodology for IM Consortia that reduced no consortia by greater than the overall statewide reduction of 17%, and

**BE IT FURTHER RESOLVED**, that a copy of this resolution be forwarded to Pepin County's legislative delegation as well as the Wisconsin Counties, the Wisconsin County's Human Service Association and the Clerk's office in all 72 counties of Wisconsin.

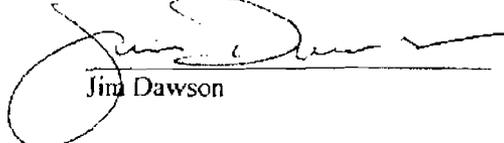
**Passed by Pepin County Human Services Board on July 23, 2012 and recommended for consideration by the Pepin County Board of Supervisors.**

Dated this 15<sup>th</sup> day of August, 2012.

**RESOLUTIONS COMMITTEE**

  
Norman Murray

  
Peter A. Adler

  
Jim Dawson

Barb Kallstrom

State of Wisconsin )  
County of Pepin )

I, Marcia R. Bauer, Pepin County Clerk, do hereby certify that the foregoing Resolution No. 29-2012 is a true and correct copy of the resolution as adopted by the Pepin County Board of Supervisors on August 15, 2012.

YES: 10 NO: 0 ABSENT: 2

  
\_\_\_\_\_  
Marcia R. Bauer, Pepin County Clerk

**TO SUPPORT FUNDING ALLOCATION METHODOLOGY FOR IM CONSORTIA THAT REDUCES NO CONSORTIA GREATER THAN THE OVERALL STATEWIDE PERCENTAGE REDUCTION**

**WHEREAS**, as a result of regionalization of IM Administration brought about by Wisconsin Act 32, the 2011-2013 Biennial Budget Bill, Monroe County entered into an agreement with 8 counties in the western region and formed the Western Region Economic Assistance (WREA) IM Consortium, and;

**WHEREAS**, the total reduction in state funding to counties for the administration of Income Maintenance programming was 17%, and

**WHEREAS**, due to time constraints related to budgeting and implementation, counties and consortia agreed to a caseload allocation methodology for the initial 1<sup>st</sup> year of the state/consortia contract (2012), and;

**WHEREAS**, the caseload methodology agreed upon in such an expedient manner financially affected counties and consortia inequitably, resulting in a greater adverse impact on small, rural, remote counties, and

**WHEREAS**, the Western Region for Economic Assistance Consortium (8 counties) and the Northern IM Consortium (12 counties) sustained a 31% and 37% reduction in state funding respectively, and

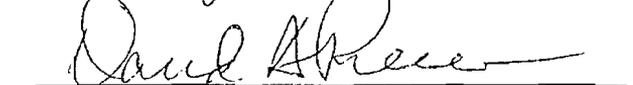
**WHEREAS**, that level of inequitable reduction of funding creates conditions and staffing levels in the two consortia that jeopardizes the consortia's ability to sustain a system that can meet performance measures and comply with state and federal regulations, now

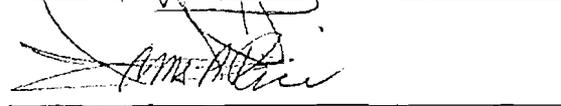
**THEREFORE BE IT RESOLVED** that the Monroe County Board of Supervisor, assembled this 21 day of June, 2012, does hereby support a funding allocation methodology for IM Consortia that reduces no consortia by greater than the overall statewide reduction of 17%, and

**BE IT FURTHER RESOLVED** that the County Clerk mail a copy of this resolution to Monroe County's legislative delegation as well as the Wisconsin Counties Association, the Wisconsin Counties Human Service Association, Governor Scott Walker, Secretary of Administration Michael Huebsch, and the Clerk's office in all 72 counties of Wisconsin.

Dated this the 21<sup>st</sup> day of June, 2012.

Presented by Human Services Board on June 26<sup>th</sup>, 2012

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

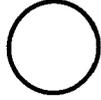
  
\_\_\_\_\_  
  
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\_\_\_\_\_  
  
\_\_\_\_\_

Committee Vote: 8 yes, 0 no

Purpose: To advocate for more equity between the various Consortia in the distribution of the 2013 DHS Income Maintenance Allocations.

Adopted by the Monroe County Board of Supervisors

County Board Vote: For 22 Against 0  
Absent 2



<b>Motion:</b>	Adopted:	<input checked="" type="checkbox"/>
1 <sup>st</sup> Rozar	Lost:	<input type="checkbox"/>
2 <sup>nd</sup> Hendler	Tabled:	<input type="checkbox"/>
No: 0	Yes: 19	Absent: 0
Number of votes required:		
<input checked="" type="checkbox"/> Majority	<input type="checkbox"/> Two-thirds	
Reviewed by: PAK	, Corp Counsel	
Reviewed by: MFM	, Finance Dir.	

KLR  
 INTENT & SYNOPSIS: Request that the Department of Health Services incentivize more effective regional collaboration, cost savings and efficiency in Income Maintenance (IM) administration by bringing more equity to calendar year 2013 consortia funding allocations.

FISCAL NOTE: A more equitable funding methodology would increase the allocation for the Northern IM Consortium. The actual fiscal impact is unknown at this time, and is dependent upon the final methodology selected.

Source of Money: Budgeted State General Purpose Revenue

		NO	YES	A
1	Nelson, J		X	
2	Rozar, D		X	
3	Feirer, M		X	
4	Wagner, E		X	
5	Hendler, P		X	
6	Breu, A		X	
7	Ashbeck, R		X	
8	Miner, T		X	
9	Winch, W		X	
10	Henkel, H		X	
11	Curry, K		X	
12	Machon, D		X	
13	Hokamp, M		X	
14	Polach, D		X	
15	Clendenning, B		X	
16	Pliml, L		X	
17	Allworden, G		X	
18	Murphy, B		X	
19	Moody, R		X	

**WHEREAS**, Act 32 (the State of Wisconsin's 2012-13 Biennial Budget) eliminated the system whereby individual counties administer Income Maintenance (IM) programs and instead directed that, beginning in calendar year (CY) 2012, counties organize into no more than ten multi-county consortia for the purpose of administering IM programs; and,

**WHEREAS**, the purpose of the consortia model is to create regional IM systems that preserve essential local presence and oversight while maximizing certain efficiencies so that IM services remain consistently strong statewide, despite the 17 percent reduction in State funding for IM administration that was part of the strategy to bring balance to 2012-13 State Budget; and,

**WHEREAS**, by legislative design, it was intended that IM consortia achieve cost savings by leveraging three types of efficiencies: (1) the sharing of a single call center by counties within

each consortia; (2) utilization by all consortia of a newly created State-operated Central Document Processing Unit (CDPU) to perform scanning and coding functions that were traditionally performed by county staff; and (3) other efficiencies achieved by counties sharing the workload of application processing, eligibility determinations and ongoing case maintenance within their consortium partnerships; and,

**WHEREAS**, Wood County is the administrative lead for the Northern IM Consortium, a collaboration of twelve northern Wisconsin counties which employs an innovative service delivery model that leverages all three intended legislative efficiencies and is collaborative in how workload and managerial structure is shared across county boundaries; and,

**WHEREAS**, the Department of Health Services (DHS) deferred to the Wisconsin County Human Services Association (WCHSA) on how to distribute CY 2012 State IM funding, consequently adopting a formula that continued to assign funding to individual counties instead of consortia, failed to consider legislatively mandated maintenance of effort (MOE) levels, distributed the 17 percent State funding reduction in a widely disparate fashion and continued to subsidize duplication and inefficiency; and,

**WHEREAS**, the Northern IM and Western Regional Economic Assistance (WREA) consortia were impacted most negatively by the current methodology, absorbing State funding reductions of 37 and 31 percent

DONNA ROZAR, Chairperson

MARION HOKAMP

MICHAEL FEIRER

PETER HENDLER

DOUG MACHON

BONNIE JAECKS

LORI SLATTERY-SMITH

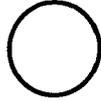
JEFFREY KOSZCZUK

THOMAS BUTTKE

Adopted by the County Board of Wood County, this 17<sup>th</sup> day of July 20 12 .

County Clerk

County Board Chairman



RESOLUTION# \_\_\_\_\_

ITEM# \_\_\_\_\_

DATE \_\_\_\_\_

Effective Date: \_\_\_\_\_

Introduced by Health & Human Services  
Page 2 of 2

Committee \_\_\_\_\_

respectively at the same time some of the other consortia saw funding reductions of only 7 percent and some individual counties actually received funding increases; and,

**WHEREAS**, using the current allocation formula to set consortia funding levels for CY 2013 would continue to place an unnecessary and potentially unsustainable workload burden on disparately impacted consortia and is unfair to the elderly, disabled and other individuals they serve who depend on timely access to income maintenance benefits; and,

**WHEREAS**, at this time of such limited resources, when taxpayers are demanding collaboration and increased efficiency, DHS should be using a funding methodology that rewards efficiency and incentivizes consortia to employ collaborative service delivery models that maximize the benefits of the consortia model.

**NOW THEREFORE BE IT RESOLVED**, that the Wood County Board of Supervisors requests that DHS adopt for CY 2013 a new funding methodology that, better equalizes funding resources among consortia, rewards collaboration and drives regional JM systems to leverage the efficiencies intended by the Legislature.

**BE IT FURTHER RESOLVED**, the County Clerk shall mail a copy of this resolution to Governor Scott Walker, State Senators Julie Lassa and Terry Moulton, Representatives Amy Sue Vruwink, Scott Suder and Scott Krug, as well as the Wisconsin Counties Association, the Wisconsin Counties Human Service Association and the Clerk's Office in all 72 counties of Wisconsin.

( )

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

Adopted by the County Board of Wood County, this \_\_\_\_\_ day of \_\_\_\_\_ 20 \_\_\_\_\_ .

County Clerk

County Board Chairman

**REQUESTING THAT THE DEPARTMENT OF HEALTH SERVICES INCENTIVIZE MORE EFFECTIVE REGIONAL COLLABORATION, COST SAVINGS AND EFFICIENCY IN INCOME MAINTAINANCE (IM) ADMINISTRATION BY BRINGING MORE EQUITY TO CALENDAR YEAR 2013 CONSORTIA FUNDING ALLOCATIONS**

**WHEREAS**, Act 32 (the State of Wisconsin's 2012-13 Biennial Budget) eliminated the system whereby individual counties administer Income Maintenance (IM) programs and instead directed that, beginning in calendar year (CY) 2012, counties organize into no more than ten multi-county consortia for the purpose of administering IM programs; and,

**WHEREAS**, the purpose of the consortia model is to create regional IM systems that preserve essential local presence and oversight while maximizing certain efficiencies so that IM services remain consistently strong statewide, despite the 17 percent reduction in State funding for IM administration that was part of the strategy to bring balance to 2012-13 State Budget; and,

**WHEREAS**, by legislative design, it was intended that IM consortia achieve cost savings by leveraging three types of efficiencies: (1) the sharing of a single call center by counties within each consortia; (2) utilization by all consortia of a newly created State-operated Central Document Processing Unit (CDPU) to perform scanning and coding functions that were traditionally performed by county staff; and (3) other efficiencies achieved by counties sharing the workload of application processing, eligibility determinations and ongoing case maintenance within their consortium partnerships; and,

**WHEREAS**, Price County is a member of the Northern IM Consortium, a collaboration of twelve Northern Wisconsin counties which employs an innovative service delivery model that leverages all three intended legislative efficiencies and is collaborative in how workload and managerial structure is shared across county boundaries; and,

**WHEREAS**, the Department of Health Services (DHS) deferred to the Wisconsin County Human Services Association (WCHSA) on how to distribute CY 2012 State IM funding, consequently adopting a formula that continued to assign funding to individual counties instead of consortia, failed to consider legislatively mandated maintenance of effort (MOE) levels, distributed the 17 percent State funding reduction in a widely disparate fashion and continued to subsidize duplication and inefficiency; and,

**WHEREAS**, the Northern and Western Regional Economic Assistance (WREA) consortia were impacted most negatively by the current methodology, absorbing State funding reductions of 37 and 31 percent respectively at the same time some of the other consortia saw funding reductions of only 7 percent and some individual counties actually received funding increases; and,

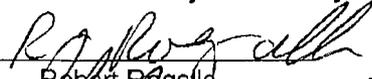
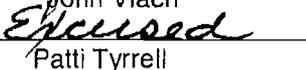
**WHEREAS**, using the current allocation formula to set consortia funding levels for CY 2013 would continue to place an unnecessary and potentially unsustainable workload burden on disparately impacted consortia and is unfair to the elderly, disabled and other individuals they serve who depend on timely access to income maintenance benefits; and,

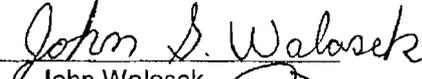
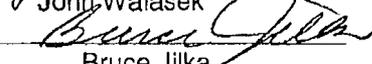
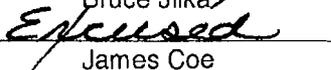
**WHEREAS**, at this time of such limited resources, when taxpayers are demanding collaboration and increased efficiency, DHS should be using a funding methodology that rewards efficiency and incentivizes consortia to employ collaborative service delivery models that maximize the benefits of the consortia model.

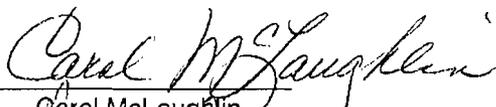
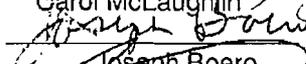
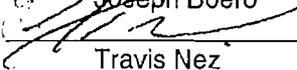
**NOW THEREFORE BE IT RESOLVED**, that the Price County Board of Supervisors requests that DHS adopt for CY 2013 a new funding methodology that , better equalizes funding resources among consortia, rewards collaboration and drives regional IM systems to leverage the efficiencies intended by the Legislature.

**BE IT FURTHER RESOLVED**, the County Clerk shall mail a copy of this resolution to Governor Scott Walker, State Senator Robert Jauch, Representative Janet Bewley, as well as the Wisconsin Counties Association, The Wisconsin Counties Human Service Association and the Clerk's Office in all 72 counties of Wisconsin.

**Passed by Price County Health and Human Services Board on June 20<sup>th</sup>, 2012 and recommended for consideration by the County Executive Committee.**

  
Robert Rogalla  
  
John Vlach  
  
Excused  
Patti Tyrrell

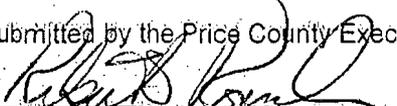
  
John Walasek  
  
Bruce Jilka  
  
Excused  
James Coe

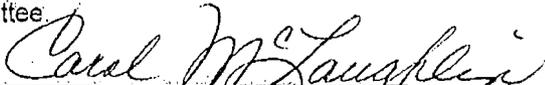
  
Carol McLaughlin  
  
Joseph Boero  
  
Travis Nez

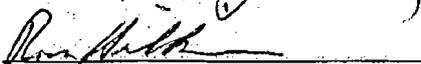
Fiscal Impact: A more equitable funding methodology would increase the Consortium's allocation. The actual fiscal impact is unknown at this time and is dependent upon the final methodology selected.

\*Due to timing and the schedule for County Board Meetings in Price County, this resolution was passed by the Board of Health and Human Services and forwarded to the Executive Finance Committee. County Board does not have a scheduled meeting until August, after contract and budgets may be set.

Submitted by the Price County Executive Committee

  
Robert Kopisch, Chair

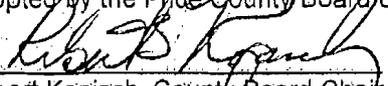
  
Carol McLaughlin, Vice-chair

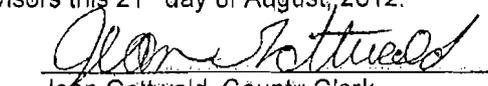
  
Ron Heikkinen

  
Ronald Kardas

  
Robert Rogalla

Adopted by the Price County Board of Supervisors this 21<sup>st</sup> day of August, 2012.

  
Robert Kopisch, County Board Chair

  
Jean Gottwald, County Clerk

For: 13 Against: 0

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
John Stoss (West Rod Cottage Industries)	Town of East Troy Part of Tax Parcel P ET1800006A	Rezone approx. .37 acres of C-4 Lowland Resource Conservation District (Shoreland) to C-2 Upland Resource Conservation District.	September 6 <sup>th</sup> , 2012
Thanks Giving Properties LLC	Town of Geneva Tax Parcels JLCB 00029B & 31B	Rezone approx. .78 acres of B-2 General Business to R-2	September 6 <sup>th</sup> , 2012
Catherine Schmalfeldt/ Jeffrey L. Schmalfeldt	Town of Lyons Parts of Tax Parcels N LY 500006 & NA282200001	Rezone approx. 9 acres of A-1 Prime Agricultural to C-2 Upland Resource Conservation District and approx. 1.2 acres of A-1 to C-1 Lowland Resource Conservation District (non-shoreland)	September 6 <sup>th</sup> , 2012
Hard Rock Farms LLC Jim Bolton	Town of Spring Prairie Part of Tax Parcel O SP 400005	Rezone approx. 41 acres of C-2 Upland Resource Conservation and 11. 63 acres of A-1 Prime Agricultural to M-3 Mineral Extraction District and 3.47 acres of C-2 to C-1	September 6 <sup>th</sup> , 2012


Said petition/s is hereby referred to the County Zoning Agency as the Zoning Agency of this County, which is hereby directed to hold one or more public hearings on the changes proposed in said petition/s, pursuant to Section 59.69(5) (e) Wisconsin Statutes. 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 Rick Stacey
- County Supervisor David A. Weber
- County Supervisor Joe Schaefer

August 16, 2012  
August 16, 2012 - expanded

Please include the following County Zoning Agency items on the September 6, 2012, County Board agenda:

**Ordinance Amendments:**

1.  
Ordinance amendment to various sections of the zoning/shoreland zoning ordinance: Sections 74-44, 74-51, 74-52, 74-54, 74-55, 74-56, 74-57, 74-58 74-59, 74-61, 74-62, 74-64, 74-67, 74-74, 74-83, 74-90, 74-92, 74-104, 74-125, and 74-131 of the Walworth County Code of Ordinances – Zoning and Sections 74-166, 74-167, 74-171, 74-178, 74-179, 74-181, 74-182, 74-184, 74-185, 74-186, 74-188, 74-191, 74-194, 74-203, 74-212, 74-219, 74-221, 74-233, 74-257 and 74-263 of the Walworth County Code of Ordinances – Shoreland Zoning.

**Approved 7 – 0** at the August 16, 2012, Walworth County Zoning Agency meeting.

**Rezones:**

1.  
Eva N. Raufman / Whitewater Township. Rezone approximately 2.07 acres of A-1 Prime Agricultural Land District to the A-5 Agricultural-Rural Residential District.  
**Approved 7 – 0** at the August 16, 2012, County Zoning Agency meeting.

The committee determined the land is better suited for a small agricultural-residential lot and would be consistent with the comprehensive plan and would not substantially impair or limit current or future agricultural use of surrounding parcels of land that are zoned for or legally restricted to agricultural use.

2.  
James Friemoth / Lafayette Township. Rezone approximately 1.84 acres of M-3 Mineral Extraction District to A-5 Agricultural Rural Residential District.  
**Approved 7 – 0** at the August 16, 2012, County Zoning Agency public hearing.

Conformance with County Land Use Plan: The area of the rezone is identified as the AG1 Other Agricultural Rural Residential (5 to 34 acres per dwelling) land use category. The rezone would cause an existing lot to come closer to 5 acres per dwelling.

3.  
KMR Properties LLC / Whitewater Township. Rezone approximately 2.85 acres from A-1 Prime Agricultural Land District and A-4 Agricultural Related Manufacturing, Warehousing and Marketing District to B-2 General Business District.  
**Approved 7 – 0** at the August 16, 2012, County Zoning Agency public hearing.

August 16, 2012  
August 16, 2012 - expanded  
Page 2 of 2

Conformance with County Land Use Plan: The County 2035 Land Use Plan identifies this area as the Industrial Land Use Category. B-2 zoning is allowed in the Industrial Land Use area.

4.  
DEG Music Products / Geneva Township. Rezone approximately .7 acres of R-1 Single Family Residence District (unsewered) to M-1 Industrial District an approximately 2.15 acres of R-1 Single Family Residential District to B-2 General Business District.  
**Approved 7 – 0** at the August 16, 2012, County Zoning Agency public hearing.

Conformance with County Land Use Plan: The County 2035 Land Use Plan identifies this area as the Industrial Land Use category. B-2 and M-1 zone districts are allowed in the Industrial Land Use area.

ORDINANCE NO. 740 – 09/12

AMENDING CHAPTER 74 OF THE WALWORTH COUNTY CODE OF ORDINANCES  
RELATING TO ZONING AND SHORELAND ZONING

THE WALWORTH COUNTY BOARD OF SUPERVISORS DOES ORDAIN AS  
FOLLOWS:

1 PART I: That Section 74-44 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. 74-44. Pet and animal regulations.

6  
7 (b) All animals other than household pets shall be permitted only in the agricultural,  
8 C-1 and C-2 conservation districts, ~~and P-1 and P-2~~ park districts and the B-5 business district.  
9 Structures used for the housing of animals, other than household pets, must be located at least  
10 100 feet from ~~at~~ the side and rear property lines. Livestock structures for a livestock facility for  
11 fewer than 1,000 animal units shall be at least 100 feet from all property lines, wetland  
12 boundaries and floodplain boundaries. Livestock structures for a livestock facility for 1,000  
13 animal units or more shall be at least 200 feet from property lines, wetland boundaries and  
14 floodplain boundaries and 150 feet from an access right-of-way. (DATCP 51.12(1)(a) & (b))”

15  
16 PART II: That Section 74-51 of the Walworth County Code of Ordinances is hereby  
17 amended to read as follows (additions shown by underline; deletions shown by strike-  
18 through):

19  
20 “Sec. 74-51. Agricultural districts.

21  
22 *A-1 Prime agricultural land district.*

23  
24 (1) *Principal uses.*

25  
26 u. Roadside stands not exceeding one per farm, limited to a structure having  
27 a ground area of not more than 300 sq. ft., not permanently fixed to the ground, readily  
28 removable in its entirety, not fully enclosed and to be used solely for the sale of farm  
29 products produced on the premises (or adjoining premises).

30  
31 (2) *Conditional uses.* (See division 4.)

32  
33 u. Slurry storage for industrial waste water of agricultural by products.

34  
35 (3) *Area, height and yard requirements.*

36

Lot (farm size)	Area	Minimum 35 acres
	Width	Minimum 300 feet

Building			
	Farm dwelling	Height	Maximum 45 feet
	Agricultural structures	Height	Maximum two times their distance from the nearest lot lines (See division 9)
Yards			
	Farm dwelling and agricultural structures	Rear	Minimum 100 feet
		Side	Minimum 20 feet except structures used for the housing of animals must be located at least 100 feet from all <u>side and rear</u> lot lines
		Street:	
		Subdivision road	Minimum 25 feet
		Town road	Minimum 50 feet
		County road	Minimum 65 feet
		State and federal highway (not including freeways)	Minimum 85 feet

1  
2        *A-2 Agricultural land district.*

3  
4        (3)     *Conventional design.*

5  
6        Area, height, and yard requirements.

7

Lot (farm size)		Area	Minimum 20 acres
		Width	Minimum 300 feet
Building		Height	Maximum 45 feet
	Farm dwelling and agricultural structures	Height	Maximum <u>45 feet</u> two times their distance from the nearest lot line (see division 9)
	<u>Agricultural structures</u>	<u>Height</u>	<u>Maximum two times their distance from the nearest lot line (see division 9)</u>
Yards			
	Farm dwelling and agricultural structures	Rear	Minimum 100 feet
	<u>Agricultural structures</u>	Side	Minimum 20 feet except structures used for the housing of animals must be 100 feet from all <u>side and rear</u> lot lines
		Street:	
		Subdivision road	Minimum 25 feet
		Town road	Minimum 50 feet
		County road	Minimum 65 feet
		State and federal hwy. (not including freeways)	Minimum 85 feet

8  
9        *A-3 Agricultural land holding district.*

1  
2  
3

(3) *Area, height and yard requirements.*

Lot (farm size)		Area	Minimum 35 acres
		Width	Minimum 300 feet
Building			
		Height	Maximum 45 feet
		Height	Maximum two times their distance from the nearest lot line (see division 9)
Yards			
		Rear	Minimum 100 feet
		Side	Minimum 20 feet except structures used for the housing of animals must be 100 feet from <u>side and rear</u> lot lines
		Street:	
		Subdivision road	Minimum 25 feet
		Town road	Minimum 50 feet
		County road	Minimum 65 feet
		State and federal highway (not including freeways)	Minimum 85 feet

4  
5  
6  
7  
8

*A-5 Agricultural-rural residential district.*

(4) *Area, height and yard requirements.*

Lot	Area	Minimum 40,000 square feet
	Width	Minimum 150 feet
Building	Height	Maximum 45 feet
Yards	Rear	Minimum 25 feet
	Side	Minimum 15 feet
	Street:	
	Subdivision road	Minimum 25 feet
	Town road	Minimum 50 feet
	Country road	Minimum 65 feet
	State and federal Highway (not including freeways)	Minimum 85 feet
	Animals	Structures used for the housing of animals must be located at least 100 feet from <del>all property</del> <u>side and rear</u> lot lines

9  
10  
11  
12

**PART III: That Section 74-52 of the Walworth County Code of Ordinances is hereby amended to read as follows (additions shown by underline; deletions shown by strike-through):**

1  
2 **“Sec. 74-52. Conservation districts.**

3  
4 *C-2 Upland resource conservation district.*

5  
6 (4) *Conventional design.*

7  
8 Area, height, and yard requirements:

9

Lot		Area	Minimum 5 acres
		Width	Minimum 300 feet
Building			
	Dwelling	Height	Maximum 45 feet
Yards			
	Dwelling and accessory structures	Rear	Minimum 100 feet
	Structures	Side	Minimum 20 feet except structures used for the housing of animals must be 100 feet from side and rear lot lines
		Street:	
		Subdivision road	Minimum 25 feet
		Town road	Minimum 50 feet
		County road	Minimum 65 feet
		State and federal highway (not including freeways)	Minimum 85 feet

10  
11 (6) *Conservation developments (five or more dwelling units).*

12

Lot size		Area:	Minimum 20,000 square feet
		Width:	Minimum 100 feet
Building:		Height:	Maximum 45 feet
	Yards:	Rear:	Minimum 20 feet
	Farm dwelling and agricultural structures	Side:	Minimum 10 feet from lot lines In the case of no lot lines minimum 20-foot dwelling separation
		Animals:	Structures used for the housing of animals shall be located at least 100 feet from all side and rear property lines
		Street:	
		Subdivision road	Minimum 40 feet
		Town road	Minimum 200 feet
		County road	Minimum 250 feet
		State and federal highways (not including freeways)	Minimum 300 feet

		Shore:	An absolute minimum shoreyard setback of 75 feet shall be provided. Shoreland setback averaging with adjacent parcels shall not be permitted.
--	--	--------	---

*C-3 Conservancy-residential district.*

(6) *Conservation developments (five or more dwelling units).*

Lot size		Area	Minimum 20,000 square feet
		Width	Minimum 100 feet
Building		Height	Maximum 45 feet
Yards		Rear	Minimum 20 feet
	Farm dwelling and agricultural structures	Side:	Minimum 10 feet from lot lines. In the case of no lot lines minimum 20-foot dwelling separation
		Street:	
		Subdivision road	Minimum 25 feet
		Town road	Minimum 150 feet
		County road	Minimum 200 feet
		State and federal highways (not including freeways)	Minimum 250 feet
		Shore	An absolute minimum shoreyard setback of 75 feet shall be provided. Shoreland setback averaging with adjacent parcels shall not be permitted.

**PART IV: That Section 74-54 of the Walworth County Code of Ordinances is hereby amended to read as follows (additions shown by underline; deletions shown by strike-through):**

**“Sec. 74-54. Residence districts.**

*R-1 Single-family residence district (unsewered).*

(6) *Conservation developments (five or more dwelling units).*

Lot size		Area	Minimum 20,000 square feet
		Width	Minimum 100 feet
Building		Height	Maximum 45 feet
Yards		Rear	Minimum 20 feet

	Farm dwelling and agricultural structures	Side	Minimum 10 feet from lot lines In the case of no lot lines minimum, 20-foot dwelling separation
		Street:	
		Subdivision road	Minimum 15 feet
		Town road	Minimum 100 feet
		County road	Minimum 125 feet
		State and federal highways (not including freeways)	Minimum 150 feet
		Shore	An absolute minimum shoreyard setback of 75 feet shall be provided. Shoreland setback averaging with adjacent parcels shall not be permitted

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**PART V: That Section 74-55 of the Walworth County Code of Ordinances is hereby amended to read as follows (additions shown by underline; deletions shown by strike-through):**

**“Sec. 74-55. Business districts.**

*B-1 Local business district.*

(1) *Principal uses.*

- a. Bakeries.
- ~~p~~ h. Barber shops.
- ~~b~~ c. Beauty shops.
- ~~q~~ d. Business offices.
- ~~e~~ e. Clinics.
- ~~r~~ f. Clothing and apparel stores.
- ~~d~~ g. Clubs.
- ~~s~~ h. Confectioneries.
- ~~e~~ i. Delicatessens.
- ~~t~~ j. Drug stores.

- 1 f k. Fish markets.  
2  
3 u l. Florists.  
4  
5 g m. Fruit stores.  
6  
7 v n. Gift stores.  
8  
9 h o. Grocery stores.  
10  
11 w p. Hardware stores.  
12  
13 i q. Hobby shops.  
14  
15 x r. Library.  
16  
17 j s. Meat markets (retail sales -- no slaughtering).  
18  
19 y t. Museum.  
20  
21 z u. Optical stores.  
22  
23 k y. Packaged beverage stores.  
24  
25 aa w. Professional offices.  
26  
27 † x. Restaurants.  
28  
29 bb y. Self service and pickup laundry and dry cleaning establishments.  
30  
31 m z. Sporting goods stores.  
32  
33 ee aa. Supermarkets.  
34  
35 n bb. Tobacco stores.  
36  
37 dd cc. Vegetable stores.  
38  
39 e dd. Antique shops.  
40  
41 ee. One residential dwelling unit when located within the principal business  
42 structure.  
43  
44 (2) *Conditional uses.*  
45

1                   q. One residential dwelling unit when located outside the principal business  
2                   structure.

3  
4 *B-2 General business district.*

5  
6 (2) *Conditional uses.*

7  
8                   k. Drive-in up banks.

9  
10                  l. ~~Drive in food and beverage e~~Establishments serving food or beverages for  
11                  consumption outside the principal structure.

12  
13                  ee. Shared parking.

14  
15                  ff. One residential dwelling unit when located outside the principal business  
16                  structure.

17  
18 *B-3 Waterfront business district.*

19  
20 (2) *Conditional uses.*

21  
22                  v. ~~Drive in food and beverage e~~Establishments serving food or beverages for  
23                  consumption outside the principal structure.

24  
25                  ff. Shared parking.

26  
27                  gg. One residential dwelling unit when located outside the principal business  
28                  structure.

29  
30 *B-4 Highway business district.*

31  
32 (2) *Conditional uses.*

33  
34                  s. ~~Drive in food and beverage e~~Establishments serving food or beverages for  
35                  consumption outside the principal structure.

36  
37                  t. Drive-in up banks.

38  
39                  dd. Shared parking.

40  
41                  ee. One residential dwelling unit when located outside the principal business  
42                  structure.

43  
44 *B-5 Planned commercial-recreational business district.*

1 (3) Area, height and yard requirements.

2  
3 Dwelling unit density (sewered).

Building	Height	Maximum, commercial structures 85 feet, residential structures 45 feet
Yards (interior)	Rear	Minimum 40 feet
	Side	Minimum 15 feet
	Street	Minimum 25 feet
Yards (perimeter <del>except</del> shore)		<del>Minimum 75 feet</del> Minimum 100 feet from the exterior boundary of the development parcel
<u>Yards (perimeter shore)</u>		<u>Minimum 75 feet</u>
Yards (street)	Subdivision	Minimum 25 feet
	Town road	Minimum 50 feet
	County road	Minimum 65 feet
	State and federal highways (not including freeways)	Minimum 85 feet
Open space		Minimum 70% of total lot area

5  
6  
7 **PART VI: That Section 74-56 of the Walworth County Code of Ordinances is hereby**  
8 **amended to read as follows (additions shown by underline; deletions shown by strike-**  
9 **through):**

10  
11 **“Sec. 74-56. Industrial districts.**

12  
13 *M-1 Industrial district.*

14  
15 (1) *Principal uses.*

16  
17 a. Automobile repair.

18  
19 a b. Automotive upholstery.

20  
21 ~~b~~ c. Cleaning, pressing and dying.

22  
23 e d. Commercial bakeries.

24  
25 ~~d~~ e. Commercial greenhouses.

26  
27 e f. Distributors.

28  
29 ~~f~~ g. Food locker plants.

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- g h. Printing.
- h i. Publishing.
- i j. Trade and contractors offices.
- j k. Warehousing.
- k l. Wholesaling.
- l m. Retail sales and service facilities, such as retail outlet stores, surplus goods stores, and restaurants and food service facilities, when established in conjunction with a permitted manufacturing or processing facility.
- m n. Proving grounds.
- n o. Manufacture, fabrication, processing or packaging of food but not including, because of noxious odors, cabbage, fish and fish products, meat and meat products, pea vining, and commercial egg production.”

**PART VII: That the Section 74-57 of the Walworth County Code of Ordinances is hereby repealed in its entirety:**

~~“Sec. 74-57. Wellhead protection overlay district—Town of Bloomfield Reserved.”~~

**PART VIII: That Section 74-58 of the Walworth County Code of Ordinances is hereby amended to read as follows (additions shown by underline; deletions shown by strike-through):**

**“Sec. 74-58. Application.**

*Pre-application for ~~subdivision/condominium~~ requests.* A pre-application meeting shall be required prior to the submittal of any conditional use request for subdivisions, condominiums or campgrounds of five or more units, or any conditional use request for commercial, industrial or manufacturing district with buildings 10,000 square foot or greater or upon applicant’s request. The pre-application process shall include a sketch plan prepared by a registered land surveyor and the applicable fee. The plans submitted shall be reviewed in a meeting scheduled by the county. The plans shall be reviewed for issues related to, but not limited to, platting, zoning, sanitation, stormwater, highway and parks. If a pre-application meeting is held during the changes and amendment (rezone) process, a pre-application meeting is not required during this process.

Application for conditional use permits and amendments shall be made to the county zoning administrator on forms furnished by the administrator and shall include the following where pertinent and necessary for proper review by the committee”

1  
2 **PART IX: That Section 74-59 of the Walworth County Code of Ordinances is hereby**  
3 **amended to read as follows (additions shown by underline; deletions shown by strike-**  
4 **through):**

5  
6 **“Sec. 74-59. Review and approval of conditional uses.**

7  
8 Compliance with all other provisions of this ordinance, such as lot width and area, yards,  
9 site regulations, height, parking, loading, traffic, highway access, and performance standards  
10 shall be required of all conditional uses. Variances and special exceptions shall only be granted  
11 as provided in division 10.

12  
13 Decisions. The committee may make a decision on conditional use applications at the  
14 next regularly scheduled meeting of the committee.

15  
16 Amendments. The committee may make a decision to amend a conditional use decision  
17 if the committee finds the amendment is in keeping with the purpose and intent of the original  
18 conditional use decision and receives town approval. Any addition or alteration to structures or  
19 improvements which exceed 25 percent of the structure size or increase by 25 percent or more of  
20 the intensity of use shall be subject to a new conditional use process.

21  
22 Appeals. All appeals regarding conditional uses shall be made to the Walworth County  
23 Circuit Court via certiorari. Appeals must be commenced seeking the remedy available by  
24 certiorari within 30 days after the filing of the decision by the committee.”

25  
26 **PART X: That Section 74-61 of the Walworth County Code of Ordinances is hereby**  
27 **amended to read as follows (additions shown by underline; deletions shown by strike-**  
28 **through):**

29  
30 **“Sec. 74-61. Agricultural and related uses.**

31  
32 (4) *Livestock sales ~~barns~~ facilities* in the A-1, A-3 and A-4 districts.

33  
34 (5) *Animal hospitals, shelters, and kennels* in the A-2, A-3, A-4 and ~~A-5~~ agricultural  
35 districts, ~~conservancy districts~~ C-2, C-3 and the B-2, ~~B-3~~, B-4 and B-5 business  
36 districts provided that the lot area is not less than five acres and further provided  
37 that, if animals are to be housed outside, there is a minimum building separation  
38 of 1,000 feet from the nearest residential structure existing at the time of the  
39 issuance of a zoning permit.”

40  
41 **PART XI: That Section 74-62 of the Walworth County Code of Ordinances is hereby**  
42 **amended to read as follows (additions shown by underline; deletions shown by strike-**  
43 **through):**

44  
45 **“Sec. 74-62. Recreational and related uses.**

1  
2 (4) *Yachting clubs and marinas* in the ~~P-s~~ P-1, P-2, C-1, C-2, B-4 and B-5 Districts.”

3  
4 **PART XII: That Section 74-64 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. 74-64. Commercial and related uses.**

9  
10 (2) ~~Drive-in~~ e*Establishments* serving food or beverages for consumption outside the  
11 principal structure in the B-2, B-3 and B-4 districts.

12  
13 (4) ~~Drive-in~~up *banks* in the B-2 and B-4 districts.

14  
15 (7) *Automobile and truck retail services.* Automobile repair services; tow lots; bars,  
16 taverns, night clubs, and dance halls; gasoline service stations; souvenir sales; and  
17 service, and installation of tires, batteries, and accessories in the B-4 highway  
18 business district.

19  
20 ~~(14)~~(13) *Signage provisions* under section 74-86 for on-premise signs in the B-1, B-2, B-3,  
21 B-4, B-5 zoning districts may be modified by the committee but no sign shall be  
22 closer than five feet to any property line.

23  
24 ~~(13)~~(14) *Planned unit developments* in the B-1, B-2, B-3, and B-4 districts, provided that  
25 no planned unit development shall be approved which includes uses not permitted  
26 in the given district. The district regulations, excluding exterior district setback  
27 requirements, may be modified by the committee provided that adequate open  
28 space shall be provided so that the average intensity and density of land use shall  
29 be no greater than that permitted for the district in which it is located. The proper  
30 preservation, care and maintenance by the original and all subsequent owners of  
31 the exterior design shall be assured by deed restriction. All common structures,  
32 facilities, essential services, access and open spaces shall also be assured by deed  
33 restrictions. Area, width and yard requirements of the district shall apply.  
34 Building separation: The minimum building separation shall be 30 unless  
35 modified by the committee, provided the minimum building separation is never  
36 reduced below 20 feet.”

37  
38 **PART XIII: That Section 74-67 of the Walworth County Code of Ordinances is hereby**  
39 **amended to read as follows (additions shown by underline; deletions shown by strike-**  
40 **through):**

41  
42 **“Sec. 74-67. Mineral extraction and related uses.**

43  
44 (3) *Restoration plan.* Submittal of a restoration plan, which shall include all pertinent  
45 data related to proposed restoration of the site. Elements of the plan may include

1 identification of natural features to be protected, proposed final contours  
2 (minimum contour interval of five feet vertical), type of fill, depth of restored  
3 topsoil, planting or reforestation, sodding or seeding, timing and completion data,  
4 or any other data applicable to the subject site. The restoration plan shall conform  
5 to the ~~standards specified by the county conservation standards~~ requirements of  
6 Article 6 Chapter 26 of the Nonmetallic Mining Reclamation Ordinance.  
7

8 **PART XIV: That Section 74-74 of the Walworth County Code of Ordinances is hereby**  
9 **amended to read as follows (additions shown by underline; deletions shown by strike-**  
10 **through):**

11 **“Sec. 74-74. Parking requirements.**

12  
13  
14 In all districts and in connection with every use, there shall be provided at the time any  
15 use or building is erected, enlarged, extended, or increased off-street parking stalls for all  
16 vehicles in accordance with the following:

17  
18 Number of Parking Stalls

19

Sanitariums, institutions, rest and nursing homes	1 stall for each <del>4</del> <u>5</u> beds plus 1 stall for each 3 employees
--	---

20  
21 **PART XV: That Section 74-83 of the Walworth County Code of Ordinances is hereby**  
22 **amended to read as follows (additions shown by underline; deletions shown by strike-**  
23 **through):**

24  
25 **“Sec. 74-83. Signs permitted in all agricultural and conservation districts.**

- 26  
27 (3) A sign appurtenant to an approved ~~conditional~~ use limited to one sign per parcel  
28 and does not exceed nine square feet in area, is located at least five feet from the  
29 road right-of-way, at least ten feet from a side property line and shall not exceed  
30 six feet in height and shall be located at least 50 feet from any intersection.”  
31

32 **PART XVI: That Section 74-90 of the Walworth County Code of Ordinances is hereby**  
33 **amended to read as follows (additions shown by underline; deletions shown by strike-**  
34 **through):**

35  
36 **“Sec. 74-90. Existing substandard structures.**

37  
38 The legal use of a structure (principal, conditional or accessory) existing at the time of the  
39 adoption or the amendment of this ordinance may be continued although the structure's size and  
40 or location does not conform to the required yard, height, traffic, parking, ~~loading~~, access,  
41 frontage and lot area provisions of this ordinance.  
42

1           (1)     Additions and enlargements to existing substandard structures (principal and/or  
2 accessory) are permitted and shall conform with the established building setback line of all side  
3 yard, street yard and rear yards, but may never be closer than five feet to any lot line, and shall  
4 conform to the required shoreyard, height, traffic, parking, ~~loading~~, and access provisions of this  
5 ordinance.

6  
7           (2)     Existing substandard structures (principal and/or accessory) which are damaged  
8 or destroyed by fire, explosion, flood, or other calamity, may be reconstructed to their original  
9 design (building envelope) and location (footprint) and any proposed additions and enlargements  
10 to the original design (building envelope) and/or location (footprint) shall conform with the  
11 established building setback lines of all side yard, street yard, and rear yards, but may never be  
12 closer than five feet to any lot line. Any proposed additions and enlargements shall conform to  
13 the required shoreyard, height, traffic, parking, ~~loading~~, and access provisions of this ordinance.

14  
15           (3)     Existing substandard structures (principal and/or accessory) may be moved,  
16 removed, razed, and reconstructed, or replaced to their original design (building envelope) and  
17 location (footprint) and any proposed additions and enlargements to the original design (building  
18 envelope) and/or location (footprint) shall conform with the established building setback lines of  
19 all side yard, street yard, and rear yards, but may never be closer than five feet to any lot line.  
20 Any proposed additions and enlargements shall conform to the required shoreyard, height,  
21 traffic, parking, ~~loading~~, and access provision of this ordinance.

22  
23           (4)     Any structure used for a principal or conditional use may maintain any  
24 substandard yards if that use is substituted with a principal use or conditional use in the same  
25 zone district provided the proposed structure or use requires lesser or equal setback requirements  
26 than the existing structure or use.

27  
28           (5)     The provisions of this section are applicable only if the lot or parcel conforms to  
29 the existing sanitary code requirements or is serviced by public sanitary sewer.”

30  
31 **PART XVII: That Section 74-92 of the Walworth County Code of Ordinances is hereby**  
32 **amended to read as follows (additions shown by underline; deletions shown by strike-**  
33 **through):**

34  
35 **“Sec. 74-92. Existing substandard lots.**

36  
37 ~~In any residential, conservation, or agricultural district, a one-family detached dwelling and its~~  
38 ~~accessory structures may be erected on an existing substandard legal lot or parcel~~ A legally  
39 created lot or parcel of record in the county register of deeds office before the effective date or  
40 amendment of this ordinance that met minimum area and minimum width requirements when  
41 created but does not meet current lot size requirements may be used as a building site, if all of  
42 the following apply; ~~provided such lot or parcel meets frontage requirements per section 74-39~~  
43 ~~and all the following minimum substandard lot requirements—and further provided that all~~  
44 ~~requirements of the county sanitary ordinance are met:~~

1           (a) The substandard lot or parcel was never reconfigured or combined with another  
2 lot or parcel by plat, survey, or consolidation by the owner into one property tax parcel.

3  
4           (b) The substandard lot or parcel has never been developed with one or more of its  
5 structures placed partly upon an adjacent lot or parcel.

6  
7           (c) The substandard lot or parcel is developed to comply with all other ordinance  
8 requirements, including but not limited to lot frontage requirements, core living area and  
9 foundation requirements, vision triangle, yard setbacks, height, parking, etc.  
10

Lot	Width	Minimum 50 feet (public sewerage); 65 feet (septic system).
	Area	Minimum 7500-square feet (public sewerage) 10,000 square feet (septic system).
Yards	Street	Minimum 25 feet; corner lots shall have two such yards.
	Rear	Minimum 25 feet from lot line.
(Sewered)	Side:	10 feet
(Unsewered)		Minimum 16 percent of the lot width on each side but not less than five feet from the lot line. See section 74-107.

11  
12 ~~Once a substandard lot has been changed or altered so as to comply with the standard provisions~~  
13 ~~of this article, it shall not revert back to a substandard lot. The combination of pre-platted lots~~  
14 ~~under one tax key number constitutes a change or alteration.”~~

15  
16 **PART XVIII: That Section 74-104 of the Walworth County Code of Ordinances is hereby**  
17 **amended to read as follows (additions shown by underline; deletions shown by strike-**  
18 **through):**

19  
20 **“Sec. 74-104. ~~Reduced frontage~~ Reserved.**

21  
22 ~~Additions in the street yard of existing structures may be permitted but shall not project~~  
23 ~~beyond the average of the existing street yards on the abutting lots or parcels.”~~

24  
25 **PART XIX: That Section 74-125 of the Walworth County Code of Ordinances is hereby**  
26 **amended to read as follows (additions shown by underline; deletions shown by strike-**  
27 **through):**

28  
29 **“Sec. 74-125. Initiation.**

30  
31 A petition for change or amendment may be made by any property owner in the area to  
32 be affected by the change or amendment, by the town board of any town wherein the ordinance

1 is in effect, by any member of the county board, or by the committee.

- 2
- 3 (1) *Limitation on applications.* A party shall not initiate action for a zoning change  
4 affecting the same land more often than once every 12 months unless there is a  
5 substantial change in the area or a change in use. The 12 months to be calculated  
6 from effective date of the committee's public hearing.
- 7
- 8 (2) *Pre-application for subdivision/condominium change or amendment requests.* A  
9 pre-application meeting shall be required prior to the submittal of a petition for  
10 any change to the district boundaries or amendments to the regulations for a  
11 subdivision/condominium or campground development of 5 or more units or  
12 changes to the A-4, B-1, B-2, B-3, B-4, B-5, M-1, M-2, M-3, M-4 on sites 2 acres  
13 or greater. The pre-application process shall include a sketch plan prepared by a  
14 registered land surveyor and the applicable fee. The plan submitted shall be  
15 reviewed in a meeting scheduled by the county. The plans shall be reviewed for  
16 issues related to, but not limited to, platting, zoning, sanitation, stormwater,  
17 highway and parks. If a pre-application meeting is held during the conditional use  
18 process, a pre-application meeting is not required during this process.”
- 19

20 **PART XX: That Section 74-131 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. 74-131. Definitions.**

25

26 Access and viewing corridor: a strip of vegetated land that allows safe pedestrian access  
27 to the shore through the vegetative buffer zone.

28

29 Camping: any parcel or tract of land maintained, intended or used for the purposes of  
30 supplying temporary or overnight accommodations to the public for the placement of trailers,  
31 tents, buses, automobiles, recreational vehicles or sleeping bags.”

32

33 **PART XXI: That Section 74-166 of the Walworth County Code of Ordinances is hereby**  
34 **amended to read as follows (additions shown by underline; deletions shown by strike-**  
35 **through):**

36

37 **“Sec. 74-166. Floodplain overlay regulations.**

38

39 (e) *Permitted Uses.* The following uses are permitted uses provided they are  
40 permitted in the zoning district and further provided it is not prohibited by any other ordinance.  
41 All floodplain uses permitted under this section shall use, as a flood protection elevation, a  
42 height corresponding to two feet above the flood profile for the particular area. No use shall  
43 obstruct flow or increase regional flood height due to floodplain storage area lost.

- 44
- 45 (1) Functionally water-dependent uses that comply with and/or receives permit

1 approval from the department of natural resources, under chapters 30 and 31 of  
2 Wisconsin Statutes, such as docks, piers, wharves, culverts, ditches, canals, dams,  
3 bridges, bulkheads, navigational aids, flowage areas, river crossings of utility  
4 transmission lines and pipelines, public water measuring and control facilities,  
5 utility poles, towers, and underground conduit for transmitting electricity,  
6 telephone, cable television, natural gas, municipal water supply and sanitary  
7 sewerage systems and similar products and services, subject to obtaining  
8 amendments to the floodplain lines, water surface profiles, BFE's established in  
9 the FIS, or other data from the officially adopted FIRM, or other floodplain  
10 zoning maps or the floodplain zoning ordinance are made according to Div. 12.

11  
12 (f) *Conditional uses.* Uses not prohibited or those uses listed below are conditional  
13 uses provided the use is also permitted in the zoning district and the applicant can meet the  
14 requirements and conditions of 74-187.

15  
16 (1) Wetland restoration projects: The applicant must demonstrate that the project  
17 restores or improves functional values, by the installation of best management  
18 practices, including increasing flood and storm water storage, maintaining  
19 groundwater recharge-discharge, enhanced fisheries and wildlife habitat,  
20 improved filtration or storage of sediments, nutrients, and toxins, improved  
21 shoreline protection against erosion and any additional wetland functional values.  
22 Any damages occurring from wetland restoration will be the responsibility of the  
23 applicant(s). Legal arrangements must be made with all affected landowners prior  
24 to construction by applicant(s). This is not a mitigation policy, allowing filling of  
25 wetlands, but a restoration policy.

26  
27 (2) Water course alterations subject to written notification to all adjacent  
28 municipalities, the department of natural resources and FEMA regional offices.  
29 The applicant is further required to secure all necessary state and federal permits.  
30 The flood carrying capacity of any altered or relocated watercourse shall be  
31 maintained. As soon as is practicable, but not later than six months after the date  
32 of the watercourse alteration or relocation, the applicant shall provide the zoning  
33 administrator with the appropriate technical or scientific data in accordance with  
34 NFIP guidelines that shall be used to revise the FIRM, risk premium rates and  
35 floodplain management regulations as required. The zoning administrator shall  
36 notify FEMA of such technical or scientific data.

37  
38 (3) Maintenance of existing driveway located in the floodplain, that was legally  
39 installed prior to the adoption of floodplain maps, if emergency services can be  
40 provided during the regional flood.

41  
42 (3) (4) For nonconforming structures that are damaged or destroyed by a nonflood  
43 disaster, the repair or reconstruction of any such nonconforming structure may be  
44 permitted in the footprint and envelope by the committee in compliance with 74-  
45 187 in order to restore it after the nonflood disaster, provided that the

1 nonconforming structure will meet all the minimum requirements under  
2 applicable FEMA regulations (44 CFR Part 60), or the regulations promulgated  
3 thereunder.  
4

5 (4) (5) Nonconforming historic structure, not designed for human habitation, on the  
6 historic registry may be altered if the alteration will not preclude the structures  
7 continued designation as a historic structure, if flood resistant materials are used  
8 and if construction practices and floodproofing methods are used.  
9

10 (5) (6) Any structure or improvement not prohibited in this floodplain overlay district are  
11 conditional uses requiring review and approval by the committee.”  
12

13 **PART XXII: That Section 74-167 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. 74-167. Shoreland regulations.**  
18

19 Boathouse: Boathouses shall not extend below the ordinary high water mark, shall be  
20 located within the access/viewing corridor, shall not be located on lands having a slope of 12  
21 percent or greater, shall be located so as to minimize earth disturbing activities and shoreland  
22 vegetation removal, and shall be designed exclusively for the storage of watercraft and related  
23 marine equipment and shall not be used for human habitation or commercial purposes. A  
24 boathouse with rooms above or within, used for purposes other than the storage of watercraft and  
25 related marine equipments, shall not be deemed to be a boathouse. Fireplaces, patio doors,  
26 plumbing, heating, cooking facilities, or any features inconsistent with the use of the structure  
27 exclusively as a boathouse are not permitted in or on boathouses. The highest point of the roof  
28 elevation of the boathouse shall not be more than 14 feet in height measured from the lowest  
29 finished grade along the structure to the highest roofline of the structure, including the roofs of  
30 architectural projections; shall not exceed 400 square feet in horizontal area covered, and shall  
31 not be closer than three feet to any side lot line. Railings shall not be placed on top of the  
32 boathouse, nor shall boathouse roofs be designed to provide general outdoor living space, i.e., as  
33 a deck. Only one boathouse is permitted on a lot as an accessory structure.  
34

35 ~~Shoreyards may be reduced to the average of the shoreyards of the principle structures~~  
36 ~~existing on the abutting properties within a distance of 100 feet of the subject site but shall not be~~  
37 ~~reduced to less than 40 feet.~~  
38

39 Where there is an existing development pattern, the shoreyard setback for a proposed  
40 principal structure may be reduced to the average shoreyard setback of the principal structure on  
41 each adjacent lot within 250 feet of the proposed principal structure. The shoreyard setback may  
42 not be reduced to less than 35 feet from the ordinary high-water mark of any navigable waters.  
43

44 Walworth County shall grant zoning permit approvals for the construction or placement of a  
45 structure on property in a shoreyard setback area if all of the following apply:  
46

46 Stairway, walkway, lift, piers, and wharves: Stairway, lift and walkway and that portion

1 of piers and wharves landward of the ordinary high water mark are exempted from the shoreland  
2 setback requirements provided that the structure is necessary to access the shoreline because of  
3 steep slopes or wet, unstable soils and is located within the access/viewing corridors. Further,  
4 the structure shall be located so as to minimize earth disturbing activities and shoreland  
5 vegetation removal during construction. The structure shall be no more than 48 60 inches wide;  
6 open railings are permitted only where required by safety concerns; canopies, roofs, and closed  
7 railings/walls on such structures are prohibited; landings for stairways or docks are permitted  
8 only where required by safety concerns and shall not exceed 25 feet in area.”  
9

10 **PART XXIII: That Section 74-171 of the Walworth County Code of Ordinances is hereby**  
11 **amended to read as follows (additions shown by underline; deletions shown by strike-**  
12 **through):**  
13

14 **“Sec. 74-171. Pet and animal regulations.**

15  
16 (a) Household pets shall be permitted in all zoning districts; provided that not more  
17 than four dogs or four cats are kept on any one premises, and provided further that no animals or  
18 pets are bred or reared on such premises for commercial purposes or sold therefrom.  
19 Notwithstanding and foregoing, however, offspring of permitted household pets may be kept and  
20 sold from the premises for a period of up to eight months.  
21

22 (b) All animals other than household pets shall be permitted only in the agricultural,  
23 C-2 and C-4 conservation, P-1 and P-2 park districts and the B-5 business district. Structures  
24 used for the housing of animals, other than household pets, must be located at least 100 feet from  
25 all the side and rear property lines. Livestock structures for a livestock facility for fewer than  
26 1,000 animal units shall be at least 100 feet from all property lines, wetland boundaries and  
27 floodplain boundaries. Livestock structures for a livestock facility for 1,000 animal units or more  
28 shall be at least 200 feet from property lines, wetland boundaries and floodplain boundaries and  
29 150 feet from an access right-of-way. (DATCP 51.12(1)(a) & (b))”  
30

31 **PART XXIV: That Section 74-178 of the Walworth County Code of Ordinances is hereby**  
32 **amended to read as follows (additions shown by underline; deletions shown by strike-**  
33 **through):**  
34

35 **“Sec. 74-178. Agricultural districts.**

36  
37 *A-1 Prime agricultural land district.*

38  
39 (1) *Principal uses.*

40  
41 *a t.* Apiculture (beekeeping).

42  
43 *t u.* Roadside stands not exceeding one per farm, limited to a structure having  
44 a ground area of not more than 300 sq. ft., not permanently fixed to the  
45 ground, readily removable in its entirety, not fully enclosed and to be used  
46 solely for the sale of farm products produced on the premises (or adjoining

premises).

(2) *Conditional uses.* (See division 4.)

b. Housing for seasonal workers.

k. Sewage disposal plants.

l. Airports, airstrips, landing fields and heliports, which are related to agricultural activities, including those which are used to assist the owner or operator with a means of transportation to and from the property.

m. Governmental and cultural uses, such as fire stations, community centers, libraries, public emergency shelters, parks, playgrounds, museums, and park-and-ride facilities.

n. Utilities, provided all principal structures and uses associated with the utility are not less than 50 feet from all district lot lines except business, park and industrial.

o. Schools and churches.

p. Composting.

q. Home occupations.

r. More than one farm dwelling. If approval is granted for more than one farm dwelling, each additional dwelling may be separated from the farm lot provided that any parcel so created conforms with all regulations set forth in sections 74-165 and 74-166 of this ordinance, except that no such parcel shall be less than 40,000 square feet in area nor greater than the larger of either five acres in area or the acreage necessary to maintain the minimum required setbacks.

s. Farm family business.

t. Hunting and fishing club land without structures.

u. Slurry storage for industrial waste water of agricultural by products.

(3) *Area, height and yard requirements.*

Lot (farm size) building	Area	Minimum 35 acres
	Width	Minimum 300 feet
Building		

	Farm dwelling and agricultural structures	Height	Maximum 45 feet
		Height	Maximum two times their distance from the nearest lot lines (see division 9)
Yards		Rear	Minimum 100 feet
	Farm dwelling and agricultural structures	Side Rear	Minimum 20 feet
		Animals Side	Minimum 20 feet except structures used for the housing of animals must be located at least 100 feet from all side and rear lot lines
		Street:	
		Subdivision road	Minimum 25 feet
		Town road	Minimum 50 feet
		County road	Minimum 65 feet
		State and federal highways (not including freeways)	Minimum 85 feet
		Minimum 75 feet	
	Shore		

*A-2 Agricultural land district.*

(3) *Conventional design.*

Area, height and yard requirements.

Lot (farm size)		Area	Minimum 20 acres
		Width	Minimum 300 feet
Building		Height	Maximum 45 feet
	Farm dwelling and agricultural structures	Height	Maximum two times their distance from the nearest lot line (see division 9) 45 feet
	Agricultural structures	Height	Maximum two times their distance from the nearest lot line (see division 9)
Yards		Rear	Minimum 100 feet
	Farm dwelling and agricultural structures	Side	Minimum 20 feet
		Animals Side	Minimum 20 feet except structures used for the housing of animals must be located at least 100 feet from all side and rear lot lines
		Street:	
		Subdivision road	Minimum 25 feet
		Town road	Minimum 50 feet
		County road	Minimum 65 feet
		State and federal highways (not including freeways)	Minimum 85 feet

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		Shore	Minimum 75 feet
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*A-3 Agricultural land holding district.*

(3) *Area, height and yard requirements.*

Lot (farm size)		Area	Minimum 35 acres
		Width	Minimum 300 feet
Building		Height	Maximum 45 feet
	Farm dwelling and agricultural structures	Height	Maximum two times their distance from the nearest lot line (See division 9) 45 feet
	Agricultural structures	Height	Maximum two times their distance from the nearest lot line (See division 9)
Yards		Rear	Minimum 100 feet
	Farm dwelling and agricultural structures	Rear	Minimum 20-100 feet
		Animals Side	Minimum 20 feet except Structures used for the housing of animals must be located at least 100 feet from all side and rear lot lines
		Street	
		Subdivision road	Minimum 25 feet
		Town road	Minimum 50 feet
		County road	Minimum 65 feet
		State and federal highways	Minimum 85 feet (not including freeways)
		Shore	Minimum 75 feet

*A-5 Agricultural-rural residential district.*

(4) *Area, height and yard requirements.*

Lot:	Area:	Minimum 40,000 square feet
	Width:	Minimum 150 feet
Building:	Height:	Maximum 45 feet
Yards:	Rear:	Minimum 25 feet
	Side:	Minimum 15 feet
Street:		
	Subdivision road	Minimum 25 feet
	Town road	Minimum 50 feet
	County road	Minimum 65 feet
	State and federal highways (not including freeways):	Minimum 85 feet
	Shore:	Minimum 75 feet

	Animals:	Structures used for the housing of animals must be located as <u>at least 100 feet from all property side and rear lot lines</u>
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**PART XXV: That Section 74-179 of the Walworth County Code of Ordinances is hereby amended to read as follows (additions shown by underline; deletions shown by strike-through):**

**“Sec. 74-179. Conservation districts.**

*C-2 Upland resource conservation district.*

(4) *Conventional design.*

Area, height and yard requirements.

Lot		Area	Minimum 5 acres
		Width	Minimum 300 feet
Building		Height	Maximum 45 feet
Yards	Dwelling	Height	Maximum 45 feet
Yards			
	Dwelling and accessory structures	Rear	Minimum 100 feet
		Side	Minimum 20 feet except structures used for the housing of animals must be 100 feet from <u>side and rear lot lines</u>
		Street:	
		Subdivision road	Minimum 25 feet
		Town road	Minimum 50 feet
		County road	Minimum 65 feet
		State and federal highway (not including freeways)	Minimum 85 feet
		Shore	Minimum 75 feet
		Animals	Structures used to house animals must be located at least 100 feet from all property lines

(6) *Conservation developments (five or more dwelling units).*

Lot size		Area	Minimum 40,000 sq. ft.
		Width	Minimum 150 feet
Building		Height	Maximum 45 feet
Yards	Yards	Rear	Minimum 20 feet
	Farm dwelling and agricultural structures	Side	Minimum 10 feet from lot lines In the case of no lot lines minimum 20-foot dwelling separation

		Animals	Structures used for the housing of animals shall be located at least 100 feet from all side and rear property lines
		Street:	
		Subdivision road	Minimum 40 feet
		Town road	Minimum 200 feet
		County road	Minimum 250 feet
		State and federal highways (not including freeways)	Minimum 300 feet
		Shore	An absolute minimum shoreyard setback of 75 feet shall be provided. Shoreland setback averaging with adjacent parcels shall not be permitted

*C-3 Conservancy-residential district.*

(6) *Conservation developments (five or more dwelling units).*

Lot size		Area	Minimum 40,000 square feet
		Width	Minimum 150 feet
Building		Height	Maximum 45 feet
Yards		Rear	Minimum 20 feet
	Farm dwelling and agricultural structures	Side	Minimum 10 feet from lot lines. In the case of no lot lines, minimum 20-foot dwelling separation
		Street:	
		Subdivision road	Minimum 25 feet
		Town road	Minimum 150 feet
		County road	Minimum 200 feet
		State and federal highways (not including freeways)	Minimum 250 feet
		Shore	An absolute minimum shoreyard setback of 75 feet shall be provided. Shoreland setback averaging with adjacent parcels shall not be permitted

*C-4 Lowland resource conservation district.*

(1) *Designation.* The C-4 district includes all shorelands in the jurisdiction of this ordinance which are designated as wetlands on the Final Wisconsin Wetland Inventory Maps, dated June 27, 1983 that are hereby adopted and made a part of this ordinance.

(2) *Permitted uses:* means the following uses are permitted, subject to general shoreland zoning regulations in section 74-166 and 74-167 of this ordinance, the provisions of Wis. Stats. ch. 30 and 31, and the provisions of other state and federal laws, if applicable:

- a. Activities and uses ~~which do not require the issuance of a zoning permit but~~ which must be carried on without filling, flooding, draining, dredging, ditching, tiling or excavating:
- b. Uses which ~~do not require the issuance of a zoning permit and~~ which may include limited filling, flooding, draining, dredging, ditching, tiling, or excavating to the extent specifically provided below:
- c. Uses which are allowed upon the issuance of a ~~zoning permit (or conditional use permit as specified under division 4-)~~:

(3) *Prohibited uses.* Any use not listed in this section ~~74-179~~ is prohibited, unless the wetland or a portion of the wetland has been rezoned by amendment of this ordinance in accordance with Wis. Stats. § 59.69(5)(e), NR ch. 115, Wisconsin Administrative Code, and section 74-260 of this ordinance.”

**PART XXVI: That Section 74-181 of the Walworth County Code of Ordinances is hereby amended to read as follows (additions shown by underline; deletions shown by strike-through):**

**“Sec. 74-181. Residence districts.**

*R-1 Single-family residence district (unsewered).*

(6) *Conservation developments (five or more dwelling units).*

Lot size		Area	Minimum 40,000 sq. ft.
		Width	Minimum 150 feet
Building		Height	Maximum 45 feet
Yards		Rear	Minimum 20 feet
	Farm dwelling and agricultural structures	Side	Minimum 10 feet from lot lines. In the case of no lot lines, minimum 20-foot dwelling separation
		Street:	
		Subdivision road	Minimum 15 feet
		Town road	Minimum 100 feet

*R-2A Single-family residence district (sewered).*

(5) *Conservation developments (five or more dwelling units).*

Lot size	Area	Minimum <del>50,000</del> <u>40,000</u> square feet
	Width	Minimum 100 feet
Building	Height	Maximum 45 feet
Yards	Rear	Minimum 25 feet
	Side	Minimum 10 feet from lot lines. In the case of no lot lines, minimum 20-foot dwelling separation
	Street:	
	Subdivision road	Minimum 15 feet
	Town road	Minimum 100 feet
	County road	Minimum 125 feet
	State and federal highways (not including freeways):	Minimum 150 feet
	Shore	An absolute minimum shoreyard setback of 75 feet shall be provided. Shoreland setback averaging with adjacent parcels shall not be allowed

1  
2 **PART XXVII: That Section 74-182 of the Walworth County Code of Ordinances is hereby**  
3 **amended to read as follows (additions shown by underline; deletions shown by strike-**  
4 **through):**

5  
6 **“Sec. 74-182. Business districts.**

7  
8 *B-1 Local business district.*

9  
10 (1) *Principal uses.*

11  
12 s. Meat markets (retail sales – no slaughtering).

13  
14 (2) *Conditional uses. (See division 4.)*

15  
16 q. One residential dwelling unit when located outside the principal business  
17 structure.

18  
19 (3) *Area, height and yard requirements.*

20

Lot: (sewered)	Area:	Minimum 7,500 square feet
	Width:	Minimum 75 feet
Lot: (Unsewered)	Area	Minimum 40,000 square feet in lot area per principal use or structure and sufficient area to meet off-street parking and loading requirements.
	Width	Minimum 150 feet
Building:	Height:	Maximum 45 feet

Yards:	Rear:	Minimum 20 30 feet
	Side:	Minimum 10 feet
	Street:	
	Subdivision road	Minimum 25 feet
	Town road	Minimum 50 feet
	County road	Minimum 65 feet
	State and federal highways:	Minimum 85 feet (not including freeways)
	Shore:	Minimum 75 feet

1  
2 *B-2 General business district.*

3  
4 (2) *Conditional uses. (See division 4.)*

5  
6 k. ~~Drive-in~~ up banks.

7  
8 l. ~~Drive-in food and beverage e~~Establishments serving food or beverages for  
9 consumption outside the principal structure.

10  
11 ff. One residential dwelling unit when located outside the principal business  
12 structure.

13  
14 *B-3 Waterfront business district.*

15  
16 (2) *Conditional uses. (See division 4.)*

17  
18 v. ~~Drive-in food and beverage e~~Establishments serving food or beverages for  
19 consumption outside the principal structure.

20  
21 gg. One residential dwelling unit when located outside the principal business  
22 structure.

23  
24 *B-4 Highway business district.*

25  
26 (2) *Conditional uses. (See division 4.)*

27  
28 s. ~~Drive-in food and beverage e~~Establishments serving food or beverages for  
29 consumption outside the principal structure.

30  
31 t. ~~Drive-in~~ up bank.

32  
33 ee. One residential dwelling unit when located outside the principal business  
34 structure.”

35  
36 **PART XXVIII: That the Section 74-184 of the Walworth County Code of Ordinances is**  
37 **hereby repealed in its entirety:**

1  
2 **~~“Sec. 74-184. Wellhead protection overlay district—Town of Bloomfield Reserved.”~~**

3  
4 **PART XXIX: That Section 74-185 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. 74-185. Application.**

9  
10 *Pre-application for subdivision/condominium requests.* A pre-application meeting shall  
11 be required prior to the submittal of any conditional use request for subdivisions, condominiums,  
12 campgrounds of 5 or more units or any conditional use request for commercial, industrial or  
13 manufacturing district with buildings 10,000 square foot or greater or upon applicant’s request.  
14 The pre-application process shall include a sketch plan prepared by a registered land surveyor  
15 and the applicable fee. The plans submitted shall be reviewed in a meeting scheduled by the  
16 county. The plans shall be reviewed for issues related to, but not limited to, platting, zoning,  
17 sanitation, stormwater, highway and parks. If a pre-application meeting is held during the  
18 changes and amendment (rezone) process, a pre-application meeting is not required during this  
19 process.

20  
21 Application for conditional use permits and amendments shall be made to the county  
22 zoning administrator on forms furnished by the administrator and shall include the following  
23 where pertinent and necessary for ~~property~~ proper review by the committee”

24  
25 **PART XXX: That Section 74-186 of the Walworth County Code of Ordinances is hereby**  
26 **amended to read as follows (additions shown by underline; deletions shown by strike-**  
27 **through):**

28  
29 **“Sec. 74-186. Review and approval of conditional uses.**

30  
31 Compliance with all other provisions of this ordinance, such as lot width and area, yards,  
32 site regulations, height, parking, loading, traffic, highway access, and performance standards,  
33 shall be required of all conditional uses. Variances and special exceptions shall only be granted  
34 as provided in division 10.

35  
36 **Decisions.** The committee may make a decision on conditional use applications at the  
37 next regularly scheduled meeting of the committee.

38  
39 **Amendments.** The committee may make a decision to amend a conditional use decision  
40 if the committee finds the amendment is in keeping with the purpose and intent of the original  
41 conditional use decision and receives town approval. Any addition or alteration to structures or  
42 improvements which exceed 25 percent of the structure size or increase by 25 percent or more of  
43 the intensity of use shall be subject to a new conditional use process.

44  
45 **Appeals.** All appeals regarding conditional uses shall be made to the county circuit court

1 via certiorari. Appeals must be commenced seeking the remedy available by certiorari within 30  
2 days after the filing of the decision by the committee.”

3  
4 **PART XXXI: That Section 74-188 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. 74-188. Agricultural and related uses.**

9  
10 Except where specifically permitted as a principal use in division 3, the following  
11 agricultural and related uses shall be conditional uses and may be permitted as specified. All  
12 conditional uses in the A-1 district are limited to those that are consistent with agricultural use  
13 and found to be necessary in light of alternative locations available for any such uses (Wis. Stats.  
14 ch. 91.01(10)). In approving or disapproving the location of a conditional use, the committee  
15 shall view the proposed site or sites and shall consider each evidence as may be presented at the  
16 public hearing bearing upon the general purpose and intent of this ordinance set forth in section  
17 74-153 and 74-154 and upon the particular land use problems related to development of the site  
18 or sites as proposed.

19  
20 (1) Single-family dwellings exceeding one per farm in A-1, A-2, and A-3 districts  
21 provided, however, that such dwellings may only be permitted when consistent with an  
22 agricultural use and that are occupied by an owner of the parcel, or a person who, or a family of  
23 which at least one adult member earns the majority of his or her gross income from conducting  
24 the farm operations on the parcel, or a parent or child of an owner who conducts the majority of  
25 the farm operations on the parcel, or a parent or child of an owner who resides on the parcel and  
26 who previously conducted the majority of the farm operations on the parcel and laborers  
27 principally engaged in a principal or approved conditional use and only when the need for such  
28 additional units to support and carry on the principal or approved conditional use has been  
29 established. If conditional use approval is granted for one or more additional dwellings, such  
30 dwellings may be separated from the farm lot provided however, that any parcel so created  
31 conforms with all regulations set forth in sections 74-164 and 74-165 of this ordinance, except  
32 that no such parcel shall be less than 40,000 square feet in area nor greater than the larger of  
33 either five acres in area or the acreage necessary to maintain the minimum required setbacks.

34  
35 (2) Housing for migratory or seasonal farm workers in the A-1, A-2, and A-3  
36 districts.

37  
38 (3) Commercial feed lots/livestock facility in the A-1, A-2, and A-4 districts in  
39 accordance with the provisions of Wis. Stats. § 93.90, and ATCP 51 of Wis. Administrative  
40 Rules, if applicable, inclusive of all future amendments to any provisions of those sections of the  
41 Wisconsin Statutes and Administrative Rule. Applications for livestock facilities shall be  
42 approved unless the committee finds based on clear and convincing information and  
43 documentation that the application does not comply with requirements of the regulations.

44  
45 (4) Livestock sales facilities in the A-1, A-3 and A-4 districts.

1           (5)     Animal hospitals, shelters, and kennels in the A-2, A-3, A-4, and ~~A-5~~ agricultural  
2 ~~districts, and conservancy districts C-2, C-3~~ and the B-2, ~~B-3~~, B-4 and B-5 business districts  
3 provided that the lot area is not less than five acres and further provided that if animals are to be  
4 housed outside, there is a minimum building separation of 1,000 feet from the nearest residential  
5 structure existing at the time of the issuance of a zoning permit.

6  
7           (6)     Veterinarian services in the A-2 and A-4 districts.

8  
9           (7)     Commercial stables in the A-2, A-4, C-2, P-1, P-2 and B-5 districts. Tack rooms  
10 associated with commercial stables shall be used only by the owner and boarders.

11  
12           (8)     Commercial stables with horse shows and tack shop that permits off-site retail  
13 sales in the A-4 and P-1 districts.

14  
15           (9)     Commercial raising and propagation of fur-bearing animals in the A-1, A-2, and  
16 A-3 districts.

17  
18           (10)    Commercial egg production in the A-1, A-2, and A-3 districts.

19  
20           (11)    Land restoration in the A-1, A-2, A-3, A-4, and C-2 districts when conducted in  
21 accordance with the county conservation standards. Any project designed and certified by  
22 NRCS, Land Conservation or the Department of Natural Resource Fish and Wildlife or water  
23 quality ponds may be exempt from the conditional use process.

24  
25           (12)    Agricultural-related manufacturing, warehousing, and marketing activities in the  
26 A-4 district, including contract sorting, grading, and packaging services for fruits and vegetables;  
27 corn shelling, hay baling, and threshing services; spring water bottling, grist mill services;  
28 horticultural services; poultry hatchery services; production of animal and marine fat and oil;  
29 canning of fruits, vegetables, preserves, jams, and jellies; canning of specialty foods; preparation  
30 of cereals; production of natural and processed cheese; production of chocolate and cocoa  
31 products; coffee roasting and production of coffee products; production of condensed and  
32 evaporated milk; wet milling of corn; cottonseed oil milling; production of creamery butter;  
33 drying and dehydrating fruits and vegetables; preparation of feeds for animal and fowl;  
34 production of flour and other grain mill products; blending and preparing of flour; fluid milk  
35 processing; production of frozen fruits, fruit juices, vegetables, and other specialties; malt  
36 production, meat packing, fruit and vegetable pickling, vegetable sauces and seasoning, and  
37 salad dressing preparation; poultry and small game dressing and packing, providing that all  
38 operations be conducted within an enclosed building; milling of rice; production of sausages and  
39 other meat products, providing that all operations be conducted within an enclosed building;  
40 production of shortening, table oils, margarine and other edible fats and oils; milling of soy bean  
41 oil; milling of vegetable oil; sugar processing and production; production of wine, brandy, and  
42 brandy spirits; farm food service; livestock sales facilities; grain elevators and bulk storage of  
43 feed grain; fertilized production, sales, mixing, storage and blending; sales of farm implements  
44 and related equipment; and transportation-related activities primarily serving the basic  
45 agricultural industry. Any outside storage or display areas in conjunction with the above

1 commercial and related uses may be permitted by the committee after considering such evidence  
2 as may be presented at the public hearing bearing upon the general purpose and intent of this  
3 ordinance. In no case shall the area be closer than 25 feet to any right-of-way.  
4

5 Placement of structures in the A-1, prime agricultural land district, A-2, agricultural land  
6 district and A-3, agricultural holding district on parcels where the separation of farm structures  
7 has been approved and separated.  
8

9 Farm family business is a use which is accessory to an agricultural use consisting of uses  
10 listed in the A-4 district except the production, packing, packaging, and light assembly of  
11 products from glass, metals, plaster, and plastics. A farm family business may be permitted as a  
12 conditional use for farm owners if limited to existing farm residence or farm structures not  
13 dedicated to agricultural uses. No more than two persons who are not members of the resident  
14 farm family may be employed in the farm family business (see Wis. Stats. 91.75(8))  
15

16 (13) Signage for approved business on A-4 provided the sign is located at least five  
17 feet from property lines.  
18

19 (14) Off-season storage facilities for boats, and other recreational vehicles, such as  
20 campers, travel trailers, snowmobiles, off-road vehicles, and motor homes in the A-4 district.  
21 Any outside storage or display areas in conjunction with this use may be permitted by the  
22 committee after considering such evidence as may be presented at the public hearing bearing  
23 upon the general purpose and intent of this ordinance. In no case shall areas be closer than 25  
24 feet to any right-of-way.  
25

26 (15) Hunting and fishing club land without structures in the A-1 zoning district.  
27

28 (16) Retail sales related to those agricultural uses listed in A-4. The retail sales of  
29 ancillary non-agricultural items is subject to detailed plan approval by the committee.”  
30

31 **PART XXXII: That Section 74-191 of the Walworth County Code of Ordinances is hereby**  
32 **amended to read as follows (additions shown by underline; deletions shown by strike-**  
33 **through):**  
34

35 **“Sec. 74-191. Commercial and related uses.**  
36

37 (2) ~~Drive-in~~ Establishments serving food or beverages for consumption outside the  
38 principal structure in the B-2, B-3, and B-4 districts.  
39

40 (4) ~~Drive-in~~ up banks in the B-2 and B-4 districts.  
41

42 (7) Automobile and truck ~~rental~~ retail services: Automobile repair services; Tow lots;  
43 bars, taverns, night clubs, and dance halls; gasoline service stations; souvenir  
44 sales; and service and installation of tires, batteries, and accessories in the B-4,  
45 highway business district.”

1  
2 **PART XXXIII: That Section 74-194 of the Walworth County Code of Ordinances is**  
3 **hereby amended to read as follows (additions shown by underline; deletions shown by**  
4 **strike-through):**

5  
6 **“Sec. 74-194. Mineral extraction and related uses.**

- 7  
8 (3) *Restoration plan.* Submittal of a restoration plan, which shall include all pertinent  
9 data related to the proposed restoration of the site. Elements of the plan may  
10 include identification of natural features to be protected, proposed final contours  
11 (minimum contour interval of five feet vertical), type of fill, depth of restored  
12 topsoil, planting or reforestation, sodding or seeding, timing and completion data,  
13 or any other data applicable to the subject site. The restoration plan shall conform  
14 to the ~~standards specified by the county conservation standards~~ requirements of  
15 Article 6 Chapter 26 of the Nonmetallic Mining Reclamation Ordinance.”  
16

17 **PART XXXIV: That Section 74-203 of the Walworth County Code of Ordinances is**  
18 **hereby amended to read as follows (additions shown by underline; deletions shown by**  
19 **strike-through):**

20  
21 **“Sec. 74-203. Parking requirements.**

22

Hospitals, clubs, lodges, sororities, dormitories, lodgings, and boarding houses	1 stall for each <del>guest</del> <u>room 4 beds</u> plus 1 stall for each 3 employees
---	---

23  
24 **PART XXXV: That Section 74-212 of the Walworth County Code of Ordinances is hereby**  
25 **amended to read as follows (additions shown by underline; deletions shown by strike-**  
26 **through):**

27  
28 **“Sec. 74-212. Signs permitted in all agricultural and conservation districts.**

- 29  
30 (3) A sign appurtenant to an approved ~~conditional~~ use limited to one sign per parcel  
31 and does not exceed nine square feet in area, is located at least five feet from the  
32 road right-of-way, at least ten feet from a side property line and shall not exceed  
33 six feet in height and shall be located at least 50 feet from any intersection.”  
34

35 **PART XXXVI: That Section 74-219 of the Walworth County Code of Ordinances is**  
36 **hereby amended to read as follows (additions shown by underline; deletions shown by**  
37 **strike-through):**

38  
39 **“Sec. 74-219. Existing substandard structures.**

40  
41 The legal use of a structure (principal, conditional or accessory) existing at the time of the

1 adoption or amendment of this ordinance may be continued although the structure's size and/or  
2 location does not conform to the required yard, height, traffic, parking, ~~loading~~, access, frontage  
3 and lot area provisions of this ordinance.

- 4
- 5 (1) Additions and enlargements to existing substandard structures (principal and/or  
6 accessory) are permitted and shall conform with the established building setback  
7 line of all side yard, street yard and rear yards, but may never be closer than five  
8 feet to any lot line, and shall conform to the required shoreyard, height, traffic,  
9 parking, ~~loading~~, and access provisions of this ordinance.
- 10
- 11 (2) Existing substandard structures (principal and/or accessory) which are damaged  
12 or destroyed by fire, explosion, flood, or other calamity, may be reconstructed to  
13 their original design (building envelope) and location (footprint) and any  
14 proposed additions and enlargements to the original design (building envelope)  
15 and/or location (footprint) shall conform with the established building setback  
16 lines of all side yard, street yard, and rear yards, but may never be closer than five  
17 feet to any lot line. Any proposed additions and enlargements shall conform to the  
18 required shoreyard, height, traffic, parking, ~~loading~~, and access provisions of this  
19 ordinance.
- 20
- 21 (3) Existing substandard structures (principal and/or accessory) may be moved,  
22 removed, razed, and reconstructed, or replaced to their original design (building  
23 envelope) and location (footprint) and any proposed additions and enlargements  
24 to the original design (building envelope) and/or location (footprint) shall  
25 conform with the established building setback lines of all side yard, street yard,  
26 and rear yards, but may never be closer than five feet to any lot line. Any  
27 proposed additions and enlargements shall conform to the required shoreyard,  
28 height, traffic, parking, ~~loading~~, and access provision of this ordinance.”

29

30 **PART XXXVII: That Section 74-221 of the Walworth County Code of Ordinances is**  
31 **hereby amended to read as follows (additions shown by underline; deletions shown by**  
32 **strike-through):**

33

34 **“Sec. 74-221. Existing substandard lots.**

35

36 ~~In any residential, conservation, or agricultural district, a one-family detached dwelling~~  
37 ~~and its accessory structures may be erected on an existing substandard legal lot or parcel~~ A  
38 legally created lot or parcel of record in the county register of deeds office before the effective  
39 date or amendment of this ordinance that met minimum area and minimum width requirements  
40 when created but does not meet current lot size requirements may be used as a building site, if all  
41 of the following apply: provided such legal lot or parcel meets frontage requirements per section  
42 74-39 and all the following minimum substandard lot requirements, and further provided that all  
43 requirements of the county sanitary ordinance are met:

44

1           (a) The substandard lot or parcel was never reconfigured or combined with another  
2 lot or parcel by plat, survey, or consolidation by the owner into one property tax parcel.

3  
4           (b) The substandard lot or parcel has never been developed with one or more of its  
5 structures placed partly upon an adjacent lot or parcel.

6  
7           (c) The substandard lot or parcel is developed to comply with all other ordinance  
8 requirements, including but not limited to lot frontage requirements, core living area and  
9 foundation requirements, vision triangle, yard setbacks, height, parking, etc.

10

Lot:	Width:	Minimum 50 feet (public sewerage)
		Minimum 65 feet (septic system)
	Area:	Minimum 7,500 square feet (public sewerage)
		Minimum 10,000 Square Feet (Septic System)
Yards:	Street:	Minimum 25 feet; corner lots shall have two such yards
(sewered)	Side:	10 feet
(unsewered)		Minimum 16% of the lot width on each side but not less than 5 feet from the lot line see section 74-236
Yards:	Rear:	Minimum 25 feet from lot line
	Shore:	Minimum 75 feet

11  
12 Once a substandard lot has been changed or altered so as to comply with the standard provisions  
13 of this ordinance, it shall not revert back to a substandard lot. The combination of pre-platted lots  
14 under one tax key number constitutes a change or alteration.”

15  
16 **PART XXXVIII: That Section 74-233 of the Walworth County Code of Ordinances is**  
17 **hereby amended to read as follows (additions shown by underline; deletions shown by**  
18 **strike-through):**

19  
20 **“Sec. 74-233. ~~Reduced frontage~~ Reserved.**

21  
22           ~~Additions in the street yard of existing structures may be permitted but shall not project~~  
23 ~~beyond the average of the existing street yards on the abutting lots or parcels.”~~

24  
25 **PART XXXIX: That Section 74-257 of the Walworth County Code of Ordinances is**  
26 **hereby amended to read as follows (additions shown by underline; deletions shown by**  
27 **strike-through):**

28  
29 **“Sec. 74-257. Initiation.**

30  
31           A petition for change or amendment may be made by any property owner in the area to

1 be affected by the change or amendment, by the town board or of any town wherein the  
2 ordinance is in effect, by a member of the county board or by the committee.

3  
4 (2) *Pre-application for ~~subdivision~~ Condominium change or amendment requests.* A  
5 pre-application meeting shall be required prior to the submittal of a petition for  
6 any change to the district boundaries or amendments to the regulations for a  
7 subdivision, condominium or campground development of 5 or more units or  
8 changes to the A-4, B-1, B-2, B-3, B-4, B-5, M-1, M-2, M-3, M-4 on sites 2 acres  
9 or greater. The pre-application process shall include a sketch plan prepared by a  
10 registered land surveyor and the applicable fee. The plan submitted shall be  
11 reviewed in a meeting scheduled by the county. The plans shall be reviewed for  
12 issues related to, but not limited to, platting, zoning, sanitation, stormwater,  
13 highway and parks. If a pre-application meeting is held during the conditional use  
14 process, a pre-application meeting is not required during this process.”  
15

16 **PART XL: That Section 74-263 of the Walworth County Code of Ordinances is hereby**  
17 **amended to read as follows (additions shown by underline; deletions shown by strike-**  
18 **through):**

19  
20 **“Sec. 74-263. Definitions.**

21  
22 Access and viewing corridor means a strip of vegetated land that allows safe pedestrian  
23 access to the shore through the vegetative buffer zone.

24  
25 Camping means any parcel or tract of land maintained, intended or used for the purposes  
26 of supplying temporary or overnight accommodations to the public for the placement of trailers,  
27 tents, buses, automobiles, recreational vehicles or sleeping bags.

28  
29 Existing development pattern means that principal structures exist within 250 feet of the  
30 proposed principal structure in both directions along the shoreline.”

31  
32 **PART XLI: This Ordinance shall become effective upon passage.**

33  
34 **PASSED and ADOPTED** by the Walworth County Board of Supervisors this 6<sup>th</sup> day of  
35 September, 2012.

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

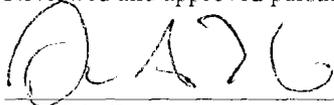
41 \_\_\_\_\_  
42 Kimberly S. Bushey  
43 Attest: County Clerk

44 **County Board Meeting Date:** September 6, 2012  
45

Action Required:      X   Majority Vote                           2/3 Vote                           Other

Policy and Fiscal Note is attached.

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

 8/30/12  
Date

David A. Bretl  
County Administrator/Corporation Counsel

 8/30/12  
Date

Nicole Andersen  
Deputy County Administrator - Finance

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

**Ordinance No. 740-09/12**  
**Fiscal Note and Policy Impact Statement**

- I. Title:** Amending Chapter 74 of the Walworth County Code of Ordinances Relating to Zoning and Shoreland Zoning
- II. Purpose and Policy Impact Statement:** The amendment is composed of several corrections to ordinance language and references. The amendment also includes amendments that reflect recent law changes such as ACT 170 (substandard lots) and NR115 (shoreland regulations). The amendment includes the addition of language for the conditional use process of amendments. The conditional use amendment process has occurred for years but the text has not existed in the ordinance until this amendment. The County Zoning Agency also reviewed an Unspecified Use in 2010 and that decision is incorporated into this amendment. The County Zoning Agency also recommended a change to the zoning ordinance reducing the street yard setback for agricultural buildings from 100' to the street yard setback of the district, which is a 25' setback from a subdivision or private road, 50' setback from a town road, 65' setback from a county highway and an 85' setback from a state road.
- 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:**

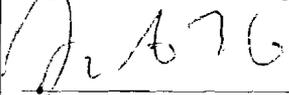
Committee: County Zoning Agency

Date: August 16, 2012

Vote: 7 - 0

County Board Meeting Date: September 6, 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.

 8/30/12  
\_\_\_\_\_  
Date  
David A. Bretl  
County Administrator/Corporation Counsel

 8/30/12  
\_\_\_\_\_  
Date  
Nicole Andersen  
Deputy County Administrator - Finance

ORDINANCE NO. 739 – 09/12

CREATING DIVISION 6 OF ARTICLE II, CHAPTER 2 OF THE WALWORTH COUNTY CODE OF ORDINANCES RELATING TO WALWORTH COUNTY METROPOLITAN SEWERAGE DISTRICT

THE WALWORTH COUNTY BOARD OF SUPERVISORS DOES ORDAIN AS FOLLOWS:

PART I: That section 2-225 of the Walworth County Code of Ordinances is hereby created to read as follows:

“Sec. 2-225. Appointments to the Walworth County Metropolitan Sewerage District Commission (WalCoMet)

- (a) Walworth County shall appoint commissioners to the Walworth County Metropolitan Sewerage District (WalCoMet) in accordance with the procedures set forth in Section 200.09 of the Wisconsin Statutes.
(b) The county administrator shall nominate commissioners, which nomination shall be subject to county board approval. No nomination may proceed to the county board until the nominee has first been interviewed by the executive committee. The county will give consideration to appointing a local elected official to WalCoMet.
(c) WalCoMet commissioners may serve no more than two consecutive terms.
(d) Notwithstanding the expiration of their term, WalCoMet commissioners shall continue to serve until a successor has been appointed pursuant to (b).

PART II: That Section 2-166 of the Code of Ordinances be amended to reflect that WalCoMet commissioners shall serve without county paid per diem or county mileage reimbursement (additions are shown in underline).

Table with 3 columns: Committee, Commission or Board; Mileage; Per Diem. Row 1: Walworth County Metropolitan Sewerage District Commission; No; No.

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

PASSED and ADOPTED by the Walworth County Board of Supervisors this 6th day of month September 2012.

Nancy Russell
County Board Chair

Kimberly S. Bushey
Attest: County Clerk

County Board Meeting Date: September 6, 2012









ORDINANCE NO. 736 – 09/12

AMENDING SECTIONS 15-531, 15-533 AND 15-536 OF THE WALWORTH COUNTY  
CODE OF ORDINANCES RELATING TO HEALTH INSURANCE ELIGIBILITY

THE WALWORTH COUNTY BOARD OF SUPERVISORS DOES ORDAIN AS  
FOLLOWS:

1 PART I: That Section 15-531 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. 15-531. Eligibility and exclusions.  
6

7 ~~(a) Regular employees who are regularly scheduled to work a minimum of 0.5 FTE,~~  
8 ~~elected officers, and county board supervisors, shall be eligible to enroll in the health or dental~~  
9 ~~plans. Except as provided in (b), an individual may only receive insurance coverage under one~~  
10 ~~insurance plan sponsored by the county.~~  
11

12 (a) Health insurance eligibility  
13

14 (1) Regular employees are eligible to enroll in the health plan as follows:  
15

16 a. Regular employees hired on or after November 1, 2012 who regularly  
17 work a minimum of 0.75 FTE are eligible to enroll. Regular employees  
18 hired on or after November 1, 2012 who are regularly scheduled to work  
19 less than 0.75 FTE shall be ineligible to enroll.  
20

21 b. Regular employees hired prior to November 1, 2012 shall be eligible to  
22 enroll in the health plan if they are regularly scheduled to work a  
23 minimum of 0.50 FTE.  
24

25 c. Special rule for employees hired prior to November 1, 2012.  
26

27 1. Regular employees who regularly work in a 0.50 to a 0.74 FTE  
28 position before November 1, 2012 will continue to be eligible to  
29 enroll in the health plan under a “grandfathered” status.  
30

31 2. Once a grandfathered employee under (1) c 1 regularly works in a  
32 position which is 0.75 FTE or higher, the grandfathered status shall  
33 end. Should that employee subsequently move into a non-eligible  
34 position (0.74 FTE and lower) coverage will cease in accordance  
35 with Sec. 15-537 (4), and said employee shall not be eligible to  
36 enroll in the health plan.  
37

38 (2) Elected officials are eligible pursuant to 15-302.

1  
2 (3) County board supervisors are eligible pursuant to 2-45 (b) (5).

3  
4 (4) Except as provided in (c), an individual may only receive insurance coverage  
5 under one insurance plan sponsored by the county.

6  
7 (b) Dental insurance - regular employees who are regularly scheduled to work a  
8 minimum of 0.5 FTE, elected officers, and county board supervisors, shall be eligible to enroll in  
9 the dental plan. Except as provided in (c), an individual may only receive insurance coverage  
10 under one insurance plan sponsored by the county.

11  
12 ~~(b)~~ (c) An individual who had duplicate coverage under two or more insurance plans as  
13 of May 31, 1992 may continue to be covered under more than one plan sponsored by the county.  
14 The individual may coordinate benefits between the plans, but any specified benefit maximums  
15 shall not be increased.

16  
17 ~~(e)~~ (d) Upon retirement from the county, an employee may be able to continue in the  
18 insurance plan, subject to section 15-556.”

19  
20 **PART II: That Section 15-533 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. 15-533. Premium contributions.**

25  
26 (c) The county shall pay a percentage of the health premium for an eligible part-time  
27 employee prorated based on their positions' budgeted FTE level ~~at 50–90 percent of the benefit~~  
28 ~~to a full-time employee.”~~

29  
30 **PART III: That Section 15-536 of the Walworth County Code of Ordinances is hereby**  
31 **amended to read as follows (additions shown by underline; deletions shown by strike-**  
32 **through):**

33  
34 **“Sec. 15-536. Changes in employment status.**

35  
36 An employee shall be eligible to enroll in insurance benefits or to change coverage when  
37 his or her employment status increases to a regular part-time position regularly scheduled to  
38 work a minimum of 0.5 FTE (0.75 FTE effective November 1, 2012 for health insurance  
39 pursuant to 15-531 (2)), or increases to a regular full-time position. An enrollment form must be  
40 received in the department within 31 days of the date of the qualifying employment status  
41 change and shall be considered an initial enrollment, subject to section 15-535. This section shall  
42 not apply to a temporary assignment.”

43  
44 **PART IV: The ordinance shall be effective upon passage and publication.**

1 **PASSED and ADOPTED** by the Walworth County Board of Supervisors this 6<sup>th</sup> day of  
2 September 2012.

3  
4  
5  
6  
7

8 \_\_\_\_\_  
9 Nancy Russell  
10 County Board Chair  
11 \_\_\_\_\_  
12 Kimberly S. Bushey  
13 Attest: County Clerk

11 County Board Meeting Date: September 6, 2012

13 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 8/29/12 Date  
County Administrator/Corporation Counsel  
Nicole Andersen 8/30/12 Date  
Deputy County Administrator - Finance  
If unsigned, exceptions shall be so noted by the County Administrator.



ORDINANCE NO. 737 – 09/12

AMENDING SECTION 15-532 OF THE WALWORTH COUNTY CODE OF ORDINANCES RELATING TO INSURANCE PLANS FOR RETIREES

THE WALWORTH COUNTY BOARD OF SUPERVISORS DOES ORDAIN AS FOLLOWS:

PART I: That Section 15-532 of the Walworth County Code of Ordinances is hereby amended to read as follows (additions shown by underline; deletions shown by strike-through):

“Sec. 15-532. Insurance plans.

(d) An employee who retires and is eligible for retiree health insurance pursuant to 15-556 (a) will be eligible to enroll in the health plan available to them as an active employee at the time of their retirement.

(1) Any deputy sheriff association or sworn management employee that was retired on or before December 31, 2012 will ~~continue~~ be eligible to be enrolled in the tier one health plan. Any deputy sheriff association or sworn management employee retiring on or after January 1, 2013 will retire under the tier two health plan.

(2) Effective January 1, 2013, an employee who was enrolled in the tier one health plan at the time of their retirement may elect to enroll in either the tier one or tier two health plan as a retiree.”

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

PASSED and ADOPTED by the Walworth County Board of Supervisors this 6<sup>th</sup> day of September 2012.

Nancy Russell  
County Board Chair

Kimberly S. Bushey  
Attest: County Clerk

County Board Meeting Date: September 6, 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 8/27/12  
Date  
County Administrator/Corporation Counsel

Nicole Andersen 8/28/12  
Date  
Deputy County Administrator - Finance

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

**Ordinance No. 737 - 09/12**  
**Fiscal Note and Policy Impact Statement**

- I. Title:** Amending Section 15-532 of the Walworth County Code of Ordinances Relating to Insurance Plans for Retirees
- II. Purpose and Policy Impact Statement:** The purpose of this ordinance amendment is to allow retirees to choose which health plan (tier one or tier two) they would like to enroll in beginning in 2013.
- III. Is this a budgeted item and what is its fiscal impact:** For most retirees, this change would not have a fiscal impact for the county. However, for a Lakeland Education Association or Deputy Sheriff Association retiree who is receiving county-paid insurance, there could be a potential savings to the county if the employee would choose to switch to the lower cost plan (tier two). In 2012, the cost difference, per month, between tier one and tier two is \$157 for a single plan and \$432 for a family plan.
- IV. Referred to the following standing committee(s) for consideration and date of referral:**

Committee: Human Resources Committee

Date: July 18, 2012

Vote: 5 – 0

County Board Meeting Date: September 6, 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.

 8/27/12  
David A. Bretl Date  
County Administrator/Corporation Counsel

 8/28/12  
Nicole Andersen Date  
Deputy County Administrator-Finance

ORDINANCE NO. 738 – 09/12

AMENDING SECTION 15-324 OF THE WALWORTH COUNTY CODE OF ORDINANCES RELATING TO PERFORMANCE BASED PAY

THE WALWORTH COUNTY BOARD OF SUPERVISORS DOES ORDAIN AS FOLLOWS:

1 PART I: That Section 15-524 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. 15-324. Performance based compensation for certain employees.  
6

7 (1) It is the policy of the county to compensate management employees based on  
8 their performance during the preceding year. All funds appropriated by the  
9 county board to compensate management employees must be spent in accordance  
10 with this ordinance and administrative procedures authorized pursuant to Sec. 15-  
11 3 (a).  
12

13 (1) (2) Except as provided in subsection (6) (10), employees subject to the performance  
14 based compensation plan shall be those participating in the management pay plan  
15 and management/teaching pay plan described in section 15-320 and adopted by  
16 resolution by the county board. For purposes of administration of performance-  
17 based compensation, each range in the management pay plan shall be divided into  
18 four equal quartiles.  
19

20 (2) ~~No later than March 31 of each year, the county board shall determine the~~  
21 ~~performance based percentage increase available for employees whose~~  
22 ~~performance is average in the second quartile of their pay range. The human~~  
23 ~~resources committee shall determine the performance based pay increase~~  
24 ~~percentages available for all other levels of performance at the first, second, third~~  
25 ~~and fourth quartiles of each established range. These levels include:~~  
26

27 (3) The county administrator shall implement and administer the performance based  
28 pay system. That system shall classify employee performance based on the  
29 following levels:  
30

- 31 a. Not meeting minimal expectations;
- 32
- 33 b. Needs improvement;
- 34
- 35 c. Average;
- 36
- 37 d. Solid contributor; and
- 38

e. High-level contributor.

~~There shall be no increase for employees whose performance does not meet minimum expectations. The percentage increase developed by the human resources committee shall recognize varying degrees of compensation for increased levels of performance.~~

(4) It is the intent of the County Board that the performance based system shall be designed so that an employee can progress from the beginning of the applicable pay range to the midpoint and from the midpoint to the endpoint of said range, based on performance, as follows:

<u>Performance Level</u>	<u>Midpoint</u>	<u>Endpoint</u>
<u>High level contributor</u>	<u>3 years</u>	<u>5 years</u>
<u>Solid contributor</u>	<u>4 years</u>	<u>6 years</u>
<u>Average</u>	<u>6 years</u>	<u>8 years</u>

No pay increase shall be provided to an employee who does not meet minimum expectations.

~~(3)~~ (5) The county administrator's budget shall include funds for each department to implement this performance based compensation plan for the upcoming year.

(4) (6) After the county board has approved the annual budget, each department head or designee shall complete a performance evaluation for every employee subject to the performance based pay plan. Each department head shall recommend an increase in compensation that is based on:

- a. The employee's performance, ~~with consideration of goals and objectives including the accomplishment of significant, specific and measurable goals~~ contained in the performance evaluation; and
- b. the employee's current wage and position in the salary range and quartile established for the employee's pay classification.

~~(5)~~ (7) Prior to communication with employees, all recommendations for performance based compensation increases shall be submitted to the ~~director for review to ensure that department heads have applied the rating criteria in an consistent manner and that the overall distribution of pay is lawful~~ county administrator to certify to the deputy county administrator – finance and the labor/employee relations director that:

- a. Department heads have applied the rating criteria in a consistent manner and that the overall distribution of pay is lawful.

b. Those employees rated as high level performers have received ratings meriting that classification and have successfully completed a minimum of three significant, specific and measurable goals during the course of the year.

l. Exceptions to the minimum of three significant goals may be granted by the county administrator in special circumstances, such as a law change or a directive by the county board that significantly changes the focus and/or workload of the position.

c. The county administrator shall review and approve all future goals for the upcoming year to ensure the goals are significant, specific and measurable.

(8) Upon receipt of the certification in (7) and the result of any appeal pursuant to (9) b, the deputy county administrator – finance and labor/employee relations director shall take all necessary steps to implement the rating into the payroll system.

(9) In the event the county administrator is unable to provide the certification set forth in (7), the department head shall:

a. Provide a lower rating; or,

b. Appeal the matter to the human resources committee, which decision shall be final.

(6) (10) Notwithstanding (1), the following employees shall not be included in the performance-based compensation plan:

a. Family court commissioner. The salary of the family court commissioner shall be established annually by resolution of the county board.

b. The following classification titles of the Q pay plan:

1. Educational programmer;
2. Occupational therapist;
3. Physical therapist;
4. School nurse;
5. School psychologist.”

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

1 **PASSED and ADOPTED** by the Walworth County Board of Supervisors this 6<sup>th</sup> day of  
2 September 2012.

3  
4  
5  
6  
7  
8  
9

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

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

10 County Board Meeting Date: September 6, 2012

11 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	_____	Date
David A. Bretl		Nicole Andersen	
County Administrator/Corporation Counsel		Deputy County Administrator - Finance	
If unsigned, exceptions shall be so noted by the County Administrator.			



ORDINANCE NO. 735 – 09/12

AMENDING CHAPTER 26 OF THE WALWORTH COUNTY CODE OF ORDINANCES  
RELATIVE TO CONSERVATION

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

3  
4 PART I: That Section 26-211 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. 26-211. Definitions.

9  
10 *Land conservation committee (LCC)* means a committee of the county board of  
11 supervisors comprised of members per Wis. Stats. ch. 92.

12  
13 *Natural resource conservation service (NRCS)* means the natural resource conservation  
14 service an agency of the U.S. Department of Agriculture.

15  
16 *Nutrient management plan* means any of the following:

17  
18 (a) A plan required under s. ATCP 50.04(3) or 50.62(5)(f) rules.

19  
20 (b) A farm nutrient plan prepared or approved, for a landowner, by a qualified  
21 nutrient management planner.

22  
23 *Nutrients* means plant nutrients derived from commercial fertilizers, manure, organic  
24 wastes, soil reserves, legumes or other sources.

25  
26 *Participant* means a landowner who owns land that is included on a valid zoning  
27 certificate.

28  
29 *RUSLE II (Revised Universal Soil Loss Equation- revision 2)* means the mathematical  
30 formula for estimating or predicting average annual soil erosion rates due to sheet and rill  
31 erosion caused by rainstorms on specified land areas, as described in section I of the technical  
32 guide.

33  
34 (a) Except as provided in par.(b), the release that was in effect on November 14,  
35 2006.

36  
37 (b) For purposes of a compliance determination under ch.NR151 or this chapter made  
38 prior to November 14, 2006, the release that was in effect on the date of the compliance  
39 determination.”

1 **PART II: That Section 26-212 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. 26-212. Authority, purpose and applicability.**

6  
7 This policy is established by the committee pursuant to Wis. Stats. § ~~92.104,~~  
8 ~~92.105,~~92.07(1), 92.10(5), 92.10(6) and ATCP 50.16, Wis. Adm. Code and related guidelines  
9 adopted by the State Land and Water Conservation Board under Wis. Stats. § ~~92.105(2)~~  
10 92.10(6). It provides for soil and water conservation standards to be met and procedures to be  
11 followed by participants in the Wisconsin Farmland Preservation Program. Conformance with  
12 these standards and procedures will be necessary for landowners to establish and maintain  
13 eligibility for farmland preservation tax credits under Subchapter IX of Chapter 71, and Wis.  
14 Stats. §§ ~~92.104- 91~~ Subchapter V 91.80, 91.82 and 92.105, Subchapter VI, 91.84, 91.85 shall  
15 apply to landowners who claim a farmland preservation tax credit for which they are eligible  
16 because their land is located in the exclusive agricultural zoning district (A-1 prime agricultural  
17 land district) These standards are effective when approved by the Wisconsin Land and Water  
18 Conservation Board and the Walworth County Board of Supervisors.”

19  
20 **PART III: That Section 26-213 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 **“Sec. 26-213. Administration.**

24  
25 (c) Compliance.

26  
27 (3) *Notice of noncompliance.* The committee will issue a notice of noncompliance to  
28 any participant who does not comply with the technical standards in section 26-  
29 214 or make the required annual progress on a schedule of compliance under  
30 section 26-215. A field inspection of the farm operation will be conducted prior to  
31 issuance of the notice. Copies of the notice of noncompliance will be forwarded to  
32 the appropriate zoning authority, the state department of revenue and state  
33 department of agriculture, trade and consumer protection. Landowners issued a  
34 notice of noncompliance will not be allowed to claim farmland preservation tax  
35 credits unless the notice of noncompliance is subsequently cancelled by the  
36 committee under Wis. Stats. §§ ~~92.104(4) or 92.105(5)~~ 91.82.”

37  
38 **PART IV: The ordinance shall be effective upon passage and publication.**

39  
40 **PASSED and ADOPTED** by the Walworth County Board of Supervisors this 6<sup>th</sup> day of  
41 September, 2012.

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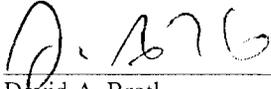
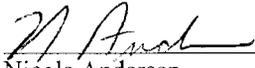
\_\_\_\_\_  
Nancy Russell  
County Board Chair

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

**County Board Meeting Date:** September 6, 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:

	
<u>8/26/12</u>	<u>8/27/12</u>
Date	Date
David A. Bretl	Nicole Andersen
County Administrator/Corporation Counsel	Deputy County Administrator-Finance

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

**Ordinance No. 735-09/12**  
**Fiscal Note and Policy Impact Statement**

- I. Title:** Amending Chapter 26 of the Walworth County Code of Ordinances Relative to Conservation
- II. Purpose and Policy Impact Statement:** The purpose of this ordinance amendment is to address Wisconsin Administrative Code and Statutes numeral changes and additions to the State Farmland Preservation Program including nutrient management requirements. (Wis.Stat.§. Chapter 91, Chapter 92 and Administrative Code ATCP 50.
- 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: Land Conservation Committee

Date: July 16, 2012

Vote: 4 – 0

County Board Meeting Date: September 6, 2012

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

  
\_\_\_\_\_  
David A. Bretl                      8/26/12  
County Administrator/Corporation Counsel                      Date

  
\_\_\_\_\_  
Nicole Andersen                      8/27/12  
Deputy County Administrator-Finance                      Date

**Resolution No. 33-09/12**  
**Amending the Jurisdictional Highway System Plan For Walworth County: 2035 to  
Include the Widening of STH 50 between CTH F (north) and STH 67**

1 Moved/Sponsored by: Public Works Committee  
2

3 **WHEREAS**, by Resolution 09-05/11, the Walworth County Board of Supervisors endorsed the  
4 year 2035 jurisdictional highway system plan for Walworth County, as documented in SEWRPC  
5 Planning report No. 15 (Second Edition), *A Jurisdictional Highway System Plan For Walworth*  
6 *County: 2035* (Plan); and,  
7

8 **WHEREAS**, at the time of completion of the Plan, the Wisconsin Department of Transportation  
9 (WisDOT) was conducting a preliminary engineering and environmental impact study for the  
10 reconstruction of STH 50 between IH 94 and STH 67. WisDOT worked closely with concerned  
11 and affected local governments, including the Town of Delavan, to refine alternatives to  
12 accommodate existing and future traffic volumes; to provide a safe and reliable roadway; to  
13 minimize the impact to local businesses, particularly between CTH F (north) and CTH F (south);  
14 and to avoid impacts to historic and archaeological sites, including identified Indian burial  
15 mounds located along STH 50; and,  
16

17 **WHEREAS**, the preliminary engineering and environmental impact study necessarily analyzed  
18 in greater detail than the County Plan the costs, benefits and impacts of the alternatives for  
19 reconstruction of STH 50; and,  
20

21 **WHEREAS**, WisDOT is now nearing completion of the preliminary engineering and  
22 environmental impact study and has selected a recommended alternative, which includes the  
23 widening of STH 50 from two to four traffic lanes between CTH F (north) and STH 67, which  
24 requires amending the Plan; and,  
25

26 **WHEREAS**, while changes may still be made as the recommended alternative is finalized, an  
27 agreement has been reached between WisDOT the Town of Delavan on widening STH 50; and,  
28

29 **WHEREAS**, WisDOT and the Town of Delavan request that the Plan be amended to include the  
30 proposed widening of STH 50 between CTH F (north) and STH 67 from two to four traffic  
31 lanes; and,  
32

33 **WHEREAS**, the Walworth County Jurisdictional Highway Planning Committee approved the  
34 amendment of the Plan at its meeting held on May 3, 2012; and,  
35

36 **WHEREAS**, at its June 12, 2012 meeting, the County Board declined to adopt the Plan  
37 amendment by a vote of 8 to 2; and,  
38

39 **WHEREAS**, subsequent to the above-stated meeting, WisDOT requested to present additional  
40 pertinent information regarding the Plan amendment to the Public Works Committee; and,  
41

1 **WHEREAS**, based upon its consideration of the WisDOT presentation, the Public Works  
2 Committee unanimously voted to forward the Plan amendment to the County Board, for a second  
3 time, for the Board's endorsement.  
4

5 **NOW, THEREFORE, BE IT RESOLVED** that the Walworth County Board of Supervisors  
6 hereby endorses amending the Jurisdictional Highway System Plan for Walworth County: 2035  
7 to include the widening of STH 50 between CTH F (north) and STH 67 and that any action by  
8 the Board to the contrary be and is hereby rescinded.

9 **BE IT FURTHER RESOLVED** that upon passage, the Walworth County Clerk will transmit a  
10 certified copy of this resolution to the Southeastern Wisconsin Regional Planning Commission.  
11  
12  
13  
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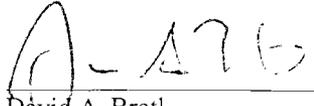
18 \_\_\_\_\_  
19 Nancy Russell  
20 County Board Chair

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

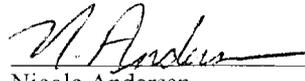
21  
22  
23 Action Required: Majority X Two-thirds \_\_\_\_\_ Other \_\_\_\_\_

24  
25 County Board Meeting Date: September 6, 2012  
26

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

  
\_\_\_\_\_  
David A. Bretl  
County Administrator/Corporation Counsel

8/30/12  
Date

  
\_\_\_\_\_  
Nicole Andersen  
Deputy County Administrator - Finance

8/30/12  
Date

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

