



County Clerk

Kimberly S. Bushey
County Clerk

April 16, 2013 – Walworth County Board Meeting

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

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

- Res. No. 02-04/13 – Approving Submission of a Grant Application for Outdoor Recreation Aids – *Vote Required: Majority* (The Park Committee will consider this item at a special meeting on April 8, 2013)
- Res. No. 06-04/13 – Approving Walworth County Comprehensive Emergency Management Plan – *Vote Required: Majority* (Recommended by the Executive Committee 5-0)
- Res. No. 08-04/13 – Providing Direction Regarding the Future of the Walworth County Employee Health Plan – *Vote Required: Majority* (Recommended by the Human Resources Committee 5-0)
- Res. No. 09-04/13 – Urging Governor Walker to Re-Visit his Voucher Proposal as it Relates to Special Needs Education – *Vote Required: Majority* (Recommended by the Children with Disabilities Education Board 5-0)
- Res. No. 10-04/13 – Authorizing Application for Stewardship Grant for the Acquisition of Approximately 194.5 Acres of Parkland in the Town of Lyons – *Vote Required: Majority* (The Park Committee will consider this item at a special meeting on April 8, 2013)
- Res. No. 11-04/13 – Authorizing Application for Stewardship Grant to Offset the Cost of Making Certain Improvements to the Parkland to be Acquired by Walworth County – *Vote Required: Majority* (The Park Committee will consider this item at a special meeting on April 8, 2013)
- Res. No. 12-04/13 – Approving Financing of Project on Behalf of Geneva Ridge Senior Housing Foundation LLC – *Vote Required: Majority* (The Finance Committee will consider this item at a special meeting immediately prior to the April 16, 2013 County Board meeting)
- Correspondence received from Gloria M. Stogsdill of Delavan in regard to illegal use of Walworth County residential properties on Bay Road in Delavan – To be referred to the County Zoning Agency
- Correspondence received via e-mail from Ronald and Pat Lois, 6573 Sheridan Springs Road, Lake Geneva, expressing concerns regarding the potential acquisition of parkland in the Town of Lyons – To be placed on file
- *Walworth County Aging & Disability Resource Center News*, April 2013 – To be placed on file

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

Resolution No. 02-04/13
Approving Submission of a Grant Application for Outdoor Recreation Aids

1 Moved/Sponsored by: Park Committee

2

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

5

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

9

10 **WHEREAS**, Walworth County has approximately 241.6 miles of public snowmobile trails
11 maintained in cooperation with the Walworth County Snowmobile Alliance; and therefore said
12 maintenance is eligible for funds under sec. 23.09 (26), Wis. Stats.

13

14 **NOW, THEREFORE, BE IT RESOLVED** that the Walworth County Board of Supervisors
15 supports participating in the Wisconsin Department of Natural Resources for the 2013-14 grant
16 process for the Outdoor recreation Aids Grant Agreement – Snowmobile Trail Aids.

17

18 **BE IT FURTHER RESOLVED** that Central Services Director Kevin Brunner be authorized to
19 act as the lead contact for the grant project and that he be directed to perform the following
20 duties: submit required materials for the completed application, carry out the acquisition or
21 development project and close the grant project; and,

22

23 **BE IT FURTHER RESOLVED** that said Director of Central Services is further authorized to
24 act on behalf of Walworth County in submitting an application to the State of Wisconsin,
25 Department of Natural Resources for any financial aid that may be available and submitting
26 reimbursement claims along with necessary supporting documentation within six months of the
27 project completion date.

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32 _____
Nancy Russell
33 County Board Chair

Kimberly S. Bushey
County Clerk

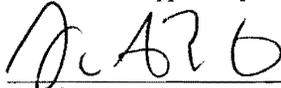
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35 County Board Meeting Date: April 16, 2013

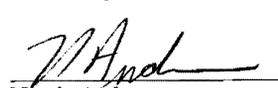
Action Required: Majority X Two-thirds Vote _____ Other _____

Policy and Fiscal Note is attached.

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

 4/9/13

David A. Bretl Date
County Administrator/Corporation Counsel

 4/9/13

Nicole Andersen Date
Deputy County Administrator - Finance

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

Policy and Fiscal Note
Resolution No. 02 - 04/13

- I. **Title:** Approving Submission of a Grant Application for Outdoor Recreation Aids
- II. **Purpose and Policy Impact Statement:** The Wisconsin Department of Natural Resources requests a resolution of support in order to remain eligible for Snowmobile Trail Aids from the Wisconsin Department of Natural Resources.
- III. **Budget and Fiscal Impact:** The Department of Public Works has included grant income equal to grant expenditure in the 2013 budget. This is a pass through grant with income from the State equal to the actual expenditures incurred by, and paid to, the Walworth County Snowmobile Alliance.
- IV. **Referred to the following standing committees for consideration and date of referral:**

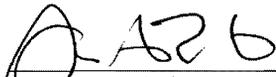
Committee: Park Committee

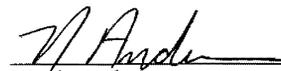
Meeting Date: April 8, 2013

Vote: 5 - 0

County Board Meeting Date: April 16, 2013

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

 4/9/13
David A. Bretl Date
County Administrator/Corporation Counsel

 4/9/13
Nicole Andersen Date
Deputy County Administrator - Finance

Policy and Fiscal Note
Resolution No. 06-04/13

- I. **Title:** Approving Walworth County Comprehensive Emergency Management Plan

- II. **Purpose and Policy Impact Statement:** The purpose of this resolution is to approve the 2012 Comprehensive Emergency Management Plant (CEMP) for Walworth County.

- III. **Budget and Fiscal Impact:** Passage of this resolution and adoption of the attached CEMP will not have a fiscal impact on the County budget.

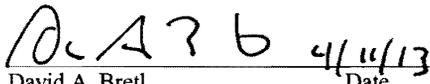
- IV. **Referred to the following standing committees for consideration and date of referral:**

Committee: Executive Meeting Date: March 18, 2013

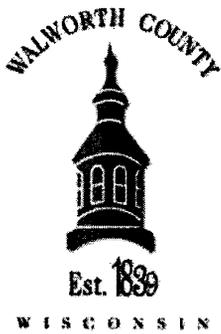
Vote: 5 - 0

County Board Meeting Date: April 16, 2013

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

 _____ David A. Bretl County Administrator/Corporation Counsel	 _____ Nicole Andersen Deputy County Administrator – Finance
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If unsigned, exceptions shall be so noted by the County Administrator.



Walworth County Sheriff's Office
Emergency Management

Walworth County
CEMP EXECUTIVE SUMMARY

The current County Emergency Operations Plan (EOP) was adopted in 1996. Each year it is reviewed and updated as necessary.

The State of Wisconsin and many other Counties have switched over to a newer more flexible plan known as a Comprehensive Emergency Management Plan (CEMP).

Walworth County Emergency Management was asked to participate with the other Southeast Region counties in a revision from the older plan to the newer CEMP in 2012 and agreed. Five of the Southeast Region counties received a grant to hire a consultant. Walworth County was not included in that grant, however was given all the necessary materials and allowed to participate in all the meetings to update to the newer CEMP. After meeting for approximately one year, a final plan was completed and copies were given to the three counties not included in the grant.

Walworth County Emergency Management then took those plans and using the supplied information, developed a plan that matched how Walworth County's older EOP plan worked and prepared the current CEMP.

The CEMP is an upgrade to the older EOP and will provide for easier operation during a major event and will also facilitate easier implementation of mutual aid, as the other counties all have a similar plan.

The 2012 Comprehensive Emergency Management Plan (CEMP) is organized into five sections. The Basic Plan provides a general overview and summary of the purpose, responsibilities and operational concepts of the Comprehensive Emergency Management Plan.

Attachment I addresses the emergency management mitigation/prevention phase.

Attachment II addresses the emergency management preparedness phase.

Attachment III guides the County's response to an emergency through the Emergency Support Functions (ESF's).

Attachment IV provides the primary/support matrix for each ESF along with a map of Walworth County.

Emergency Support Functions or ESF's, identify twenty four (24) areas of specific concentration that may need to be addressed depending on the type of emergency encountered by the County and the agencies/personnel responsible for the primary and support functions. The twenty four (24) ESFs are:

ESF #1 – TRANSPORTATION: Walworth County Public Works

Provide, in a coordinated manner, the resources (human, technical, equipment, facility, materials and supplies) of participating agencies to support emergency transportation needs and service restoration activities during emergency or disaster situations.

ESF # 2 – COMMUNICATION: Walworth County Sheriff's Office/Information Technology

Support public safety and the operation of government agencies by maintaining continuity of information and telecommunication infrastructure equipment and other technical resources. The emergency communications, notification and warning system are described in the Alert & Warning Emergency Support Function ESF # 22: Public Protection.

ESF #3 – PUBLIC WORKS: Walworth County Public Works

Facilitate protection, repair and restoration of local government owned physical infrastructure for roads, waste management, storm-water management systems, and sewer systems.

Also ESF # 21 & 24

ESF #4 – FIRE FIGHTING: Walworth County Fire Chiefs / Fire Departments

Facilitate countywide coordinated use of fire department resources in fire prevention, suppression and control of urban, rural, and wild land fires and other hazardous emergencies.

ESF #5 – EMERGENCY MANAGEMENT: Emergency Management Office

Describe how the Emergency Management Office will collect, analyze, and disseminate information about a potential or actual emergency or disaster to enhance response and recovery activities.

ESF #6 – MASS CARE, EMERGENCY ASSISTANCE, HOUSING & HUMAN SERVICES: Walworth County Human Services

Describe a coordination framework and serve as a guide to provide sheltering, mass care, emergency assistance, housing, and human services following an emergency or

disaster. Identify key participants and resources to meet access and functional needs populations in mass care and sheltering operations.

ESF #7 – RESOURCE SUPPORT: Walworth County Emergency Management Office

Provide resources and logistical support for emergency response and recovery efforts, provide for the effective procurement, utilization, prioritization, and conservation of available local resources (equipment and supplies) during emergencies, and provide for acquisition of resources from the state or federal government when local resources are depleted.

ESF #8 – PUBLIC HEALTH: Walworth County Public Health Department

Coordinate comprehensive public health services during an emergency, excluding mental health services (ESF # 6), hospital and medical services (ESF # 16) and fatality management (ESF # 20), and to provide measures and resources for communicable disease prevention and control (disease surveillance, investigation, containment and communication), including environmental health to first responders and the impacted community.

ESF #9 – SEARCH AND RESCUE: Walworth County Fire Chiefs Association/Walworth County Sheriff's Office.

Provide a coordinated process of locating, extricating, and providing initial medical treatment to victims trapped, threatened or stranded in harm's way by any emergency or hazardous event when they cannot remove themselves.

ESF #10 – HAZARDOUS MATERIALS: Level B Hazardous Materials Team – Walworth County Fire Chiefs Association

Coordinate response to an actual or potential discharge or release of hazardous materials.

ESF #11 – AGRICULTURE: Walworth County Public Health Department

Coordinate and support efforts to respond effectively to an incident involving agriculture, food, natural or cultural resources, and provide a process to integrate State and federal response/recovery actions.

ESF #12 – ENERGY & UTILITIES: Walworth County Public Works

Respond to and recover from shortages and disruptions in the supply and delivery of electricity, telecommunications, wastewater and County public utilities, and other forms of energy and fuels.

ESF #13 – LAW ENFORCEMENT & SECURITY: Walworth County Sheriff's Office

The overall coordination of the command and control of the county, state, and federal Law Enforcement Agencies' personnel and equipment in support of emergency response and recovery operations. This function provides for the timely and coordinated efforts of Law Enforcement Agency personnel for public safety and protection. Activities which relate to evacuation, curfew, traffic management, crowd control, security and other extraordinary Law Enforcement Agencies' functions are necessary to provide for the safety and welfare of the public within an emergency environment.

ESF #14 – LONG-TERM RECOVERY: Emergency Management Office

Support county, local, tribal, nongovernmental organizations (NGOs), the private sector and volunteer efforts to enable community recovery from the long-term consequences of an emergency or disaster. This support consists of available programs and resources to reduce or eliminate risk from future incidents, where possible.

ESF #15 – PUBLIC INFORMATION: Walworth County Sheriff/(Walworth County Corporation Counsel - TBD)

Establish a system that gathers and disseminates emergency-related information through the media and directly to the general public. This does not include the Alert and Warning information covered in the Public Protection ESF #2 and to ensure that sufficient County assets are deployed to provide accurate, coordinated, and timely information to the public, the media, and local, state and federal governmental partners.

ESF #16 – HOSPITAL AND MEDICAL SERVICES: EMS and Hospital

Identify, manage and organize the response of emergency medical care resources. Act as the liaison between local, state and federal agencies in the coordination of emergency response and emergency medical support.

ESF #18 – ANIMAL AND VETERINARY SERVICES: Public Health Department – (Possible Walworth County Humane Society, TBD)

Identify, manage, and organize the response of resources needed for the care and disposition of domestic pets, livestock, wildlife, and exotic animals following a significant emergency, and coordinate emergency response and relief assistance with various municipal, county, state and federal agencies and to provide guidance regarding animal related issues caused by an emergency/disaster.

ESF # 19 FUNCTUIONAL ACCESS AND NEEDS: Walworth County Human Services

Coordinate activities involved with the identification, registration, transportation,

sheltering and care of people with functional needs before, during, and after a significant emergency.

ESF #20 – FATALITY MANAGEMENT: Walworth County Coroner

This addresses general policies and procedures for the mitigation, preparedness, response to and recovery from incidents with fatalities. It also provides an initial coordination framework of mass fatality response activities.

ESF #21 – DAMAGE ASSESSMENT: Walworth County Emergency Management

Life Safety Assessment: Coordinate the conduct of the initial life safety assessment and ongoing damage assessments of the County so that accurate and timely information on the situation post-emergency are obtained.

Damage Assessment: Accomplish comprehensive assessment and reporting of damage to public and private property resulting from an emergency and request state or federal disaster assistance.

ESF #22 – PUBLIC PROTECTION: Walworth County Emergency Management

Alert and Warning: To provide rapid alert and warnings to the public and key Walworth County and other officials of an impending or occurring natural emergency, chronological emergency, hostile action or impending conditions that could be hostile or unfriendly to public welfare or safety.

Evacuation: To provide for the evacuation of part or all of the population from any threatened or stricken disaster area within the Walworth County to locations providing safety and shelter and to provide guidance for in-place sheltering when evacuation is not feasible.

Shelter: Identify shelters and mass care facilities.

ESF #23 – EVACUATION AND TRAFFIC MANAGEMENT: Walworth County Sheriff's Office.

The purpose is to provide for coordinated plans, policies, and actions of state and local governments to ensure the safe and orderly evacuation of populations affected by all hazards. To further ensure that once the threat or hazard no longer exists, that prompt and orderly re-entry into the evacuated area is accomplished.

ESF #24 – DEBRIS MANAGEMENT: Walworth County Public Works

The purpose is to provide for the coordination of emergency road clearance, debris collection and disposal.

Resolution No. 08 - 04/13
Providing Direction Regarding the Future of the Walworth County Employee Health Plan

1 Moved/Sponsored by: Human Resources Committee

2

3 **WHEREAS**, Walworth County currently operates a self-funded health plan (“Health Plan”) for
4 its employees and retirees; and,

5

6 **WHEREAS**, the 2013 County Budget included the sum of \$1,173,000 to provide the County
7 with the opportunity to construct a Wellness Center, consisting of a clinic and fitness area, as a
8 means of reducing the cost of the Health Plan; and,

9

10 **WHEREAS**, said appropriation was subject to four conditions, which were added by
11 amendment, to wit:

12

13 1. Receipt by the County Board of a legal opinion by the Corporation Counsel concluding to
14 a high degree of probability that legal challenges to Act 10 are unlikely to limit the
15 County’s ability to unilaterally implement the type of changes to its health benefit plan
16 necessary to make an on-site clinic cost-effective.

17

18 2. Consideration by the County Board of employee comments and suggestions regarding a
19 wellness center.

20

21 3. Approval by a majority vote of the County Board of the design of any building and its
22 location, if new construction is proposed, or of any lease, if rental is proposed.

23

24 4. Receipt by the County Board of an opinion from the County’s insurance consultant
25 regarding the impact of the Affordable Health Care Act on any wellness proposal.

26

27 **WHEREAS**, since approval of the budget, the Walworth County Board of Supervisors and
28 Human Resources Committee have been studying various aspects of the Health Plan and
29 Wellness Center proposal, including a comparison of the County’s current plan to a fully-
30 insured product and the State of Wisconsin health program; and,

31

32 **WHEREAS**, the Wellness Center proposal has been well-publicized in the media, and members
33 of the public have shared their views with Supervisors; and,

34

35 **WHEREAS**, employees have been surveyed on the topic and have likewise shared their views;
36 and,

37

38 **WHEREAS**, it is the opinion of the Human Resources Committee that additional study is
39 warranted, but that it is desirable to begin to focus the effort; and,

40

41 **WHEREAS**, decisions concerning the Health Plan have a significant countywide impact such
42 that the Board of Supervisors should be apprised of the efforts of the Human Resources
43 Committee and establish broad policy.

1 **NOW, THEREFORE, BE IT RESOLVED** by the Walworth County Board of Supervisors
2 that:

- 3
- 4 1. The County will not proceed with implementing any Wellness Center until it has
5 concluded its study of that proposal and the Health Plan; and,
6
 - 7 2. If a decision is made that it is to the County's advantage to operate a Wellness Center, the
8 County will lease a facility and will not construct a new one.
9
 - 10 3. In no event will a Wellness Center provide a fitness area.
11

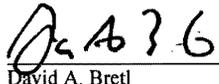
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14
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16 _____
17 Nancy Russell
18 County Board Chair

Kimberly S. Bushey
County Clerk

19
20
21 County Board Meeting Date: April 16, 2013

22
23 Action Required: Majority Vote X Two-thirds Vote _____ Other _____
24

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

	
David A. Bretl	Nicole Andersen
County Administrator/Corporation Counsel	Deputy County Administrator - Finance
Date <u>4/12/13</u>	Date <u>4/12/13</u>

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

Policy and Fiscal Note
Resolution No. 08 – 04/13

- I. Title:** Providing Direction Regarding the Future of the Walworth County Employee Health Plan
- II. Purpose and Policy Impact Statement:** The purpose of this resolution is to provide guidance to the Human Resources Committee and County staff regarding the County's employee health benefit program. Passage of this resolution will confirm the "status quo" with regard to health benefits pending further action by the Board.
- III. Budget and Fiscal Impact:** It was projected that an on-site clinic would likely reduce County and employee expenses relative to the current health plan.
- IV. Referred to the following standing committees for consideration and date of referral:**

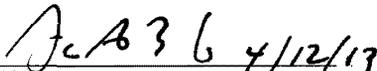
Committee: Human Resources

Meeting Date: March 20, 2013

Vote: 5 – 0

County Board Meeting Date: April 16, 2013

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



Date 4/12/13
David A. Bretl
County Administrator/Corporation Counsel



Date 4/12/13
Nicole Andersen
Deputy County Administrator - Finance

Resolution No. 09-04/13
Urging Governor Walker to Re-Visit his Voucher Proposal as it Relates to Special Needs Education

1 Moved/Sponsored by: Children with Disabilities Education Board

2

3 **WHEREAS**, Governor Walker recently introduced a \$73 million special needs voucher
4 expansion plan as part of his biennial budget proposal; and,

5

6 **WHEREAS**, these vouchers would provide a stipend to parents of children with disabilities to
7 attend a private school; and,

8

9 **WHEREAS**, with Governor Walker's proposal, it is estimated that \$21 million in funding would
10 leave public schools and go to private schools; and,

11

12 **WHEREAS**, the loss of such funding in public schools often impacts the children with the most
13 significant disabilities; and,

14

15 **WHEREAS**, schools involved in the voucher programs are not required to provide specific
16 services or supports, so children with disabilities may not receive the services they need as
17 prescribed in their Individual Education Plans (IEPs); and,

18

19 **WHEREAS**, similar voucher programs have simply proven to be unsuccessful in other states;
20 and,

21

22 **WHEREAS**, the Walworth County Children with Disabilities Education Board opposes the
23 Governor's proposed voucher plan; and,

24

25 **NOW, THEREFORE, BE IT RESOLVED** that the Walworth County Board of Supervisors
26 goes on record opposing Governor Walker's proposed special needs voucher program and urges
27 our county's legislators to re-examine this portion of the Governor's Biennial Budget.

28

29 **BE IT FURTHER RESOLVED** that a copy of this resolution be forwarded to the Governor
30 and Walworth County's legislative delegation.

31

32

33

34

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36 _____
37 Nancy Russell
38 County Board Chair

Kimberly S. Bushey
County Clerk

39

40

County Board Meeting Date: April 16, 2013

41

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

Policy and Fiscal Note
Resolution No. 09 – 04/13

- I. Title:** Urging Governor Walker to Re-Visit his Voucher Proposal as it Relates to Special Needs Education
- II. Purpose and Policy Impact Statement:** The purpose of this resolution is to urge Governor Walker to re-examine his voucher proposal due to the effect it would have on special needs education.
- III. Budget and Fiscal Impact:** Passage of this resolution will have no fiscal impact on the County budget.
- IV. Referred to the following standing committees for consideration and date of referral:**

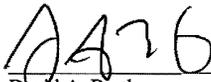
Committee: CDEB

Meeting Date: March 20, 2013

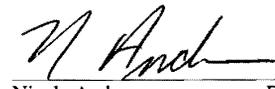
Vote: 5 – 0

County Board Meeting Date: April 16, 2013

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

 4/12/13

David A. Bretl Date
County Administrator/Corporation Counsel

 4/12/13

Nicole Andersen Date
Deputy County Administrator - Finance

Resolution No. 10-04/13
Authorizing Application for Stewardship Grant for the Acquisition of Approximately 194.5 Acres of Parkland in the Town of Lyons

1 Moved/Sponsored by: Park Committee

2
3 **WHEREAS**, Walworth County is interested in acquiring lands for public outdoor recreation
4 purposes; and,

5
6 **WHEREAS**, the approved Park and Open Space Plan for Walworth County recommends the
7 acquisition and development of a 220 acre park in the eastern portion of the County along the
8 White River; and,

9
10 **WHEREAS**, Walworth County has executed an option to purchase a 195 acre property in the
11 Town of Lyons that has considerable frontage on the White River; and,

12
13 **WHEREAS**, on April 08, 2013 the Park Committee moved to endorse Public Works
14 Department staff applying for a Knowles-Nelson Stewardship Local Assistance Grant on behalf
15 of the County; and,

16
17 **WHEREAS**, the acquisition of the property in the Town of Lyons is consistent with the
18 Walworth County Park and Open Space Plan and will address goals contained in that plan; and,

19
20 **WHEREAS**, the DNR requires a resolution of support from the requesting governmental entity
21 with the grant application submission that has a deadline of May 1, 2013.

22
23 **NOW, THEREFORE, BE IT RESOLVED** that the Walworth County Board of Supervisors
24 hereby authorizes Kevin Brunner, Director of Central Services, to act on behalf of Walworth
25 County to submit an application to the State of Wisconsin Department of Natural Resources for
26 any financial aid that may be available.

27
28 **BE IT FURTHER RESOLVED** that Walworth County will comply with state or federal rules
29 for the programs to the general public during reasonable hours consistent with the type of
30 facility; and will obtain from the State of Wisconsin Department of Natural Resources or the
31 National Park Service approval in writing before any change is made in the use of the project
32 site; and,

33
34 **BE IT FURTHER RESOLVED** that the grant application shall exclude the homestead and up
35 to five acres of land from the property to be purchased.

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41 Nancy Russell
County Board Chair

Kimberly S. Bushey
County Clerk

1 County Board Meeting Date: April 16, 2013

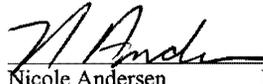
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3 Action Required: Majority Vote X Two-thirds Vote _____ Other _____

Policy and Fiscal Note is attached.

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

 4/10/13
David A. Bret Date
County Administrator/Corporation Counsel

 4/10/13
Nicole Andersen Date
Deputy County Administrator - Finance

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

Resolution No. 11-04/13
**Authorizing Application for Stewardship Grant to offset the Cost of Making Certain
Improvements to the Parkland to be Acquired by Walworth County**

1 Moved/Sponsored by: Park Committee

2
3 **WHEREAS**, Walworth County is interested in acquiring lands for public outdoor recreation
4 purposes; and,

5
6 **WHEREAS**, the approved Park and Open Space Plan for Walworth County recommends the
7 acquisition and development of a 220 acre park in the eastern portion of the County along the
8 White River; and,

9
10 **WHEREAS**, Walworth County has executed an option to purchase a 195 acre property in the
11 Town of Lyons that has considerable frontage on the White River; and,

12
13 **WHEREAS**, on April 08, 2013 the Park Committee moved to endorse Public Works
14 Department staff applying for a Knowles-Nelson Stewardship Local Assistance Grant Program;
15 and,

16
17 **WHEREAS**, after acquisition of the property development of the property should be open to the
18 public to the greatest extent possible for those recreation uses that the land is capable of
19 supporting; and,

20
21 **WHEREAS**, the construction of two gravel parking lots adjacent to Sheridan Springs Road, a
22 canoe/kayak launch and a restroom facility (“Improvements”) will assist in providing public
23 access to this proposed park property; and,

24
25 **WHEREAS**, the Walworth County Public Works Department can install these Improvements
26 and its contributed labor and equipment costs, as well as contributed base and finish gravel, can
27 serve to meet the 50% local match requirement for the Knowles-Nelson Stewardship Local
28 Assistance Grant; and,

29
30 **WHEREAS**, the DNR requires a resolution of support from the requesting governmental entity
31 with the grant application submission that has a deadline of May 1, 2013.

32
33 **NOW, THEREFORE, BE IT RESOLVED** that the Walworth County Board of Supervisors
34 hereby authorizes Kevin Brunner, Director of Central Services, to act on behalf of Walworth
35 County to submit an application to the State of Wisconsin Department of Natural Resources for
36 financial aid to assist with the above-stated Improvements.

37
38 **BE IT FURTHER RESOLVED** that Walworth County will comply with state or federal rules
39 for the programs to the general public during reasonable hours consistent with the type of
40 facility; and will obtain from the State of Wisconsin Department of Natural Resources or the

1 National Park Service approval in writing before any change is made in the use of the project
2 site; and,
3

4 **BE IT FURTHER RESOLVED** that Walworth County's contribution toward the
5 Improvements shall be limited to labor and equipment costs as well as gravel.
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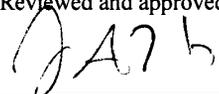
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11 _____
12 Nancy Russell
13 County Board Chair

Kimberly S. Bushey
County Clerk

14
15
16 County Board Meeting Date: April 16, 2013

17
18 Action Required: Majority Vote X Two-thirds Vote _____ Other _____

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

 _____ David A. Bretl County Administrator/Corporation Counsel	<u>4/12/13</u> Date	 _____ Nicole Andersen Deputy County Administrator - Finance	<u>4/12/13</u> Date
--	------------------------	---	------------------------

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

Policy and Fiscal Note
Resolution No. 11-04/13

- I. **Title:** Authorizing Application for Stewardship Grant to offset the Cost of Making Certain Improvements to the Parkland to be Acquired by Walworth County
- II. **Purpose and Policy Impact Statement:** The Wisconsin Department of Natural Resources (DNR) requires a resolution of support in order to submit a stewardship grant application on behalf of the county. The DNR has encouraged the county to submit this grant to assist in funding certain Improvements (two small parking areas, a restroom facility and a canoe/kayak launch) to allow this park to be accessible to the public as soon as possible.
- III. **Budget and Fiscal Impact:** The Stewardship grant will pay for 50% of the total development costs for the White River property. A budget for the proposed improvements is attached. The estimated total cost of improvements is \$86,592, with the County's share being \$43,292. Of that \$43,292, \$10,000 is for gravel, and the remainder will be for labor, equipment and contingency. The local share is planned to come from in-kind Department of Public Works labor and equipment charges related to the installation of these park Improvement projects.
- IV. **Referred to the following standing committees for consideration and date of referral:**

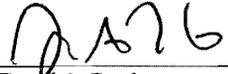
Committee: Park Committee

Meeting Date: April 8, 2013

Vote: 5 – 0

County Board Meeting Date: April 16, 2013

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


Date 4/12/13
David A. Bretl
County Administrator/Corporation Counsel


Date 4/12/13
Nicole Andersen
Deputy County Administrator - Finance

PROPOSED WHITE RIVER PARK-Wisconsin Stewardship Development Grant Application
4/8/2013

Improvement Project	Stewardship Cost	County DPW Cost	Total Project Cost
Parking Lots (2)			
Base/Finish Gravel		\$ 10,000	
Culvert	\$ 2,400		
Installation Labor		\$ 6,500	
Installation Equipment		\$ 2,970	
Contingency		\$ 2,187	\$ 24,057
Canoe/Kayak Launch			
Concrete	\$ 400		
Installation Labor		\$ 2,150	
Installation Equipment		\$ 800	
Contingency		\$ 335	\$ 3,685
Restrooms			
Base Modular Building	\$ 36,000		
Installation Labor		\$ 13,000	
18'Composite Fencing	\$ 3,000		
Enclosed Bulletin Board	\$ 500		
Permits	\$ 500		
Kiosk	\$ 500		
Contingency		\$ 5,350	\$ 58,850
	\$ 43,300	\$ 43,292	\$ 86,592

Resolution No. 12-04/13

Approving Financing of Project on Behalf of Geneva Ridge Senior Housing Foundation LLC

1 Moved/Sponsored by: Finance Committee

2

3 **WHEREAS**, Geneva Ridge Senior Housing Foundation LLC, a Wisconsin limited liability
4 company (the "Borrower") intends (a) to finance or reimburse the Borrower for costs associated
5 with the acquisition of land and condominium units and rights appurtenant thereto in the Town of
6 Geneva, Walworth County, Wisconsin and the acquisition, construction, installation and equipping
7 of senior housing facilities thereon to be owned by the Borrower including, without limitation,
8 assisted living, independent living and memory care facilities (collectively, the "Project"); (b) to
9 fund one or more debt service reserve funds for the Bonds described below; (c) to pay certain
10 expenses incurred in connection with the issuance of the Bonds; (d) to pay certain working capital
11 and maintenance costs related to the Project if deemed necessary by the Borrower; and (e) to
12 finance the payment of certain interest on the Bonds if deemed desirable by the Borrower; and,
13

13

14 **WHEREAS**, pursuant to Sections 66.0301, 66.0303 and 66.0304, Wisconsin Statutes, as amended
15 (the "Act"), the Public Finance Authority, a commission organized under the Act (the "Authority")
16 is authorized and empowered to issue its revenue bonds and to lend the proceeds thereof for the
17 purpose of financing a "project" within the meaning of the Act; and,
18

18

19 **WHEREAS**, the Authority has adopted a resolution under the Act regarding the issuance of Bonds
20 in a principal amount of not to exceed \$43,000,000, in one or more series, on behalf of the
21 Borrower to finance the Project and related costs (the "Bonds"); and,
22

22

23 **WHEREAS**, pursuant to Section 66.0304(11)(a) of the Act, the Authority may not issue bonds to
24 finance a capital improvement project in the State of Wisconsin unless all of the political
25 subdivisions within whose boundaries the project is to be located has approved the financing of the
26 project; and,
27

27

28 **WHEREAS**, the Borrower has requested that the County Board of Walworth County, Wisconsin
29 (the "County") approve the financing of the Project in order to satisfy Section 66.0304(11)(a) of
30 the Act; and,
31

31

32 **WHEREAS**, the County will have no responsibility for the issuance, repayment, or application of
33 the proceeds of the Bonds, or any other matter with respect to the Bonds.
34

34

35 **NOW THEREFORE, BE IT RESOLVED** that the County Board, on behalf of the County,
36 hereby approves the financing of the Project. It is the purpose and intent of the County Board that
37 this resolution constitutes approval of the financing of the Project by Walworth County for
38 purposes of Section 66.0304(11)(a) of the Wisconsin Statutes.
39

39

40 **BE IT FURTHER RESOLVED** that the County Board, on behalf of the County, hereby
41 authorizes the County and its appropriate officers to execute one or more documents evidencing
42 this approval.
43

43

1 **BE IT FURTHER RESOLVED** that the County shall have no obligation with respect to the
2 Bonds or the Project.

3

4

5

6 _____
7 Nancy Russell
8 County Board Chair

Kimberly S. Bushey
County Clerk

8

9

10 County Board Meeting Date: April 16, 2013

11

12 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:

DA Bretl 4/12/13
David A. Bretl Date
County Administrator/Corporation Counsel

N Andersen 4/12/13
Nicole Andersen Date
Deputy County Administrator - Finance

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

Gloria M. Stogedill
3307 Bay Road
Delavan, WI 53115

Mailing Address: 14316 Harmony Road, Huntley, Illinois 60142

April 3, 2013

RECEIVED

APR 08 2013

**Letter to Mr. Michael Cotter, attorney for Walworth County, via e-mail.
Copy to the Walworth County Board of Supervisors, via US Mail .**

WALWORTH COUNTY BOARD

Re: Illegal Use of Walworth County Residential Properties on Bay Road, Delavan, Wisconsin

Dear Mr. Cotter:

I have just returned from my winter stay in Florida, and have been apprised this past Friday, by my neighbor, Mrs. Williams, that there have been continuing problems with two property owners on our portion of Bay Road, who continue to illegally rent their Bay Road properties to the transient public in violation of Walworth County Code DIVISION 3. - ZONING DISTRICTS.

Up until last year, my family and I had enjoyed the quiet peacefulness of our Bay Road property from March through November. Last year, however, we noticed that things have dramatically changed with respect to quiet and privacy issues, and have heard from our neighbors that there are endless troubles with transient renters at the property addresses of 3301 and 3305 Bay Road.

I would like to voice my concern regarding the fact that as property owners, myself and my family have lost our right to quiet enjoyment of our property which we have worked so hard to be able to afford and to purchase and upkeep in an acceptable manner. We paid a very high sum for our property - and we have spent considerable higher amounts to attempt bring the property more "up to par" with neighboring properties here.

We, too, purchased our property after doing considerable research on our own with respect to zoning issues and our ability to quietly enjoy our property. After researching County of Walworth Codes and speaking with all the neighboring property owners, we were satisfied that we were purchasing in a quiet neighborhood with protective zoning codes which were substantial and enforced by the appropriate authorities. This is why we purchased property here. As my husband and I were getting older, we wanted to find a property within an hour of our home which would allow us to get away from wild parties, neighborhood noise, and the mischief and trouble that come with closely packed vacation cottages where residents focus on drinking and disorderly conduct. This is not our focus in life and we wanted no part of that lifestyle.

In the ten-plus years that have followed our purchase of 3307 Bay Road, our due diligence paid off, and we have been able to enjoy the property we worked so hard to purchase. This, sadly, is no longer the case. However, this is not the only concern we have.

The fact that two new property purchasers have apparently purchased property next to us with blatant disrespect for the Walworth Code and accompanying laws is reprehensible. We cannot understand why a Cease and Desist order has not been entered upon these properties.

We are very concerned that there are going to be some grave consequences of these transient rentals and the blatant disregard of Walworth Code by these two property owners. On top of many residents' loss of their rights to quiet enjoyment, our community is going to undoubtedly experience either injuries, deaths due to ignoring of traffic laws and postings, or the potential for 'neighbor rage' -- and all of these terrible occurrences would be avoidable if this illegal activity were to be shut down at both of the offending properties.

Indeed, from a cursory review of the Walworth County, Wisconsin, Code of Ordinances, Chapter 74, Zoning, we note that the following ordinances are already being broken and have thus far, apparently have had such violations allowed to continue, in violation of said laws. We have added yellow highlight to the applicable sections:

April 16, 2013
Distributed at Meeting Packet
Page 26 of 31

Sec. 74-153. - Purpose.

The purpose of this ordinance is to promote the comfort, health, safety, prosperity, aesthetics, and general welfare of the county and its communities and to protect the natural and agricultural resources and environmental corridors, as identified and continued

Sec. 74-154. - Intent.

It is the general intent of this ordinance to:

- (1) **Regulate the use of all structures, lands, and waters within the shoreland areas of Walworth County;**
- (2) **Regulate lot coverage, population density and distribution, and the location and size of all structures within the shoreland areas of Walworth County;**
- (3) **Secure safety from fire, flooding, panic and other dangers;**
- (4) Provide adequate light, air, sanitation, and drainage;
- (5) Further the appropriate use of land and conservation of natural resources;
- (6) Obtain the wise use, conservation, development, and protection of the county's water, soil, wetland, woodland, and wildlife resources and attain a balance between land uses and the ability of the natural resource base to support and sustain such uses;
- (7) **Prevent overcrowding and avoid undue population concentration and urban sprawl;**
- (8) **Stabilize and protect the natural beauty and property values of the county;**
- (9) **Lessen congestion in and promote the safety and efficiency of the streets and highways;**
- (10) Facilitate the adequate provision of public facilities and utilities;
- (11) Preserve natural growth and cover and promote the natural beauty of the county;
- (12) Implement those municipal, county, watershed, or regional comprehensive plans or their components adopted by the county;
- (13) Prevent flood damage to persons and property and minimize expenditures for flood relief and flood control projects.
- (14) To preserve the beauty and rural character of the county through the permanent preservation of meaningful open space and sensitive natural resources;
- (15) To preserve prime agricultural land by concentrating housing on lands that have low agricultural potential;
- (16) To provide commonly-owned open space areas for passive and/or active recreational use by residents of the development and, where specified, the larger community;
- (17) To provide a diversity of lot sizes, housing choices and building densities to accommodate a variety of age and income groups;
- (18) **To provide buffering between residential development and non-residential uses;**
- (19) To meet demand for housing in a rural setting;
- (20) To provide an opportunity to create an interconnected network of protected lands;
- (21) To protect the quality and abundance of ground water resources; and

(22) To protect and restore environmentally sensitive areas, biological diversity, minimize disturbance to existing vegetation, and maintain environmental corridors.

Additionally, it is intended to provide for the administration and enforcement of this ordinance and to provide penalties for its violation. (Amd. of 7-13-04; Ord. No. 591-12/09, pt. XXXIII, 12-15-09)

Sec. 74-161. - Jurisdiction.

The provisions of this ordinance shall apply to all structures, land, water and air within the unincorporated areas of Walworth County, Wisconsin.

Unless specifically exempted by law, all cities, villages, towns, counties and state are required to comply with this ordinance and obtain all necessary permits. State agencies are required to comply if Wisconsin Statute § 13.48(13), applies. The construction, reconstruction, maintenance and repair of state highways and bridges by the Wisconsin Department of Transportation is exempt when Wisconsin Statute § 30.2022 applies. (Ord. No. 575-09/09, pt. XI, 9-8-09)

As we performed our research into these violations, we noted with some small amount of comfort that Section 74-174 of the Walworth County Code provides for penalties in the event of violation. In light of the fact that the two property owners in violation are apparently not deterred by any of the current findings or assessments against them, at first, we thought, "Oh, thank goodness, there are penalties that will stop the offenders." Upon further reading of Section 74-174, however, we noted that at least in your online version, this Section provides for penalties of "...nor more than one thousand dollars...". While we were at first very dismayed to read this, we believe that our second review of the language shows that full responsibility for violation of this law can be assessed against the violators.

Our review of the law indicates to us that each and every day of violation is a new and separate violation. Through this Ordinance and a computation of the penalties, it would seem that the County of Walworth would be able to assess penalties of \$30,000.00 - plus to each of the offenders. Through our calculations, the county of Walworth would be able to not only discourage illegal activities such as the instant activity, but would also be able to recoup monies which could be very helpful to the county by those violators who ignore the law. Since our neighbors' violations have continued, the county would be able to recoup the sum of at least \$30,000 per offender, in this case, and this amount certainly would discourage most property owners' illegal use of property. (Computed as 300 days @ \$100.00 per day per violation.) Pursuant to the following Section 74-174, *in pertinent part*:

Sec. 74-174. - Penalties.

Any person, firm, or corporation who fails to comply with the provisions of this ordinance or any order of the county zoning administrator issued in accordance with this ordinance shall, upon conviction thereof, forfeit not less than one hundred dollars (\$100.00) nor more than one thousand dollars (\$1000.00) and costs of prosecution for each violation and in default of payment of such forfeiture and costs shall be imprisoned in the county jail until payment thereof, but not exceeding 30 days. Each day a violation exists or continues shall constitute a separate offense. Every violation of this ordinance is a public nuisance and

Gloria M. Stogsdill, 3307 Bay Road, Delavan, WI 53115
April 3, 2013
Page Four

**the creation thereof may be enjoined and the maintenance thereof may be enforced pursuant to Wis. Stat. § 59.69(11).
(Amd. of 5-10-05; Ord. No. 591-12/09, pt. XI, 12-15-09**

In the current matter, said penalties should be assessed as provided for in the above Section of the Code, as it is evident that the two property owners in violation are apparently not deterred by any of the current findings or assessments against them.

And finally, the two offending property owners are in violation of the most basic of zoning regulations as promulgated by the Walworth County, Wisconsin, Code of Ordinances:

Sec. 74-181. - Residence districts.

R-1 Single-family residence district (unsewered). The single-family residence district is hereby established to provide location for and maintain values of low density single-family development only.

We respectfully ask that in light of all of the foregoing, that the County of Walworth immediately file in a court of competent jurisdiction for an Order of Cease and Desist, and for such other injunctive relief on behalf of Walworth County and its affected residents.

Please respond to us at your earliest opportunity, as we are gravely concerned about these violations, and we wish to stop the illegal use as soon as possible.

Please note my mailing address on the front page of this letter, and please accept the facsimile signature affixed below as if it were my own handwritten signature.

Sincerely,

Gloria M. Stogsdill
Gloria M. Stogsdill

Gloria Stogsdill
Property Owner

Sent electronically on behalf of Mrs. Stogsdill by her daughter
cc: **Walworth County Board of Supervisors, via US Mail**

From: pat lois <patlois@hotmail.com>
To: <kbrunner@co.walworth.wi.us>
Date: 03/31/2013 10:46 PM
Subject: Walworth County Park concerns

Mr. Brunner,

Please find attached our concerns re: the proposed Walworth County Park. We are Mr. Clark's next door neighbors. I apologize for not getting this to you sooner as I have been out of town. I would appreciate it if you could give each of the Board Members a copy of this as I could not find email addresses for them. Our contact information is shown on the letter but if you encounter any problems with this email please contact us at 262-248-6455, 2662-210-9391 or 262-210-9390. Thanks for your help.



Pat Lois WalCoPark.doc

**Ronald and Patricia Lois
6573 Sheridan Springs Rd.
Lake Geneva, WI 53147**

Home:262-248-6455 Ron Cell 262-210-9391 Pat Cell 262-210-9390

To Walworth County Board Members:

We are writing to voice our concerns regarding the proposed White River County Park. We are the neighboring property owners that will be most directly affected by this Park. We purchased our approximately 80 acre parcel 15 years ago. This was a huge investment for us and we hoped that the strict Walworth County and Lyons Township zoning rules would help to protect our investment and our privacy. We hoped that these rules would minimize subdivisions or other development but never even considered the possibility of a park. We now turn to you to ask you to help us to maintain our privacy and protect our investment. We have the following concerns that need to be addressed and resolved before you proceed further with any plans:

▲ Our first concern is the price of the property. This parcel as shown on Plat maps is approximately 190.5 acres. The acreage consists of approximately 122 acres farmland and 70 acres woods and wetlands of which **over 45 acres on the West and South sides of the river is landlocked**. This would only be of value if a costly bridge would be built across the river. This landlocked property would be impossible to monitor and extremely costly to make accessible to the public. Also, some of this land is actually road and road frontage so this should be considered as well. We would suggest that the County has it's own appraisal done to verify the value stated in Mr. Clark's appraisal. Also, the cost of a bridge should be included in the proposed operating expenses to arrive at a true expense.

▲

▲ We have contacted Mr. Clark numerous time regarding his illegal fence on our property. We have had our property surveyed 3 times by 3 different surveyors and all have concluded that his fence is on our property. This is the wood fence on the West side of the White River where Mr. Clark's property meets ours. This problem has 2 different solutions. Either the fence must be moved or the landlocked property mentioned above located on the West side of the White River sold to us. In years past it was a part of the parcel we now own.

▲ We are interested in purchasing the landlocked property on the West and South sides of the river. This property is useless to the park and impossible to monitor and maintain as it is not accessible from a road. It would not be cost worthy to install bridges to it.

▲ How will the park be monitored? There currently is a major problem during the warmer months with the kayak and canoe parties at the bridge on Sheridan Springs Rd. People are currently using our land at that location as if it were a public launch area and leaving their debris behind for us to clean up. This is a visible area and we're sure the problem will increase once these patrons have a more secluded launch area at the proposed County Park launch area. How will this be patrolled?

▲ What will the park hours be and who will enforce this? Will there be a locked gate?

▲ Will the property be professionally surveyed and will all of the property lot lines be clearly marked to avoid trespassing on our and other neighboring property? Will the entire property be fenced to avoid this problem?

▲ Who will pay for the excavation and containment of the underground tanks on the property?

▲ What will the hunting and trapping restrictions be and how will they be strictly enforced?

▲ Will there be ATV trails and how will they be monitored and maintained?

▲ Review the proposed operating expenses pertaining to the house maintenance, heating abd utilities. This is a very old house in need of updates and ongoing maintenance. We don't feel that the proposed amount will come close to covering expenses.

Thank you for your help with this matter and please keep us informed as things progress.

Sincerely,

▲

▲ Ron and Pat Lois