



**WALWORTH COUNTY BOARD OF SUPERVISORS
MEETING**

TUESDAY, FEBRUARY 11, 2014 AT 6:00 P.M.

County Board Room
Walworth County Government Center
100 W. WALWORTH STREET
ELKHORN, WI

Board of Supervisors

Nancy Russell – Chair
Jerry A. Grant – Vice-Chair

A G E N D A

Call to Order

Pledge of Allegiance

Invocation

- Rick Stacey, Walworth County Board Supervisor, District #1

Roll Call

Withdrawals from Agenda, if any

Approval of the Agenda

Approval of the Minutes

- January 14, 2014 County Board Meeting Minutes

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

Appointments/Elections

1. Aram Public Library Board
 - Jean Blashfield Black – Three-year term to begin upon County Board confirmation and end on February 11, 2017 (Recommended by the Executive Committee 4-0)
2. Lakeshores Library System Board
 - Susan Metzner – Three-year term to begin upon County Board confirmation and end on December 31, 2016 (Recommended by the Executive Committee 4-0)
3. Director of Human Resources
 - Dale Wilson (Recommended by the Human Resources Committee 5-0)

Communications and Matters to Be Referred

1. Claims Received After Agenda Mailing
2. Claims: a) Summons and Complaint – McHenry Savings Bank, Plaintiff, vs. Patrick D. Arnold, Hollis A. Arnold, Wisconsin Department of Workforce Development, Wisconsin Department of Revenue, Timber Ridge Lodge

- Condominium Association, Inc., United States of America Department of Internal Revenue Service, United States of America Eastern District of Wisconsin, Michael D. Blair, X-Pert Drywall, LLC, County of Walworth, and Stafford Rosenbaum LLP, Defendants (14CV00027); b) Summons and Complaint – McHenry Savings Bank, Plaintiff, vs. Patrick D. Arnold, Hollis A. Arnold, Wisconsin Department of Workforce Development, Wisconsin Department of Revenue, Cove Condominium Association, Inc., a/k/a The Cove of Lake Geneva Condominium Owners Association, United States of America Department of Internal Revenue Service, United States of America Eastern District of Wisconsin, Michael D. Blair, X-Pert Drywall, LLC, County of Walworth, and Stafford Rosenbaum LLP, Defendants (14CV00028); c) Notice of Appearance and Claim for Surplus received from Cove Condominium Association, Inc. a/k/a The Cove of Lake Geneva Condominium Owners Association in regard to McHenry Savings Bank, Plaintiff, v. Patrick D. Arnold, et al., Defendants (14CV00028); d) Claim received from Mr. William Schmidt in regard to Lot 1 Block 17 Sunset Hills (To be referred to the Executive Committee)
3. Brown County Resolution In Support of Changes to the State Statutes Regarding Protective Occupation Participant Status of County Correction Officers (To be referred to the Executive Committee)
 4. Correspondence from WCA Services Inc. in regard to an exclusive member discount for long-term care insurance (To be referred to the Human Resources Committee)
 5. Correspondence from the Town of Lafayette in regard to a public hearing to vacate and discontinue a portion of right-of-way of Stuart Drive (To be referred to the Public Works Committee)
 6. Correspondence from State Representative Andy Jorgensen acknowledging receipt of Walworth County resolutions (To be placed on file)
 7. Report of the County Clerk Regarding Communications Received by the Board and Recommended to be Placed on File
 8. Report of the County Clerk Regarding Communications Received by the Board After the Agenda Mailing
 9. Report of the County Clerk Regarding Zoning Petitions (To be referred to the County Zoning Agency)

Unfinished Business

New Business

Reports of Standing Committees

County Zoning Agency Report of Proposed Zoning Amendments

1. Ord. No. 836-02/14 – Repealing and Recreating Chapter 64 of the Walworth County Code of Ordinances Relating to Mobile Towers – *Vote Required: Majority* (Recommended by the County Zoning Agency 7-0)
Amendment Repealing and Recreating Article II of Chapter 64 – Telecommunications, Mobile Tower Siting Ordinance, Walworth County Code of Ordinances, in compliance with Wisconsin Act 20 – Approved: 7-0 (December 19, 2013 County Zoning Agency Public Hearing, with modifications)

2. Ord. No. 837-02/14 – Amending Sections 74-44 and 74-171 of the Walworth County Code of Ordinances Relating to Pet and Animal Regulations – *Vote Required: Majority* (Recommended by the County Zoning Agency 7-0) Amendment to Section(s) 74-44 of the Zoning Ordinance and Section(s) 74-171 of the Shoreland Zoning Ordinance, Walworth County Code of Ordinances relative to chickens in the R-1, R-2, R-3, R-5, R-5A and C-3 districts and modified requirements in the agricultural and C-2 districts – Approved: 7-0 (January 16, 2014 County Zoning Agency Public Hearing)
3. Timothy A. Lightfield, Section 17, Spring Prairie Township. Rezone approximately 3.27 acres of A-1 to C-2 – Approved: 7-0 (January 16, 2014 County Zoning Agency Public Hearing)

Executive Committee

1. Ord. No. 835-02/14 – Amending Section 2-44 of the Walworth County Code of Ordinances Pertaining to the Temporary Assignment of a Supervisor to a Committee As the Result of a Vacancy – *Vote Required: Two-thirds* (Recommended by the Executive Committee 4-0)
2. Res. No. 76-02/14 – Recognizing Jerry Grant for 15 Years of Dedicated Service as a County Board Supervisor – *Vote Required: Majority* (Recommended by the Executive Committee 4-0)
3. Res. No. 77-02/14 – Supporting Wisconsin 2013 Assembly Bill 308 Proposing to Repeal Wis. Stats. Section 66.0602(2m)(b) and Renumber Section 66.0601(a) Relating to Reduction of Local Levy Limits by the Amount of Certain Fee Revenues Received – *Vote Required: Majority* (Recommended by the Executive Committee 4-0)
4. Res. No. 78-02/14 – Supporting Legislation to Create Statute Sections Relating to Granting Immunity from Certain Criminal Prosecutions for Offenses Relating to a Controlled Substance or a Controlled Substance Analog – *Vote Required: Majority* (Recommended by the Executive Committee 4-0)
5. Res. No. 79-02/14 – Supporting Legislation Relating to Programs for the Disposal of Drugs, Including Controlled Substances, Certain Medical or Drug-Related Items and the Regulation of Prescription Drugs – *Vote Required: Majority* (Recommended by the Executive Committee 4-0)
6. Res. No. 80-02/14 – Supporting Legislation to Create Statute Sections Relating to Training and Agreements for Administering the Drug Naloxone, Requiring Emergency Medical Technicians to Carry Naloxone, and Providing Immunity for Certain Individuals Who Administer Naloxone – *Vote Required: Majority* (Recommended by the Executive Committee 4-0)
7. Res. No. 81-02/14 – Supporting Legislation Relating to Identification, Presentation and Monitoring for Certain Prescription Drugs – *Vote Required: Majority* (Recommended by the Executive Committee 4-0)
8. Res. No. 82-02/14 – Denying the Claim of John McDaniels – *Vote Required: Majority* (Recommended by the Executive Committee 4-0)
9. Res. No. 83-02/14 – Denying the Claim of Martin Stern – *Vote Required: Majority* (Recommended by the Executive Committee 4-0)
10. Res. No. 84-02/14 – Denying the Claim of Shahid Muqaddim – *Vote Required: Majority* (Recommended by the Executive Committee 4-0)

Finance Committee

1. Ord. No. 831-02/14 – 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 5-0)
2. Res. No. 70-02/14 – Authorizing the Transfer of Funds from the Road Construction Committed Fund Balance Account to the CTH H (CTH NN to Williams Street) Roadwork Project – *Vote Required: Majority* (Recommended by the Public Works Committee 5-0 and the Finance Committee 5-0)
3. Res. No. 71-02/14 – Authorizing the Closing of CTH O Roadwork Project and Transferring Remaining Funds to the Road Construction Committed Fund Balance Account – *Vote Required: Majority* (Recommended by the Public Works Committee 5-0 and the Finance Committee 5-0)
4. Res. No. 72-02/14 – Accepting the KARA Foundation Donation to Continue Technological Opportunities for Lakeland School Students and Staff – *Vote Required: Majority* (Recommended by the Children with Disabilities Education Board 4-0 and the Finance Committee 5-0)
5. Res. No. 73-02/14 – Authorizing the Transfer of Funds from the 2014 Contingency Fund to Complete Government Center Remodel for Human Resources and Administration and to Fund the Newly Created Risk/Benefits Manager Position – *Vote Required: Two-thirds* (Recommended by the Finance Committee 5-0)
6. Res. No. 74-02/14 – Resolution Authorizing the Redemption of General Obligation Promissory Notes, Dated August 1, 2007 – *Vote Required: Majority* (Recommended by the Finance Committee 5-0)

Human Resources Committee

1. Ord. No. 832-02/14 – Amending Section 15-17 of the Walworth County Code of Ordinances Relating to a Reorganization of the Finance and Human Resources Departments – *Vote Required: Two-thirds* (Recommended by the Human Resources Committee 5-0)
2. Ord. No. 833-02/14 – Amending Section 15-17 of the Walworth County Code of Ordinances Relating to the Reclassification of a Machine Operator to a Patrolman in Public Works – *Vote Required: Majority* (Recommended by the Human Resources Committee 5-0)
3. Ord. No. 834-02/14 – Amending Section 15-333 of the Walworth County Code of Ordinances Relating to Pay Plan Administration – *Vote Required: Majority* (Recommended by the Human Resources Committee 5-0)
4. Res. No. 75-02/14 – Committing to Promote Certain Public Works Employees Upon Completion of Required Training and Proficiency Testing – *Vote Required: Majority* (Recommended by the Human Resources Committee 5-0)
5. Res. No. 85-02/14 – Authorizing the County Administrator to Execute an Employment Agreement By and Between Walworth County and Dale Wilson as Director of Human Resources – *Vote Required: Majority* (Recommended by the Human Resources Committee 5-0)
6. Res. No. 86-02/14 – Approving a Collective Bargaining Agreement By and Between Walworth County and the Deputy Sheriffs Association for the Period of January 1, 2014 to December 31, 2014 – *Vote Required: Majority* (Recommended by the Human Resources Committee 5-0)

Reports of Special Committees

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

Chairperson's Report

Adjournment

Kimberly S. Bushey
Walworth County Clerk

*Supervisors and Committees: Please submit titles for the Tuesday, March 11, 2014 agenda on or before Wednesday, February 26, 2014.

JANUARY 14, 2014
WALWORTH COUNTY BOARD OF SUPERVISORS
MEETING

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

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

Daniel G. Kilkenny, Walworth County Board Supervisor, District #8, delivered the invocation.

Amendments, Withdrawals, and Approval of Agenda

On motion by Vice-Chair Grant, seconded by Supervisor Weber, the agenda was approved by voice vote with the amendment of moving Park Committee Items #3 and #2, respectively, to immediately after Comment Period by Members of the Public Concerning Items on the Agenda.

Approval of the Minutes

On motion by Supervisor Brandl, seconded by Supervisor Schaefer, the December 10, 2013 County Board Meeting minutes were approved by voice vote.

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

There was none.

Park Committee

3. Res. No. 66-01/14 – Recognizing Robert Biersack of Biersack Well Service for his Contribution to Price Park – *Vote Required: Majority* (Recommended by the Park Committee 3-0)

On motion by Supervisor Weber, seconded by Supervisor Brellenthin, **Resolution No. 66-01/14** was approved by voice vote. Chair Russell asked Mr. Biersack to come forward to be recognized. Chair Russell read the resolution.

Park Committee

2. Res. No. 65-01/14 – Recognizing Vendor Support in Promoting the White River State Trail – *Vote Required: Majority* (Recommended by the Park Committee 3-0)

On motion by Supervisor Weber, seconded by Vice-Chair Grant, **Resolution No. 65-01/14** was approved by voice vote. Chair Russell asked representatives that were present from the following businesses to come forward to be recognized: Bob's Pedal Pusher, Walworth County Boots and Saddle Club, Elkhorn Chamber of Commerce, Lyons Grocery, Pedal and Cup, Walworth County Visitors Bureau and White River Cycle Club. Chair Russell read the resolution.

Appointments/Elections

1. Agriculture & Extension Education Committee

- Kelly Pickel – Term to begin upon confirmation and end on December 30, 2015 (Recommended by the Executive Committee 3-0)
- 2. Veterans Service Commission
 - Les Allen – Three-year term to begin upon confirmation and end on December 31, 2016 (Recommended by the Executive Committee 3-0)

On motion by Supervisor Brandl, seconded by Supervisor Weber, the appointments to the Agriculture & Extension Education Committee and Veterans Service Commission 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: a) Notice of Receiver’s Motion – In re: B.R. Amon & Sons, Inc. 13-CV-363; Amon & Sons, Inc. 13-CV-365; Amon Land Company, LLC 13-CV-364; Lake Mills Blacktop, Inc. 13-CV-366; b) Notice of Claim for Vehicle Damage – Shahid A. Muqaddim (To be referred to the Executive Committee)
3. Outagamie Co. Resolution No. 114-2013-14 – Support legislation in which a person may not be prosecuted for possessing naloxone or for administering or delivering naloxone to another person if acting with the good faith belief to save another person’s life from an overdose or adverse reaction to a controlled substance (To be referred to the Executive Committee)
4. Outagamie Co. Resolution No. 115-2013-14 – Support legislation updating state criminal law and state regulatory provisions concerning prescription drugs and controlled substances to facilitate and encourage the operation of community drug disposal programs (To be referred to the Executive Committee)
5. Outagamie Co. Resolution No. 116-2013-14 – Support legislation allowing all levels of EMT’s and first responders to be trained to administer naloxone (To be referred to the Executive Committee)
6. Outagamie Co. Resolution No. 117-2013-14 – Support legislation which would require individuals to show proper identification when picking up Schedule II or III narcotic/opiate prescription medication (To be referred to the Executive Committee)
7. Adams County Resolution #122-2013 – Resolution to Support Wisconsin 2013 Assembly Bill 308 (To be referred to the Executive Committee)
8. Correspondence from State of Wisconsin Division of Emergency Management in regard to their review of the half-year progress reports submitted by County Directors of Emergency Management for the period of April 1, 2013 through September 30, 2013 (To be referred to the Executive Committee)
9. Communication from Southeastern Wisconsin Regional Planning Commission with the Commission’s *2012 Annual Report* (To be placed on file) (The complete report can be viewed in the County Clerk’s office)
10. Report of the County Clerk Regarding Communications Received by the Board and Recommended to be Placed on File
 - There were none.
11. Report of the County Clerk Regarding Communications Received by the Board After the Agenda Mailing
 - Ordinance No. 828-01/14 – Amending Section 15-17 of the Walworth County Code of Ordinances Relating to Changes to the Maintenance Positions at Public Works
 - Ordinance No. 829-01/14 – Repealing and Recreating Sections of Chapter 65 of the Walworth County Code of Ordinances Relating to Renewable Energy

- Resolution No. 69-01/14 – Authorizing the Proper County Officials to Purchase Parkland in the Town of Lyons, Consisting of Approximately 195 Acres
 - Notice of Claim – Allan Biesterveld – To be referred to the Executive Committee
 - Notice of Claim – Geneva National Community Association, Inc. and Geneva National Condominium Master Association, Inc. – Unit No. 17-02 for damages from the County of Walworth – To be referred to the Executive Committee
 - Notice of Injury – Geneva National Community Association, Inc. and Geneva National Condominium Master Association, Inc. – Unit No. 17-02 – To be referred to the Executive Committee
 - Correspondence from County Clerk Kimberly Bushey sent to Governor Scott Walker regarding the official Notice of Vacancy for the office of Walworth County Coroner – To be placed on file
 - Correspondence from Raquel Guadian-Harris with signed petitions from Walworth County residents in regard to the placement of the Nativity Scene at the Courthouse Square – To be placed on file (The signed petitions can be viewed in the County Clerk’s office)
 - Correspondence from the City of Whitewater regarding an amendment to the City of Whitewater Comprehensive Plan – To be placed on file (The amendment can be viewed in the County Clerk’s office)
 - *Walworth County Aging & Disability Resource Center News*, January 2014
12. Report of the County Clerk Regarding Zoning Petitions (To be referred to the County Zoning Agency)
- Timothy A. Lightfield, Spring Prairie Township. Rezone approx. 3.27 acres of A-1 Agricultural District to C-2 Upland Resource Conservation District

Unfinished Business

New Business

Reports of Standing Committees

County Zoning Agency Report of Proposed Zoning Amendments

1. Reek Elementary School – Ryan Southwick (Treasurer of School Board), Section 16, Linn Township. Rezone the C-2 and C-4 zoned property to P-1 Park and C-4 Shoreland Wetlands Districts in order to make the upland area of the school all P-1 zoned – Approved: 7-0 (December 19, 2013 County Zoning Agency Public Hearing)
2. Walworth County/Wisconsin Department of Natural Resources, Sections 4 and 5, East Troy Township. The Wisconsin Department of Natural Resources has mandated amendments to the Walworth County Shoreland Floodplain Ordinance requiring a larger flood hazard area below the Lake Beulah Dam. The amendments are based on DNR submittal of a new flood hazard map. The larger flood hazard area below Lake Beulah Dam was DNR approved as a result of the assignment of the High Hazard rating for the Lake Beulah Dam, field file 64.05 dated December 1, 2004, and adopted by Walworth County on September 7, 2006 – Approved: 7-0 (December 19, 2013 County Zoning Agency Public Hearing)
3. Margie A. Schoenberg, Wisconsin Department of Natural Resources and Walworth County, Michael P. Schoenberg – Applicant, Section 10, Lyons Township. Rezone approximately 18 acres of C-1 and C-4 to A-1 – Approved: 7-0 (December 19, 2013 County Zoning Agency Public Hearing)
4. Theresa and Peter Hoekstra, Michael and Linda Hoekstra – Applicant, Section 2, Darien Township. Rezone approximately 4.5 acres of C-2 and 1.33 acres of M-3 to A-1 – Approved: 7-0 (December 19, 2013 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 through 4, was approved as recommended by the County Zoning Agency.

County Zoning Agency

1. Ord. No. 829-01/14 – Repealing and Recreating Sections of Chapter 65 of the Walworth County Code of Ordinances Relating to Renewable Energy – *Vote Required: Majority* (Recommended by the County Zoning Agency 7-0)

On motion by Supervisor Stacey, seconded by Supervisor Brellenthin, **Ordinance No. 829-01/14** was approved by voice vote.

Executive Committee

1. Ord. No. 824-01/14 – Amending Chapter 38 of the Walworth County Code of Ordinances Relating to Alcohol Licensing Violations – *Vote Required: Majority* (Recommended by the Executive Committee 3-0)

On motion by Supervisor Weber, seconded by Supervisor Brandl, **Ordinance No. 824-01/14** was approved by voice vote. Sheriff Graves stated it reduces the violation to a county ordinance violation versus going through the District Attorney’s office for a state charge.

Finance Committee

1. Res. No. 67-01/14 – Authorizing the Transfer of \$25,000 from the 2014 Contingency Fund to Complete Underground Fuel Tank Remediation Plan – *Vote Required: Two-thirds* (Recommended by the Finance Committee 4-0)

Supervisor Weber offered a motion, seconded by Vice-Chair Grant, to approve Resolution No. 67-01/14. On motion by Vice-Chair Grant, seconded by Supervisor Stacey, **Resolution No. 67-01/14** was approved by unanimous consent.

Health & Human Services Board

1. Ord. No. 830-01/14 – Amending Sections 50-2 and 50-5 of the Walworth County Code of Ordinances Relating to Prioritizing Prevention Services through the Department of Health & Human Services – *Vote Required: Majority* (Recommended by the Health & Human Services Board 7-0)

On motion by Supervisor Monroe, seconded by Vice-Chair Grant, **Ordinance No. 830-01/14** was approved by voice vote.

Human Resources Committee

1. Ord. No. 827-01/14 – Amending Section 15-17 of the Walworth County Code of Ordinances Relating to a Title Change to the Grounds Supervisor Position at Public Works – *Vote Required: Majority* (Recommended by the Human Resources Committee 5-0)
2. Ord. No. 828-01/14 – Amending Section 15-17 of the Walworth County Code of Ordinances Relating to Changes to the Maintenance Positions at Public Works – *Vote Required: Majority* (Recommended by the Human Resources Committee 4-1)
3. Res. No. 68-01/14 – Extending the Employment Contract of Michael Cotter for Performing the Duties of Deputy Corporation Counsel – *Vote Required: Majority* (Recommended by the Human Resources Committee 5-0)

On motion by Vice-Chair Grant, seconded by Supervisor Weber, Item 1, **Ordinance No. 827-01/14**; Item 2, **Ordinance No. 828-01/14**; and Item 3, **Resolution No. 68-01/14**; were approved by voice vote.

Park Committee

1. Ord. No. 826-01/14 – Amending Section 30-156 of the Walworth County Code of Ordinances Relating to Acceptance and Use of Donations and Creating Section 42-10 of the Code Relating to the Naming of Parks – *Vote Required: Majority* (Recommended by the Park Committee 3-0)
2. Res. No. 65-01/14 – Recognizing Vendor Support in Promoting the White River State Trail – *Vote Required: Majority* (Recommended by the Park Committee 3-0)
3. Res. No. 66-01/14 – Recognizing Robert Biersack of Biersack Well Service for his Contribution to Price Park – *Vote Required: Majority* (Recommended by the Park Committee 3-0)
4. Res. No. 69-01/14 – Authorizing the Proper County Officials to Purchase Parkland in the Town of Lyons, Consisting of Approximately 195 Acres – *Vote Required: Majority* (Recommended by the Park Committee 3-0)

On motion by Vice-Chair Grant, seconded by Supervisor Brandl, Item 1, **Ordinance No. 826-01/14** was approved by voice vote.

Item 2, Resolution No. 65-01/14, was acted upon earlier in the meeting.

Item 3, Resolution No. 66-01/14, was acted upon earlier in the meeting.

On motion by Supervisor Kilkenny, seconded by Supervisor Weber, Item 4, **Resolution No. 69-01/14** was approved by voice vote. Supervisor Schaefer asked if the house is going to be separate from the park. Chair Russell stated that the house and five acres were not included in the stewardship grant. Supervisor Schaefer asked when the current owner will vacate the house. Bretl stated there is no provision in the option to allow the current owner to stay past closing. He said the county has to exercise the option by the end of January and then close within 60 days. (See additional comments under Chairperson's Report.)

Public Works Committee

1. Ord. No. 825-01/14 – Amending Chapter 54 of the Walworth County Code of Ordinances Relating to Streets, Sidewalks and Certain Other Public Places – *Vote Required: Majority* (Recommended by the Public Works Committee 5-0)

Supervisor Stacey offered a motion, seconded by Supervisor Weber, to approve Ordinance No. 825-01/14. Vice-Chair Grant asked Sheriff Graves how much of taxpayer funds were used to pay the Sheriff's Office for staffing organized events in 2013. Sheriff Graves gave an example of a bike race and how they plan to staff the event. He stated they determine how many stations will be required for the event and what the hourly wage would be in order to calculate the cost of staffing an event. He said this amount is sent to the entity and he stated they have not had a problem getting paid for their services. He stated the Sheriff's Office is essentially contracted for the event and is paid for their services. Vice-Chair Grant expressed concern regarding the county charging for this service when most events are hosted by non-profit organizations. Chair Russell stated there was a complaint from a citizen about traffic being blocked by a private party and this was a safety hazard. Sheriff Graves said under state statues, they cannot have civilians directing traffic.

Bretl stated there are two components concerning this ordinance, which are the process for applying for the event and cost recovery. He asked for consideration of the process for applying for these events and giving the county the basis to deny an event. He stated it sets up a framework and would formalize the

process. Sheriff Graves stated if the event is in the city or village, it does not affect the county. Vice-Chair Grant asked about the requirement of a deposit when applying for the event and asked what they collect now. Sheriff Graves stated they currently do not collect a deposit. Michael Cotter, Deputy Corporation Counsel, stated he was involved in recouping costs for a bike race where the Sheriff's Office incurred huge costs and a deposit up front would have been helpful. Supervisor Stacey asked how events at Elegant Farmer are handled when they close down Highway ES. Cotter stated it was illegal for them to close the road, and later, a cross walk was put in. Sheriff Graves stated that Mukwonago Police Department has to have a program in place and has to train an individual to handle such events. John Miller, Public Works, stated the Sheriff's Office has always had a plan and has coordinated these events. He said Public Works had an incident occur where they were in the middle of a chip sealing project and they had to stop the project due to a bike race coming through that area. He stated that Public Works was never notified of the event. He said they want to establish a system where Public Works is notified along with the Sheriff's Office. **Ordinance No. 825-01/14** was approved by voice vote.

Report of Special Committees

There was none.

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

There was none.

Chairperson's Report

Chair Russell read a Thank You card from the family of Tim Schiefelbein.

Bretl clarified that the county must exercise the option to purchase for the Clark property before January 31, 2014 and closing before April 1, 2014. He stated there is no reservation of a life estate on the property.

Adjournment

On motion by Supervisor Weber, seconded by Supervisor Brandl, the meeting was adjourned at 6:45 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 January 14, 2014 meeting.

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

DELAVAN ARAM PUBLIC LIBRARY BOARD

STATE OF WISCONSIN)
) SS
COUNTY OF WALWORTH)

I, the undersigned Chair of the Walworth County Board of Supervisors, do hereby appoint Jean Blashfield Black to serve as a county representative on the Delavan Aram Public Library Board. This is a three-year term to begin upon county board confirmation and end on February 11, 2017, or until a successor is named.

Dated this 11th day of February 2014.

Nancy Russell
Walworth County Board Chair

Nomination for Committee/Board/Commission Appointment

Committee: Aram Public Library Board

Nominee: Jean Blashfield Black

Address: 5675 Parliament Lane
Delavan, WI 53115

Submitted by: David Bretl, County Administrator

Authority: Section 59.18, Wisconsin Statutes

Who will the nominee replace? Ms. Blashfield currently serves on the board as secretary and represents the City of Delavan. This appointment will be for a term of service as a county representative.

When did/does the incumbent's current term expire? _____

Was this vacancy advertised? _____

Comment Ms. Blashfield Black's term of service would be for three years, to begin upon confirmation by the county board and end on February 11, 2017. The Aram Library Board recommended her appointment.

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

For incumbents, committee attendance, if known:

WALWORTH COUNTY
NOTICE OF INTEREST TO SERVE AS A CITIZEN REPRESENTATIVE

Name: Jean Blashfield Black Date: Nov. 18, 2013
Mailing Address: 5675 Parliament Lane Phone: 728-9352
Delavan, WI 53115

RECEIVED
WALWORTH COUNTY CLERK
2013 DEC 13 AM 9:20

I reside in: the Town of Delavan
 the Village of _____
 the City of _____

Please consider me for appointment to: Aram Public Library
Board

I am interested in serving as a citizen representative because: I believe
strongly in public libraries

Special skills, experience or qualifications I possess related to this appointment are:

I have been on the board representing the
City of Delavan for 3 years but have now
moved to Westshire

Check one of the following:

I am a resident of Walworth County and reside in the appropriate jurisdiction to serve on the board or commission for which I am applying.

I am not a resident of Walworth County.

I certify that the information I have provided is truthful to the best of my knowledge.

Jean Black 12/11/13
Signature of Applicant Date

Feel free to attach any additional documentation to this form.

Nomination for Committee/Board/Commission Appointment

Committee: Lakeshores Library System Board

Nominee: Susan Metzner

Address: 121 N. Wisconsin Street

Elkhorn, WI 53121

Submitted by: David Bretl, County Administrator

Authority: Section 59.18, Wisconsin Statutes

Who will the nominee replace? Ms. Metzner currently serves on the Lakeshores Library System Board.

When did/does the incumbent's current term expire? December 31, 2013

Was this vacancy advertised? _____

Comment Ms. Metzner's new term would be for an additional three years, to begin upon confirmation by the county board and end on December 31, 2016. The Lakeshores Library Board recommended her for an additional term of service.

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

For incumbents, committee attendance, if known:

**WALWORTH COUNTY
NOTICE OF INTEREST TO SERVE AS A CITIZEN REPRESENTATIVE**

Name: SUSAN Metzner

Date: 27 Dec '13

Mailing Address: 121 N. Wis St.
Elkhorn WI
53121

Phone: 723-4697

I reside in: the Town of _____
 the Village of _____
 the City of ELKHORN

Please consider me for appointment to: Lakeshore Library
Board - Renewal

I am interested in serving as a citizen representative because: _____

Special skills, experience or qualifications I possess related to this appointment are:

Check one of the following:

I am a resident of Walworth County and reside in the appropriate jurisdiction to serve on the board or commission for which I am applying.

I am not a resident of Walworth County.

I certify that the information I have provided is truthful to the best of my knowledge.

Susan K. Metzner 27 Dec '13
Signature of Applicant Date

Feel free to attach any additional documentation to this form.

MCHENRY SAVINGS BANK,
353 Bank Dr.
McHenry, IL 60050,

Plaintiff,

vs.

Case No. 14 CV 00027
Case Code 30201

PATRICK D. ARNOLD,
2114 W. Church Street
Johnsburg, IL 60051-5908

HOLLIS A. ARNOLD,
2114 W. Church Street
Johnsburg, IL 60051-5908,

WISCONSIN DEPARTMENT OF WORKFORCE
DEVELOPMENT,
c/o Attorney General
114 East, State Capitol
Madison, WI 53707,

WISCONSIN DEPARTMENT OF REVENUE,
c/o Attorney General
114 East, State Capitol
Madison, WI 53707,

TIMBER RIDGE LODGE CONDOMINIUM
ASSOCIATION, INC.,
c/o Leslie Johnson, Registered Agent
7020 Grand Geneva Way
Lake Geneva, WI 53147,

UNITED STATES OF AMERICA,
Department of Internal Revenue Service,
c/o Attorney General of the U.S.,
Attn: Civil Process Clerk,
U.S. Department of Justice,
Room B-103,
950 Pennsylvania Avenue, NW,
Washington, D.C. 20530-0001,

FILED

JAN 16 2014

WALWORTH COUNTY
CLERK OF CIRCUIT COURT
BETHANY FIEGEL

RECEIVED
WALWORTH COUNTY CLERK
2014 JAN 24 AM 9:40

UNITED STATES OF AMERICA,
c/o United States Attorney,
Eastern District of Wisconsin,
Attn: Civil Process,
517 E. Wisconsin Avenue,
Milwaukee, WI 53202-4500,

MICHAEL D. BLAIR,
130 South Canal Street, Unit 802
Chicago, IL 60606,

X-PERT DRYWALL, LLC,
c/o Shelton E. Hendrix, Registered Agent
7804 Fox River Road
Waterford, WI 53185,

COUNTY OF WALWORTH,
c/o Kimberly S. Bushey
Walworth County Clerk
1800 County Road NN
Elkhorn, WI 53121,

and

STAFFORD ROSENBAUM LLP,
c/o Bruce D. Huibregtse, Registered Agent
222 West Washington Avenue, Suite 900
Madison, WI 53703,

Defendants.

SUMMONS

THE STATE OF WISCONSIN TO:

Each person/party named above as a Defendant:

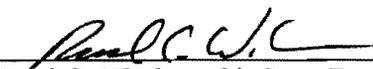
You are hereby notified that the plaintiff, McHenry Savings Bank, has filed a lawsuit or other legal action against you. The Amended Complaint, which is attached, states the nature and basis of the legal action.

Within twenty (20) days of receiving this Summons (sixty (60) days if you are the United States of America), you must respond with a written answer, as that term is used in Chapter 802 of the Wisconsin Statutes, to the Amended Complaint. The court may reject or disregard an answer that does not follow the requirements of the statutes. The answer must be sent or delivered to the court, whose address is Walworth County Courthouse, 1800 County Road NN, Elkhorn, WI 53121, and to plaintiff's attorney, whose address is SmithAmundsen LLC, Attn: Atty. Paul C. Werkowski, 4811 South 76th Street, Suite 306, Milwaukee, WI 53220. You may have an attorney help or represent you.

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

Dated this 15 day of January, 2014.

SMITHAMUNDSEN LLC
Attorneys for Plaintiff McHenry Savings Bank

By: 
Paul C. Werkowski, State Bar No. 1035362

MAILING ADDRESS:
4811 South 76th Avenue, Suite 306
Milwaukee, WI 53220
Phone: (414) 282-7103
Fax: (414) 282-1830

SmithAmundsen LLC is the attorney for McHenry Savings Bank and is attempting to collect a debt on its behalf. Any information obtained will be used for that purpose.

MCHENRY SAVINGS BANK,
353 Bank Dr.
McHenry, IL 60050,

Plaintiff,

vs.

Case No. 14 CV 00027
Case Code 30201

PATRICK D. ARNOLD,
2114 W. Church Street
Johnsburg, IL 60051-5908,

HOLLIS A. ARNOLD,
2114 W. Church Street
Johnsburg, IL 60051-5908,

WISCONSIN DEPARTMENT OF WORKFORCE
DEVELOPMENT,
c/o Attorney General
114 East, State Capitol
Madison, WI 53707,

WISCONSIN DEPARTMENT OF REVENUE,
c/o Attorney General
114 East, State Capitol
Madison, WI 53707,

TIMBER RIDGE LODGE CONDOMINIUM
ASSOCIATION, INC.,
c/o Leslie Johnson, Registered Agent
7020 Grand Geneva Way
Lake Geneva, WI 53147,

UNITED STATES OF AMERICA,
Department of Internal Revenue Service,
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Attn: Civil Process Clerk,
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FILED

JAN 16 2014

WALWORTH COUNTY
CLERK OF CIRCUIT COURT
BETHANY FIEGEL

UNITED STATES OF AMERICA,
c/o United States Attorney,
Eastern District of Wisconsin,
Attn: Civil Process,
517 E. Wisconsin Avenue,
Milwaukee, WI 53202-4500,

MICHAEL D. BLAIR,
130 South Canal Street, Unit 802
Chicago, IL 60606,

X-PERT DRYWALL, LLC,
c/o Shelton E. Hendrix, Registered Agent
7804 Fox River Road
Waterford, WI 53185,

COUNTY OF WALWORTH,
c/o Kimberly S. Bushey
Walworth County Clerk
1800 County Road NN
Elkhorn, WI 53121,

and

STAFFORD ROSENBAUM LLP,
c/o Bruce D. Huibregtse, Registered Agent
222 West Washington Avenue, Suite 900
Madison, WI 53703,

Defendants.

AMENDED COMPLAINT

Plaintiff McHenry Savings Bank, as and for its Amended Complaint against the defendants herein described, alleges and shows to the Court as follows:

1. That Plaintiff McHenry Savings Bank (“McHenry”) is a savings bank with offices located at 353 Bank Drive, McHenry, IL 60050.
2. That Defendant Patrick D. Arnold is an adult resident of the State of Illinois whom, upon information and belief, resides at 2114 West Church Street, Johnsburg, Illinois 60051.

3. That Defendant Hollis A. Arnold is an adult resident of the State of Illinois whom, upon information and belief, resides at 2114 West Church Street, Johnsburg, Illinois 60051.

4. That Patrick D. Arnold and Hollis A. Arnold are married. Both Patrick D. Arnold and Hollis A. Arnold shall sometimes hereinafter be referred to, collectively, as the “Arnolds.”

5. That Defendant Wisconsin Department of Workforce Development is a governmental agency of the State of Wisconsin located at 114 East, State Capitol, Madison, Wisconsin 53707.

6. That Defendant Wisconsin Department of Revenue is a governmental agency of the State of Wisconsin located at 114 East, State Capitol, Madison, Wisconsin 53707.

7. That Defendant Timber Ridge Lodge Condominium Association, Inc. is a domestic corporation with its principal office located at 7036 Grand Geneva Way, Lake Geneva, Wisconsin 53147, and with its registered agent, Leslie Johnson, located at 7020 Grand Geneva Way, Lake Geneva, Wisconsin 53147.

8. That Defendant United States of America is a sovereign entity and body politic with its capitol situated in the District of Columbia.

9. That Defendant Michael D. Blair is an adult resident of the State of Illinois, whom, upon information and belief, resides at 130 South Canal Street, Unit 802, Chicago, Illinois 60606.

10. That Defendant X-Pert Drywall, LLC is a domestic corporation with its principal office located at 7804 Fox River Road, Waterford, Wisconsin 53185, and with its registered agent, Shelton E. Hendrix, located at 7804 Fox River Road, Waterford, Wisconsin 53185.

11. That Defendant County of Walworth is a governmental entity in the State of Wisconsin with its office located at 1800 County Road NN, Elkhorn, Wisconsin 53121.

12. That Defendant Stafford Rosenbaum LLP is a domestic limited liability partnership located at 222 West Washington Avenue, Suite 900, Madison, Wisconsin 53703, with its registered agent, Bruce D. Huibregtse, located at 222 West Washington Avenue, Suite 900, Madison, Wisconsin 53703.

13. On or about August 11, 2003, for value received, the Arnolds executed and delivered a Balloon Note ("Note") in writing dated that day to McHenry, and thereby promised to pay a principal amount of ONE HUNDRED FIFTY THOUSAND, TWO HUNDRED DOLLARS AND 00/100 (\$150,200.00) plus interest and other applicable charges, attorney fees and costs in accordance with the terms and provisions of the Note.

14. That to secure the indebtedness referred to in paragraph 13, the Arnolds duly executed a Mortgage to McHenry, which Mortgage is dated August 11, 2003, and was recorded on September 22, 2003 as Document Number 0576568 in Walworth County, Wisconsin. A true and correct copy of the Mortgage is attached hereto as Exhibit A and incorporated herein by reference.

15. That the Mortgage was modified by subsequent mortgage modifications dated October 15, 2008, January 16, 2010, and July 1, 2012. True and correct copies of the mortgage modifications are attached hereto as Exhibit B and incorporated herein by reference.

16. That the Arnolds executed a Condominium Rider dated August 11, 2003, which was also recorded on September 22, 2003 as part of Document Number 0576568 in Walworth County, Wisconsin. A true and correct copy of the Condominium Rider is attached hereto as Exhibit C and incorporated herein by reference.

17. That the Arnolds executed a 1-4 Family Rider (Assignment of Rents) dated August 11, 2003, which was also recorded on September 22, 2003 as part of Document Number 0576568 in

Walworth County, Wisconsin. A true and correct copy of the 1-4 Family Rider (Assignment of Rents) is attached hereto as Exhibit D and incorporated herein by reference.

18. That McHenry is the current holder of said Note, Mortgage, mortgage modifications, Condominium Rider and 1-4 Family Rider (Assignment of Rents).

19. That the Arnolds failed to comply with the terms of the Note, Mortgage, and mortgage modifications by failing to pay monthly payments as required, and therefore are in default under the Note, Mortgage, and mortgage modifications.

20. The subject property consists of a condominium unit located in Lake Geneva, Wisconsin at 7020 Grand Geneva Way, #272, Lake Geneva, Wisconsin 53147.

21. The legal description of the subject property is set forth in the Mortgage on Page 3 of 15. See Exhibit A.

22. That on or around August 20, 2013, the Arnolds filed for Chapter 7 Bankruptcy in the United States Bankruptcy Court, Northern District of Illinois, Case No. 13-82894, in which they listed the subject condominium located at 7020 Grand Geneva Way, #272, Lake Geneva, Wisconsin 53147.

23. On or around November 25, 2013, any debt under the Note, Mortgage, and mortgage modifications was discharged by operation of the Chapter 7 Bankruptcy.

24. By reason of the default by the Arnolds on their obligations to McHenry, McHenry has directed foreclosure proceedings to be instituted under the Mortgage against the Arnolds.

25. That, upon information and belief, the Arnolds have abandoned this property by virtue of the Arnolds' intention to surrender the property in bankruptcy.

26. That, upon information and belief, the subject property is not owner-occupied and does not constitute the homestead of the Arnolds. The subject property cannot be sold in parcels without injury to the interests of the parties.

27. That the Wisconsin Department of Workforce Development has or may claim to have an interest in the subject property by virtue of a lien and/or money judgment taken against Hollis Arnold in the amount of \$6,999.63, plus interest, filed in Walworth County, Wisconsin, Case No. 2011UC000263 and docketed on November 15, 2011.

28. That any interest of the Wisconsin Department of Workforce Development is subject to and subordinate to McHenry's mortgage and McHenry's claims made herein.

29. That the Wisconsin Department of Revenue has or may claim to have an interest in the subject property by virtue of a lien and/or money judgment taken against Hollis Arnold in the amount of \$7,502.68, plus interest, filed in Walworth County, Wisconsin, Case No. 2011TW000467 and docketed on July 12, 2011.

30. That any interest of the Wisconsin Department of Revenue is subject to and subordinate to McHenry's mortgage and McHenry's claims made herein.

31. That Timber Ridge Lodge Condominium Association, Inc. has or may claim to have an interest in the subject property by virtue of any and all unpaid association dues, assessments, maintenance fees, and any and all other fees or costs in connection with the subject property, but said interest, if any, is subject to and subordinate to McHenry's mortgage and McHenry's claims made herein.

32. That the United States of America has or may claim to have an interest in the subject property by virtue of a federal tax lien filed against Hollis Arnold on October 11, 2011 in the Office

of the Register of Deeds for Walworth County, Wisconsin, as Document No. 823667 in the amount of \$14,087.91, plus interest.

33. That any interest of the United States of America is subject to and subordinate to McHenry's mortgage and McHenry's claims made herein.

34. That Michael D. Blair has or may claim to have an interest in the subject property by virtue of a money judgment taken against Hollis Arnold in the amount of \$1,766,061.96, damages and costs plus interest, filed in Walworth County, Wisconsin, Case No. 2008CV000397 and docketed on May 19, 2009.

35. That any interest of Michael D. Blair is subject to and subordinate to McHenry's mortgage and McHenry's claims made herein.

36. That X-Pert Drywall, LLC has or may claim to have an interest in the subject property by virtue of a money judgment taken against Hollis Arnold and Superb Builders, Inc. in the amount of \$24,958.00, damages and costs plus interest, filed in Walworth County, Wisconsin, Case No. 2008CV000668 and docketed on September 25, 2009.

37. That any interest of X-Pert Drywall, LLC is subject to and subordinate to McHenry's mortgage and McHenry's claims made herein.

38. That County of Walworth has or may claim to have an interest in the subject property by virtue of a judgment taken against Hollis Arnold in favor of the Walworth County Clerk of Circuit Court in the amount of \$828.75, damages and costs plus interest, which judgment was docketed on August 24, 2011, Walworth County Case No. 2011FO000674.

39. That County of Walworth has or may claim to have an interest in the subject property by virtue of a judgment taken against Hollis Arnold in favor of the Walworth County Clerk

of Circuit Court in the amount of \$908.31, damages and costs plus interest, which judgment was docketed on August 18, 2010, Walworth County Case No. 2010FO000488.

40. That any interest of County of Walworth is subject to and subordinate to McHenry's mortgage and McHenry's claims made herein.

41. That Stafford Rosenbaum LLP has or may claim to have an interest in the subject property by virtue of a money judgment taken against Hollis Arnold in the amount of \$260,457.69, damages and costs plus interest, filed in Walworth, Wisconsin, Case No. 2009TJ000100 and docketed on December 4, 2009.

42. That any interest of Stafford Rosenbaum LLP is subject to and subordinate to McHenry's mortgage and McHenry's claims made herein.

43. That McHenry is not seeking any deficiency judgment against the Arnolds by virtue of the bankruptcy discharge.

44. That McHenry requests that the Court find that the mortgaged premises has been abandoned by the Arnolds, and request that the sale of the subject property be made upon the expiration of five (5) weeks from the date when judgment is entered under Wis. Stat. §846.102.

WHEREFORE, McHenry demands judgment as follows:

A. For the foreclosure and sale of the subject property in accordance with Wis. Stat. §846.102 which calls for a sale to take place upon the expiration of five (5) weeks from the date judgment is entered;

B. That the Arnolds, Wisconsin Department of Workforce Development, Wisconsin Department of Revenue, Timber Ridge Lodge Condominium Association, Inc., United States of America, Michael D. Blair, X-Pert Drywall, LLC, County of Walworth and Stafford Rosenbaum LLP, and all persons claiming under them, be barred and foreclosed from all rights, claims, liens,

title and equity of redemption in or to the subject property, except by the right to redeem the same before sale as provided by law;

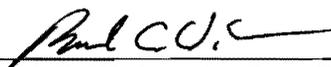
C. That any interest of the Arnolds, Wisconsin Department of Workforce Development, Wisconsin Department of Revenue, Timber Ridge Lodge Condominium Association, Inc., United States of America, Michael D. Blair, X-Pert Drywall, LLC, County of Walworth and Stafford Rosenbaum LLP, and any other party, person or entity be adjudged subordinate to McHenry's mortgage;

D. That any person occupying the subject property be enjoined and restrained from committing waste during the pendency of this action; and

E. That McHenry has such other and further relief as may be just and equitable.

Dated this 15 day of January, 2014.

SMITHAMUNDSEN LLC
Attorneys for Plaintiff McHenry Savings Bank

By: 
Paul C. Werkowski, State Bar No. 1035362

MAILING ADDRESS:
4811 South 76th Avenue, Suite 306
Milwaukee, WI 53220
Phone: (414) 282-7103
Fax: (414) 282-1830

SmithAmundsen LLC is the attorney for McHenry Savings Bank and is attempting to collect a debt on its behalf. Any information obtained will be used for that purpose.

MCHENRY SAVINGS BANK,
353 Bank Dr.
McHenry, IL 60050,

Plaintiff,

vs.

PATRICK D. ARNOLD,
2114 W. Church Street
Johnsburg, IL 60051-5908

HOLLIS A. ARNOLD,
2114 W. Church Street
Johnsburg, IL 60051-5908,

WISCONSIN DEPARTMENT OF WORKFORCE
DEVELOPMENT,
c/o Attorney General
114 East, State Capitol
Madison, WI 53707,

WISCONSIN DEPARTMENT OF REVENUE,
c/o Attorney General
114 East, State Capitol
Madison, WI 53707,

TIMBER RIDGE LODGE CONDOMINIUM
ASSOCIATION, INC.,
c/o Leslie Johnson, Registered Agent
7020 Grand Geneva Way
Lake Geneva, WI 53147,

UNITED STATES OF AMERICA,
Department of Internal Revenue Service,
c/o Attorney General of the U.S.,
Attn: Civil Process Clerk,
U.S. Department of Justice,
Room B-103,
950 Pennsylvania Avenue, NW,
Washington, D.C. 20530-0001,

'14 CV 00027

Case No. _____
Case Code 30201

HON. PHILLIP A. ROSS

FILED

JAN 20 2014

COURT CLERK
WALWORTH COUNTY

UNITED STATES OF AMERICA,
c/o United States Attorney,
Eastern District of Wisconsin,
Attn: Civil Process,
517 E. Wisconsin Avenue,
Milwaukee, WI 53202-4500,

MICHAEL D. BLAIR,
130 South Canal Street, Unit 802
Chicago, IL 60606,

X-PERT DRYWALL, LLC,
c/o Shelton E. Hendrix, Registered Agent
7804 Fox River Road
Waterford, WI 53185,

COUNTY OF WALWORTH,
c/o Kimberly S. Bushey
Walworth County Clerk
1800 County Road NN
Elkhorn, WI 53121,

and

STAFFORD ROSENBAUM LLP,
c/o Bruce D. Huibregtse, Registered Agent
222 West Washington Avenue, Suite 900
Madison, WI 53703,

Defendants.

SUMMONS

THE STATE OF WISCONSIN TO:

Each person/party named above as a Defendant:

You are hereby notified that the plaintiff, McHenry Savings Bank, 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 twenty (20) days of receiving this Summons (sixty (60) days if you are the United States of America), you must respond with a written answer, as that term is used in Chapter 802 of the Wisconsin Statutes, to the Complaint. The court may reject or disregard an answer that does not follow the requirements of the statutes. The answer must be sent or delivered to the court, whose address is Walworth County Courthouse, 1800 County Road NN, Elkhorn, WI 53121, and to plaintiff's attorney, whose address is SmithAmundsen LLC, Attn: Atty. Paul C. Werkowski, 4811 South 76th Street, Suite 306, Milwaukee, WI 53220. You may have an attorney help or represent you.

If you do not provide a proper answer within twenty (20) days (sixty (60) days if you are 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 lien against any real estate you own now or in the future, and may also be enforced by garnishment or seizure of property.

Dated this 8 day of January, 2014.

SMITHAMUNDSEN LLC
Attorneys for Plaintiff McHenry Savings Bank

By: 
Paul C. Werkowski, State Bar No. 1035362

MAILING ADDRESS:

4811 South 76th Avenue, Suite 306
Milwaukee, WI 53220
Phone: (414) 282-7103
Fax: (414) 282-1830

SmithAmundsen LLC is the attorney for McHenry Savings Bank and is attempting to collect a debt on its behalf. Any information obtained will be used for that purpose.

MCHENRY SAVINGS BANK,
353 Bank Dr.
McHenry, IL 60050,

Plaintiff,

vs.

PATRICK D. ARNOLD,
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Johnsburg, IL 60051-5908,

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Case No. '14 CV 00027
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HON. PHILLIP A. KOSS

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COUNTY OF WALWORTH,
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and

STAFFORD ROSENBAUM LLP,
c/o Bruce D. Huibregtse, Registered Agent
222 West Washington Avenue, Suite 900
Madison, WI 53703,

Defendants.

COMPLAINT

Plaintiff McHenry Savings Bank, as and for its Complaint against the defendants herein described, alleges and shows to the Court as follows:

1. That Plaintiff McHenry Savings Bank (“McHenry”) is a savings bank with offices located at 353 Bank Drive, McHenry, IL 60050.
2. That Defendant Patrick D. Arnold is an adult resident of the State of Illinois whom, upon information and belief, resides at 2114 West Church Street, Johnsburg, Illinois 60051.

3. That Defendant Hollis A. Arnold is an adult resident of the State of Illinois whom, upon information and belief, resides at 2114 West Church Street, Johnsburg, Illinois 60051.

4. That Patrick D. Arnold and Hollis A. Arnold are married. Both Patrick D. Arnold and Hollis A. Arnold shall sometimes hereinafter be referred to, collectively, as the “Arnolds.”

5. That Defendant Wisconsin Department of Workforce Development is a governmental agency of the State of Wisconsin located at 114 East, State Capitol, Madison, Wisconsin 53707.

6. That Defendant Wisconsin Department of Revenue is a governmental agency of the State of Wisconsin located at 114 East, State Capitol, Madison, Wisconsin 53707.

7. That Defendant Timber Ridge Lodge Condominium Association, Inc. is a domestic corporation with its principal office located at 7036 Grand Geneva Way, Lake Geneva, Wisconsin 53147, and with its registered agent, Leslie Johnson, located at 7020 Grand Geneva Way, Lake Geneva, Wisconsin 53147.

8. That Defendant United States of America is a sovereign entity and body politic with its capitol situated in the District of Columbia.

9. That Defendant Michael D. Blair is an adult resident of the State of Illinois, whom, upon information and belief, resides at 130 South Canal Street, Unit 802, Chicago, Illinois 60606.

10. That Defendant X-Pert Drywall, LLC is a domestic corporation with its principal office located at 7804 Fox River Road, Waterford, Wisconsin 53185, and with its registered agent, Shelton E. Hendrix, located at 7804 Fox River Road, Waterford, Wisconsin 53185.

11. That Defendant County of Walworth is a governmental entity in the State of Wisconsin with its office located at 1800 County Road NN, Elkhorn, Wisconsin 53121.

Walworth County, Wisconsin. A true and correct copy of the 1-4 Family Rider (Assignment of Rents) is attached hereto as Exhibit D and incorporated herein by reference.

18. That McHenry is the current holder of said Note, Mortgage, mortgage modifications, Condominium Rider and 1-4 Family Rider (Assignment of Rents).

19. That the Arnolds failed to comply with the terms of the Note, Mortgage, and mortgage modifications by failing to pay monthly payments as required, and therefore are in default under the Note, Mortgage, and mortgage modifications.

20. The subject property consists of a condominium unit located in Lake Geneva, Wisconsin at 7020 Grand Geneva Way, #272, Lake Geneva, Wisconsin 53147.

21. The legal description of the subject property is set forth in the Mortgage on Page 3 of 15. See Exhibit A.

22. That on or around August 20, 2013, the Arnolds filed for Chapter 7 Bankruptcy in the United States Bankruptcy Court, Northern District of Illinois, Case No. 13-82894, in which they listed the subject condominium located at 7020 Grand Geneva Way, #272, Lake Geneva, Wisconsin 53147.

23. On or around November 25, 2013, any debt under the Note, Mortgage, and mortgage modifications was discharged by operation of the Chapter 7 Bankruptcy.

24. By reason of the default by the Arnolds on their obligations to McHenry, McHenry has directed foreclosure proceedings to be instituted under the Mortgage against the Arnolds.

25. That, upon information and belief, the Arnolds have abandoned this property by virtue of the Arnolds' intention to surrender the property in bankruptcy.

26. That, upon information and belief, the subject property is not owner-occupied and does not constitute the homestead of the Arnolds. The subject property cannot be sold in parcels without injury to the interests of the parties.

27. That the Wisconsin Department of Workforce Development has or may claim to have an interest in the subject property by virtue of a lien and/or money judgment taken against Hollis Arnold in the amount of \$6,999.63, plus interest, filed in Walworth County, Wisconsin, Case No. 2011UC000263 and docketed on November 15, 2011.

28. That any interest of the Wisconsin Department of Workforce Development is subject to and subordinate to McHenry's mortgage and McHenry's claims made herein.

29. That the Wisconsin Department of Revenue has or may claim to have an interest in the subject property by virtue of a lien and/or money judgment taken against Hollis Arnold in the amount of \$7,502.68, plus interest, filed in Walworth County, Wisconsin, Case No. 2011TW000467 and docketed on July 12, 2011.

30. That any interest of the Wisconsin Department of Revenue is subject to and subordinate to McHenry's mortgage and McHenry's claims made herein.

31. That Timber Ridge Lodge Condominium Association, Inc. has or may claim to have an interest in the subject property by virtue of any and all unpaid association dues, assessments, maintenance fees, and any and all other fees or costs in connection with the subject property, but said interest, if any, is subject to and subordinate to McHenry's mortgage and McHenry's claims made herein.

32. That the United States of America has or may claim to have an interest in the subject property by virtue of a federal tax lien filed against Hollis Arnold on October 11, 2011 in the Office

of the Register of Deeds for Walworth County, Wisconsin, as Document No. 823667 in the amount of \$14,087.91, plus interest.

33. That any interest of the United States of America is subject to and subordinate to McHenry's mortgage and McHenry's claims made herein.

34. That Michael D. Blair has or may claim to have an interest in the subject property by virtue of a money judgment taken against Hollis Arnold in the amount of \$1,766,061.96, damages and costs plus interest, filed in Walworth County, Wisconsin, Case No. 2008CV000397 and docketed on May 19, 2009.

35. That any interest of Michael D. Blair is subject to and subordinate to McHenry's mortgage and McHenry's claims made herein.

36. That X-Pert Drywall, LLC has or may claim to have an interest in the subject property by virtue of a money judgment taken against Hollis Arnold and Superb Builders, Inc. in the amount of \$24,958.00, damages and costs plus interest, filed in Walworth County, Wisconsin, Case No. 2008CV000668 and docketed on September 25, 2009.

37. That any interest of X-Pert Drywall, LLC is subject to and subordinate to McHenry's mortgage and McHenry's claims made herein.

38. That County of Walworth has or may claim to have an interest in the subject property by virtue of a judgment taken against Hollis Arnold in favor of the Walworth County Clerk of Circuit Court in the amount of \$828.75, damages and costs plus interest, which judgment was docketed on August 24, 2011, Walworth County Case No. 2011FO000674.

39. That County of Walworth has or may claim to have an interest in the subject property by virtue of a judgment taken against Hollis Arnold in favor of the Walworth County Clerk

of Circuit Court in the amount of \$908.31, damages and costs plus interest, which judgment was docketed on August 18, 2010, Walworth County Case No. 2010FO000488.

40. That any interest of County of Walworth is subject to and subordinate to McHenry's mortgage and McHenry's claims made herein.

41. That Stafford Rosenbaum LLP has or may claim to have an interest in the subject property by virtue of a money judgment taken against Hollis Arnold in the amount of \$260,457.69, damages and costs plus interest, filed in Walworth, Wisconsin, Case No. 2009TJ000100 and docketed on December 4, 2009.

42. That any interest of Stafford Rosenbaum LLP is subject to and subordinate to McHenry's mortgage and McHenry's claims made herein.

43. That McHenry is not seeking any deficiency judgment against the Arnolds by virtue of the bankruptcy discharge.

44. That McHenry requests that the Court find that the mortgaged premises has been abandoned by the Arnolds, and request that the sale of the subject property be made upon the expiration of five (5) weeks from the date when judgment is entered under Wis. Stat. §846.102.

WHEREFORE, McHenry demands judgment as follows:

A. For the foreclosure and sale of the subject property in accordance with Wis. Stat. §846.102 which calls for a sale to take place upon the expiration of five (5) weeks from the date judgment is entered;

B. That the Arnolds, Wisconsin Department of Workforce Development, Wisconsin Department of Revenue, Timber Ridge Lodge Condominium Association, Inc., United States of America, Michael D. Blair, X-Pert Drywall, LLC, County of Walworth and Stafford Rosenbaum LLP, and all persons claiming under them, be barred and foreclosed from all rights, claims, liens,

title and equity of redemption in or to the subject property, except by the right to redeem the same before sale as provided by law;

C. That any interest of the Arnolds, Wisconsin Department of Workforce Development, Wisconsin Department of Revenue, Timber Ridge Lodge Condominium Association, Inc., United States of America, Michael D. Blair, X-Pert Drywall, LLC, County of Walworth and Stafford Rosenbaum LLP, and any other party, person or entity be adjudged subordinate to McHenry's mortgage;

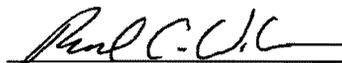
D. That any person occupying the subject property be enjoined and restrained from committing waste during the pendency of this action; and

E. That McHenry has such other and further relief as may be just and equitable.

Dated this 8 day of January, 2014.

SMITHAMUNDSEN LLC
Attorneys for Plaintiff McHenry Savings Bank

By:



Paul C. Werkowski, State Bar No. 1035362

MAILING ADDRESS:

4811 South 76th Avenue, Suite 306

Milwaukee, WI 53220

Phone: (414) 282-7103

Fax: (414) 282-1830

SmithAmundsen LLC is the attorney for McHenry Savings Bank and is attempting to collect a debt on its behalf. Any information obtained will be used for that purpose.

MCHENRY SAVINGS BANK,
353 Bank Dr.
McHenry, IL 60050,

Plaintiff,

vs.

PATRICK D. ARNOLD,
2114 W. Church Street
Johnsburg, IL 60051-5908,

HOLLIS A. ARNOLD,
2114 W. Church Street
Johnsburg, IL 60051-5908,

WISCONSIN DEPARTMENT OF WORKFORCE
DEVELOPMENT,
c/o Attorney General
114 East, State Capitol
Madison, WI 53707,

WISCONSIN DEPARTMENT OF REVENUE,
c/o Attorney General
114 East, State Capitol
Madison, WI 53707,

COVE CONDOMINIUM ASSOCIATION, INC.
a/k/a THE COVE OF LAKE GENEVA CONDOMINIUM
OWNERS ASSOCIATION,
c/o Michael S. Polsky, Registered Agent
Two Plaza East, Suite 1085
330 Kilbourn Avenue
Milwaukee, WI 53202,

UNITED STATES OF AMERICA,
Department of Internal Revenue Service,
c/o Attorney General of the U.S.,
Attn: Civil Process Clerk,
U.S. Department of Justice,
Room B-103,
950 Pennsylvania Avenue, NW,
Washington, D.C. 20530-0001,

Case No. '14 CV 00028
Case Code 30201

HON. PHILLIP A. KOSS

FILED
JAN 09 2014
WALWORTH COUNTY CLERK

RECEIVED
WALWORTH COUNTY CLERK
2014 JAN 24 AM 9:40

UNITED STATES OF AMERICA,
c/o United States Attorney,
Eastern District of Wisconsin,
Attn: Civil Process,
517 E. Wisconsin Avenue,
Milwaukee, WI 53202-4500,

MICHAEL D. BLAIR,
130 South Canal Street, Unit 802
Chicago, IL 60606,

X-PERT DRYWALL, LLC,
c/o Shelton E. Hendrix, Registered Agent
7804 Fox River Road
Waterford, WI 53185,

COUNTY OF WALWORTH,
c/o Kimberly S. Bushey
Walworth County Clerk
1800 County Road NN
Elkhorn, WI 53121,

and

STAFFORD ROSENBAUM LLP,
c/o Bruce D. Huibregtse, Registered Agent
222 West Washington Avenue, Suite 900
Madison, WI 53703,

Defendants.

SUMMONS

THE STATE OF WISCONSIN TO:

Each person/party named above as a Defendant:

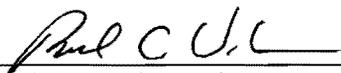
You are hereby notified that the plaintiff, McHenry Savings Bank, has filed a lawsuit or other legal action against you. The Complaint, which is attached, states the nature and basis of the legal action.

Within twenty (20) days of receiving this Summons (sixty (60) days if you are the United States of America), you must respond with a written answer, as that term is used in Chapter 802 of the Wisconsin Statutes, to the Complaint. The court may reject or disregard an answer that does not follow the requirements of the statutes. The answer must be sent or delivered to the court, whose address is Walworth County Courthouse, 1800 County Road NN, Elkhorn, WI 53121, and to plaintiff's attorney, whose address is SmithAmundsen LLC, Attn: Atty. Paul C. Werkowski, 4811 South 76th Street, Suite 306, Milwaukee, WI 53220. You may have an attorney help or represent you.

If you do not provide a proper answer within twenty (20) days (sixty (60) days if you are 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 lien against any real estate you own now or in the future, and may also be enforced by garnishment or seizure of property.

Dated this 8 day of January, 2014.

SMITHAMUNDSEN LLC
Attorneys for Plaintiff McHenry Savings Bank

By: 
Paul C. Werkowski, State Bar No. 1035362

MAILING ADDRESS:
4811 South 76th Avenue, Suite 306
Milwaukee, WI 53220
Phone: (414) 282-7103
Fax: (414) 282-1830

SmithAmundsen LLC is the attorney for McHenry Savings Bank and is attempting to collect a debt on its behalf. Any information obtained will be used for that purpose.

MCHENRY SAVINGS BANK,
353 Bank Dr.
McHenry, IL 60050,

Plaintiff,

vs.

PATRICK D. ARNOLD,
2114 W. Church Street
Johnsburg, IL 60051-5908,

HOLLIS A. ARNOLD,
2114 W. Church Street
Johnsburg, IL 60051-5908,

WISCONSIN DEPARTMENT OF WORKFORCE
DEVELOPMENT,
c/o Attorney General
114 East, State Capitol
Madison, WI 53707,

WISCONSIN DEPARTMENT OF REVENUE,
c/o Attorney General
114 East, State Capitol
Madison, WI 53707,

COVE CONDOMINIUM ASSOCIATION, INC.
a/k/a THE COVE OF LAKE GENEVA CONDOMINIUM
OWNERS ASSOCIATION,
c/o Michael S. Polsky, Registered Agent
Two Plaza East, Suite 1085
330 Kilbourn Avenue
Milwaukee, WI 53202,

UNITED STATES OF AMERICA,
Department of Internal Revenue Service,
c/o Attorney General of the U.S.,
Attn: Civil Process Clerk,
U.S. Department of Justice,
Room B-103,
950 Pennsylvania Avenue, NW,
Washington, D.C. 20530-0001,

Case No. 14 CV 00028
Case Code 30201

HON. PHILLIP A. KOSS

[Faint stamp]

[Faint stamp]

[Faint stamp]

UNITED STATES OF AMERICA,
c/o United States Attorney,
Eastern District of Wisconsin,
Attn: Civil Process,
517 E. Wisconsin Avenue,
Milwaukee, WI 53202-4500,

MICHAEL D. BLAIR,
130 South Canal Street, Unit 802
Chicago, IL 60606,

X-PERT DRYWALL, LLC,
c/o Shelton E. Hendrix, Registered Agent
7804 Fox River Road
Waterford, WI 53185,

COUNTY OF WALWORTH,
c/o Kimberly S. Bushey
Walworth County Clerk
1800 County Road NN
Elkhorn, WI 53121,

and

STAFFORD ROSENBAUM LLP,
c/o Bruce D. Huibregtse, Registered Agent
222 West Washington Avenue, Suite 900
Madison, WI 53703,

Defendants.

COMPLAINT

1. That Plaintiff McHenry Savings Bank ("McHenry") is a savings bank with offices located at 353 Bank Drive, McHenry, IL 60050.
2. That Defendant Patrick D. Arnold is an adult resident of the State of Illinois whom, upon information and belief, resides at 2114 West Church Street, Johnsburg, Illinois 60051.

3. That Defendant Hollis A. Arnold is an adult resident of the State of Illinois whom, upon information and belief, resides at 2114 West Church Street, Johnsburg, Illinois 60051.

4. That Patrick D. Arnold and Hollis A. Arnold are married. Both Patrick D. Arnold and Hollis A. Arnold shall sometimes hereinafter be referred to, collectively, as the "Arnolds."

5. That Defendant Wisconsin Department of Workforce Development is a governmental agency of the State of Wisconsin located at 114 East, State Capitol, Madison, Wisconsin 53707.

6. That Defendant Wisconsin Department of Revenue is a governmental agency of the State of Wisconsin located at 114 East, State Capitol, Madison, Wisconsin 53707.

7. That Defendant Cove Condominium Association, Inc., a/k/a The Cove of Lake Geneva Condominium Owners Association is a domestic corporation with its principal office located at 111 Center Street, Lake Geneva, Wisconsin 53147, with its registered agent, Michael S. Polsky, located at Two Plaza East, Suite 1085, 330 Kilbourn Avenue, Milwaukee, Wisconsin 53202.

8. That Defendant United States of America is a sovereign entity and body politic with its capitol situated in the District of Columbia.

9. That Defendant Michael D. Blair is an adult resident of the State of Illinois, whom, upon information and belief, resides at 130 South Canal Street, Unit 802, Chicago, Illinois 60606.

10. That Defendant X-Pert Drywall, LLC is a domestic corporation with its principal office located at 7804 Fox River Road, Waterford, Wisconsin 53185, and with its registered agent, Shelton E. Hendrix, located at 7804 Fox River Road, Waterford, Wisconsin 53185.

11. That Defendant County of Walworth is a governmental entity in the State of Wisconsin with its office located at 1800 County Road NN, Elkhorn, Wisconsin 53121.

12. That Defendant Stafford Rosenbaum LLP is a domestic limited liability partnership located at 222 West Washington Avenue, Suite 900, Madison, Wisconsin 53703, with its registered agent, Bruce D. Huibregtse, located at 222 West Washington Avenue, Suite 900, Madison, Wisconsin 53703.

13. On or about August 20, 2001, for value received, the Arnolds executed and delivered a Note ("Note") in writing dated that day to McHenry, and thereby promised to pay a principal amount of ONE HUNDRED TEN THOUSAND, FOUR HUNDRED DOLLARS AND 00/100 (\$110,400.00) plus interest and other applicable charges, attorney fees and costs in accordance with the terms and provisions of the Note.

14. That to secure the indebtedness referred to in paragraph 13, the Arnolds duly executed a Mortgage to McHenry, which Mortgage is dated August 20, 2001, and was recorded on August 22, 2001 as Document Number 0480847 in Walworth County, Wisconsin. A true and correct copy of the Mortgage is attached hereto as Exhibit A and incorporated herein by reference.

15. That the Mortgage was modified by subsequent mortgage modifications dated September 20, 2006, January 16, 2010, and July 1, 2012. True and correct copies of the mortgage modifications are attached hereto as Exhibit B and incorporated herein by reference.

16. That the Arnolds executed a Condominium Rider dated August 20, 2001, which was also recorded on August 22, 2001 as part of Document Number 0480847 in Walworth County, Wisconsin. A true and correct copy of the Condominium Rider is attached hereto as Exhibit C and incorporated herein by reference.

17. That the Arnolds executed a 1-4 Family Rider (Assignment of Rents) dated August 20, 2001, which was also recorded on August 22, 2001 as part of Document Number 0480847 in

Walworth County, Wisconsin. A true and correct copy of the 1-4 Family Rider (Assignment of Rents) is attached hereto as Exhibit D and incorporated herein by reference.

18. That McHenry is the current holder of said Note, Mortgage, mortgage modifications, Condominium Rider and 1-4 Family Rider (Assignment of Rents).

19. That the Arnolds failed to comply with the terms of the Note, Mortgage, and mortgage modifications by failing to pay monthly payments as required, and therefore are in default under the Note, Mortgage, and mortgage modifications.

20. The subject property consists of a condominium unit located in Lake Geneva, Wisconsin at 111 Center Street, Unit #333, Lake Geneva, Wisconsin 53147.

21. The legal description of the subject property is set forth in the Mortgage on Page 3 of 15. See Exhibit A.

22. That on or around August 20, 2013, the Arnolds filed for Chapter 7 Bankruptcy in the United States Bankruptcy Court, Northern District of Illinois, Case No. 13-82894, in which they listed the subject condominium located at 111 Center Street, Unit #333, Lake Geneva, Wisconsin 53147.

23. On or around November 25, 2013, any debt under the Note, Mortgage, and mortgage modifications was discharged by operation of the Chapter 7 Bankruptcy.

24. By reason of the default by the Arnolds on their obligations to McHenry, McHenry has directed foreclosure proceedings to be instituted under the Mortgage against the Arnolds.

25. That, upon information and belief, the Arnolds have abandoned this property by virtue of the Arnolds' intention to surrender the property in bankruptcy.

26. That, upon information and belief, the subject property is not owner-occupied and does not constitute the homestead of the Arnolds. The subject property cannot be sold in parcels without injury to the interests of the parties.

27. That the Wisconsin Department of Workforce Development has or may claim to have an interest in the subject property by virtue of a lien and/or money judgment taken against Hollis Arnold in the amount of \$6,999.63, plus interest, filed in Walworth County, Wisconsin, Case No. 2011UC000263 and docketed on November 15, 2011.

28. That any interest of the Wisconsin Department of Workforce Development is subject to and subordinate to McHenry's mortgage and McHenry's claims made herein.

29. That the Wisconsin Department of Revenue has or may claim to have an interest in the subject property by virtue of a lien and/or money judgment taken against Hollis Arnold in the amount of \$7,502.68, plus interest, filed in Walworth County, Wisconsin, Case No. 2011TW000467 and docketed on July 12, 2011.

30. That any interest of the Wisconsin Department of Revenue is subject to and subordinate to McHenry's mortgage and McHenry's claims made herein.

31. That Cover Condominium Association, Inc. a/k/a The Cove of Lake Geneva Condominium Owners Association has or may claim to have an interest in the subject property by virtue of any and all unpaid association dues, assessments, maintenance fees, and any and all other fees or costs in connection with the subject property, but said interest, if any, is subject to and subordinate to McHenry's mortgage and McHenry's claims made herein.

32. That the United States of America has or may claim to have an interest in the subject property by virtue of a federal tax lien filed against Hollis Arnold on October 11, 2011 in the Office

of the Register of Deeds for Walworth County, Wisconsin, as Document No. 823667 in the amount of \$14,087.91, plus interest.

33. That any interest of the United States of America is subject to and subordinate to McHenry's mortgage and McHenry's claims made herein.

34. That Michael D. Blair has or may claim to have an interest in the subject property by virtue of a money judgment taken against Hollis Arnold in the amount of \$1,766,061.96, damages and costs plus interest, filed in Walworth County, Wisconsin, Case No. 2008CV000397 and docketed on May 19, 2009.

35. That any interest of Michael D. Blair is subject to and subordinate to McHenry's mortgage and McHenry's claims made herein.

36. That X-Pert Drywall, LLC has or may claim to have an interest in the subject property by virtue of a money judgment taken against Hollis Arnold and Superb Builders, Inc. in the amount of \$24,958.00, damages and costs plus interest, filed in Walworth County, Wisconsin, Case No. 2008CV000668 and docketed on September 25, 2009.

37. That any interest of X-Pert Drywall, LLC is subject to and subordinate to McHenry's mortgage and McHenry's claims made herein.

38. That County of Walworth has or may claim to have an interest in the subject property by virtue of a judgment taken against Hollis Arnold in favor of the Walworth County Clerk of Circuit Court in the amount of \$828.75, damages and costs plus interest, which judgment was docketed on August 24, 2011, Walworth County Case No. 2011FO000674.

39. That County of Walworth has or may claim to have an interest in the subject property by virtue of a judgment taken against Hollis Arnold in favor of the Walworth County Clerk

of Circuit Court in the amount of \$908.31, damages and costs plus interest, which judgment was docketed on August 18, 2010, Walworth County Case No. 2010FO000488.

40. That any interest of County of Walworth is subject to and subordinate to McHenry's mortgage and McHenry's claims made herein.

41. That Stafford Rosenbaum LLP has or may claim to have an interest in the subject property by virtue of a money judgment taken against Hollis Arnold in the amount of \$260,457.69, damages and costs plus interest, filed in Walworth, Wisconsin, Case No. 2009TJ000100 and docketed on December 4, 2009.

42. That any interest of Stafford Rosenbaum LLP is subject to and subordinate to McHenry's mortgage and McHenry's claims made herein.

43. That McHenry is not seeking any deficiency judgment against the Arnolds by virtue of the bankruptcy discharge.

44. That McHenry requests that the Court find that the mortgaged premises has been abandoned by the Arnolds, and request that the sale of the subject property be made upon the expiration of five (5) weeks from the date when judgment is entered under Wis. Stat. §846.102.

WHEREFORE, McHenry demands judgment as follows:

A. For the foreclosure and sale of the subject property in accordance with Wis. Stat. §846.102 which calls for a sale to take place upon the expiration of five (5) weeks from the date judgment is entered;

B. That the Arnolds, Wisconsin Department of Workforce Development, Wisconsin Department of Revenue, Cove Condominium Association, Inc. a/k/a The Cove of Lake Geneva Condominium Owners Association, United States of America, Michael D. Blair, X-Pert Drywall, LLC, County of Walworth and Stafford Rosenbaum LLP, and all persons claiming under them be

barred and foreclosed from all rights, claims, liens, title and equity of redemption in or to the subject property, except by the right to redeem the same before sale as provided by law;

C. That any interest of the Arnolds, Wisconsin Department of Workforce Development, Wisconsin Department of Revenue, Cove Condominium Association, Inc. a/k/a The Cove of Lake Geneva Condominium Owners Association, United States of America, Michael D. Blair, X-Pert Drywall, LLC, County of Walworth and Stafford Rosenbaum LLP, and any other party, person or entity be adjudged subordinate to McHenry's mortgage;

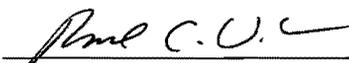
D. That any person occupying the subject property be enjoined and restrained from committing waste during the pendency of this action; and

E. That McHenry has such other and further relief as may be just and equitable.

Dated this 8 day of January, 2014.

SMITHAMUNDSEN LLC
Attorneys for Plaintiff McHenry Savings Bank

By:



Paul C. Werkowski, State Bar No. 1035362

MAILING ADDRESS:

4811 South 76th Avenue, Suite 306
Milwaukee, WI 53220
Phone: (414) 282-7103
Fax: (414) 282-1830

SmithAmundsen LLC is the attorney for McHenry Savings Bank and is attempting to collect a debt on its behalf. Any information obtained will be used for that purpose.



RECEIVED
WALWORTH COUNTY CLERK

AXLEY BRYNELSON, LLP

•••••

DAVID M. PELLETIER
dpelletier@axley.com
608.260.2495

2014 JAN 28 AM 9:01

January 27, 2014

Via First Class Mail

Honorable Phillip A. Koss
Walworth County Judicial Center
1800 County Trunk NN
Elkhorn, WI 53121

Re: *McHenry Savings Bank v. Patrick D. Arnold, et al.*
Walworth County Case No. 14CV28
Our File No.: 18145.69455

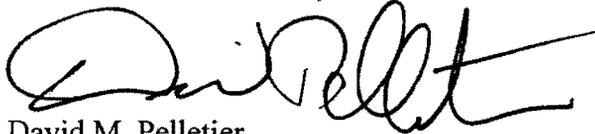
Dear Judge Koss:

This office represents defendant Cove Condominium Association, Inc. a/k/a The Cove of Lake Geneva Condominium Owners Association.

Enclosed please find an original and one copy of our Notice of Appearance and Claim for Surplus along with an Affidavit of Mailing. Please ask your clerk to file the originals returning the conformed copies in the provided envelope.

Respectfully Submitted,

AXLEY BRYNELSON, LLP



David M. Pelletier

DMP/mad

Enclosures

- cc: Robert C. Procter, Esq. (via e-mail)
- cc: Michael S. Polsky, Esq. (via first class mail)
- cc: Paul C. Werkowski, Esq. (via first class mail)
- cc: Patrick D. Arnold (via first class mail)
- cc: Hollis A. Arnold (via first class mail)
- cc: State of Wisconsin c/o Attorney General (via first class mail)

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Judge Phillip A. Koss
January 27, 2014
Page 2

cc: United States of America c/o Attorney General (via first class mail)
cc: United States of America c/o United States Attorney, Eastern District
(via first class mail)
cc: Michael D. Blair (via first class mail)
cc: X-PERT Drywall, LLC (via first class mail)
cc: County of Walworth
cc: Stafford Rosenbaum LLP

MCHENRY SAVINGS BANK

Plaintiff,

v.

Case No. 14CV28

Case Code: 30201

PATRICK D. ARNOLD, ET AL.,

Defendants.

**NOTICE OF APPEARANCE
AND
CLAIM FOR SURPLUS**

PLEASE TAKE NOTICE that we are retained by and appear for defendant, Cove Condominium Association, Inc. a/k/a The Cove of Lake Geneva Condominium Owners Association, ("Cove"), and demand that a copy of all papers subsequent to the Summons and Complaint be served upon us at our office at 2 East Mifflin Street, Post Office Box 1767, Madison, WI 53701-1767.

PLEASE TAKE FURTHER NOTICE that defendant Cove hereby further claims entitlement to any proceeds of the sale of property as described in plaintiff's Complaint for foreclosure to the extent provided by law.

Dated this 27th day of January, 2014.

AXLEY BRYNELSON, LLP



Robert C. Procter

State Bar No. 1034777

David M. Pelletier

State Bar No. 1072343

2 East Mifflin Street, Suite 200
Post Office Box 1767
Madison, WI 53701-1767
Phone: (608) 260-2495
Facsimile (608) 257-5444
E-mail: rprocter@axley.com
E-mail: dpelletier@axley.com

*Attorneys for Cove Condominium
Association, Inc. a/k/a The Cove of Lake
Geneva Condominium Owners
Association*

MCHENRY SAVINGS BANK

Plaintiff,

v.

Case No. 14CV28
Case Code: 30201

PATRICK D. ARNOLD, ET AL.,

Defendants.

AFFIDAVIT OF MAILING

STATE OF WISCONSIN)
) ss.
COUNTY OF DANE)

David M. Pelletier, being first duly sworn, on oath deposes and says that he is an attorney in the offices of Axley Brynelson, LLP, Attorneys at Law, Madison, Wisconsin; that on the 27th day of January, 2014, he mailed a copy of the Notice of Appearance and Claim for Surplus, by first class mail, addressed to the following:

MCHENRY SAVINGS BANK
c/o Paul C. Werkowski, Esq.
SmithAmundsen LLC.
4811 South 76th Avenue – Suite 306
Milwaukee, WI 53220

PATRICK D. ARNOLD
2114 West Church Street
Johnsburg, IL 60051-5908

HOLLIS A. ARNOLD
2114 West Church Street
Johnsburg, IL 60051-5908

WISCONSIN DEPARTMENT OF WORKFORCE DEVELOPMENT
c/o Attorney General
114 East State Capitol
Madison, WI 53707

WISCONSIN DEPARTMENT OF REVENUE
c/o Attorney General
114 East State Capitol
Madison, WI 53707

UNITED STATES OF AMERICA
DEPARTMENT OF INTERNAL REVENUE SERVICE
c/o Attorney General of the United States
Attn: Civil Process Clerk
US Department of Justice
Room B103
950 Pennsylvania Avenue, N W
Washington, DC 20530-0001

UNITED STATES OF AMERICA
c/o United States Attorney
Eastern District of Wisconsin
Attn: Civil Process
517 East Wisconsin Avenue
Milwaukee, WI 53202-4500

MICHAEL D. BLAIR
130 South Canal Street – Suite 802
Chicago, IL 60606

X-PERT DRYWALL, LLC
c/o Shelton E. Hendrix, Registered Agent
7804 Fox River Road
Waterford, WI 53185

COUNTY OF WALWORTH
c/o Kimberly S. Bushey
Walworth County Clerk
1800 County Road NN
Elkhorn, WI 53121

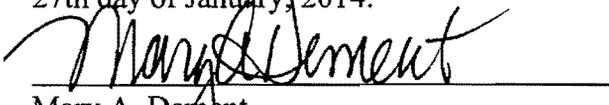
STAFFORD ROSENBAUM LLP
c/o Bruce D. Huijbregtse, Registered Agent
222 West Washington Avenue – Suite 900
Madison, WI 53703

Dated this 27th day of January, 2014.



David M. Pelletier

Subscribed and sworn to before me this
27th day of January, 2014.



Mary A. Dement
Notary Public, State of Wisconsin
My Commission expires: 03/12/2017



1/28/14

Mr. William Schmidt
N2572 Sunset Blvd
Lake Geneva, WI 53147

RECEIVED
WALWORTH COUNTY CLERK

To-

Walworth County Board of Supervisors
Public Works Committee

2014 JAN 29 AM 10:51

The matter about Lot 1 Block 17 of sunset hills has been going on for months. at this point in time we have come to a impasse. I purchased the lot in good faith, only to find out that walworth county did not own said property. I feel that walworth county should refund the purchase price plus a 40% increase in land value over the last nine years. also I feel you should return all taxes paid on said property to date. For the last nine years I have improved this property by adding trees, flowers, and planting and maintaining the lawn. I cut the grass 2 times a month for 5 months each year, May/Sept. over the course of 9 years. I included find a list of costs and pictures of said property I feel that as long as I did not have title to this property, I was cutting + maintaining lot 1, Block 17 of sunset hills, walworth county should be paying all costs.

W.C. Schmidt



5 Big Trees
25 6 IN DIA. TREES CUT DOWN

ELIM TREE
CUT DOWN







Pesche's Greenhouse Floral Shop & Gift Barn

Growing for Every Season
Gifts for Every Reason
OPEN 7 DAYS

 
HWY. 50 • 3 MILES WEST
OF LAKE GENEVA
W4080 HWY. 50 WEST
LAKE GENEVA, WI 53147
PHONE 262-245-6125
FAX 262-245-1605
800-601-3434
www.peschesgreenhouse.com

SOLD TO <u>W Schmidt</u>		DATE <u>1/27/14</u>
ADDRESS <u>N 2572 SUNSET</u>		PHONE
CITY <u>LK GENEVA</u>	STATE <u>WIS</u>	ZIP <u>53147</u>
CASH	C.O.D.	CHARGE
		PAID ON ACCT.
		DATE WANTED
		TAKEN BY <u>[Signature]</u>

QUANTITY	DESCRIPTION	PRICE	AMOUNT
<u>ESTIMATE</u>			
5	HYBRID POPLAR 5 FT	50 ⁰⁰ EA.	250 ⁰⁰ 5 TREES
3	EVERGREENS 6 FT	100 ⁰⁰ EA.	300 ⁰⁰ 3 TREES
20	CROWN VERT (N/A)	30 ⁰⁰	60 ⁰⁰ 30 PLANTS
15	SHRUB DUNEY (1 GAL.)	8.99 EA.	134 ⁸⁵ 15 PLANTS
15	CLONE DUNEY (1 GAL.)	8.99 EA.	134 ⁸⁵ 15 PLANTS
3	REDBUD 5 FT	100 ⁰⁰ EA.	300 ⁰⁰ 3 TREES
	<u>[Signature]</u> 1 ELM TREE		50 ⁰⁰
Thank You!		TAX	
TOTAL			

PLEASE KEEP THIS COPY FOR REFERENCE

NO. 1563	RECEIVED BY
-----------------	-------------

TERMS: 30 DAYS NET 2 PERCENT PER MONTH SERVICE CHARGE AFTER 30 DAYS

9 YEARS OF CUTTING LAWN
MAY TO SEPT. AT
\$400⁰⁰ A YEAR
\$3,600
GRASS SEED \$75.00
FERTILIZER 400.00

TOTAL \$5,303.00

January 15, 2014

**TO THE HONORABLE CHAIRMAN AND MEMBERS
OF THE BROWN COUNTY BOARD OF SUPERVISORS**

Ladies & Gentlemen:

**RESOLUTION IN SUPPORT OF CHANGES TO THE STATE STATUTES
REGARDING PROTECTIVE OCCUPATION PARTICIPANT STATUS OF COUNTY
CORRECTION OFFICERS**

WHEREAS, with the implementation of Wisconsin Act 10, "public safety employees" were defined as an employee designated as protective occupation status under the Wisconsin Retirement System ("WRS"), and said employee, as it relates to county jailers, detention officers and corrections officers were to meet the test as an "active law enforcement employee," in order to retain full bargaining rights and protective status under WRS; and,

WHEREAS, if the county jailers, detention officers and corrections officers did not meet the test as an active law enforcement employee they were to be classified as general municipal employees for WRS purposes, retaining only the right to bargain over base wages; and,

WHEREAS, the changes in the law under Act 10, resulted in a need for re-evaluation of employee classifications in order to determine the legal obligations of the government entity under the law as it related to bargaining rights for the various classes of employees; and,

WHEREAS, this re-evaluation has caused confusion, disparity and litigation throughout the state, with many employees in the county jailers, detention officers and corrections officers positions losing protective status under WRS; and,

WHEREAS, it is important to preserve the intent of the changes implemented under Act 10, while maintaining the ability of the counties to assess and assign the job duties for county jailers, detention officers and corrections officers for the effective operation of their particular county departments; and,

WHEREAS, it is recognized that the counties in Wisconsin may assign different job duties to the county jailers, detention officers and corrections officers in their county, resulting in the employees being exposed to varying degrees of danger and peril; and,

WHEREAS, it is understood that individuals working in occupations as county jailers, detention officers and corrections officers exposed to high degrees of danger or peril demand a high degree of physical conditioning in order to perform their job duties; and,

WHEREAS, based on the job duties and exposure to danger and perilous situations, the occupations of county jailers, detention officers and corrections officers may create such stresses that there is a need to classify them as protective occupation participants for WRS purposes to promote early retirement; and,

WHEREAS, the individual counties are in the best position to make the determination as to whether the job duties assigned to their county jailers, detention officers and corrections officers are such that they need to be classified as protective occupation participants for WRS purposes, in order to maintain the protection of the public, inmates and employees; and,

WHEREAS, with specific changes in the law, the determination of protective status for county jailers, detention officers and corrections officers for retirement purposes can be made without making a finding that the employees are active law enforcement, and preserve the intent of Act 10; and,

WHEREAS, it has been proposed that the 2014 State of Wisconsin Legislature session address changes to be made to the State Statutes under Chapter 40 to allow the designation of the county jailers, detention officers and corrections officers as protective occupation participants for WRS purposes, without classifying them as active law enforcement and without granting them the bargaining rights afforded under Wis. Stat. §111.70.

NOW, THEREFORE, BE IT RESOLVED that the Brown County Board of Supervisors supports a proposed change to Wisconsin Statutes Chapter 40, in allowing the

counties to make the determination as to protective occupation status for their county jailers, detention officers and corrections officers without finding them as active law enforcement and without granting them full bargaining rights under Wis. Stat. §111.70, keeping within the intent of the implementation of Act 10.

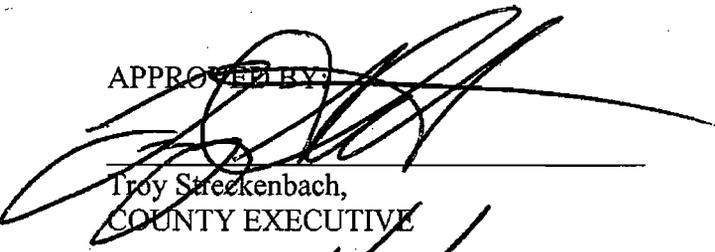
BE IT FURTHER RESOLVED, that a copy of this Resolution be sent to all 72 WI Counties that have County Correction Officers ** and Brown County's State Representatives in support of proposed changes to Chapter 40 of Wisconsin State Statutes.

Respectfully submitted,

BROWN COUNTY BOARD OF SUPERVISORS

** Amended as per the County Board of Supervisors on January 15, 2014.

~~APPROVED BY~~



Troy Streckenbach,
COUNTY EXECUTIVE

Date Signed: 1/20/14

Final Draft Approved and authored by Brown County Corporation Counsel

Fiscal Impact: This resolution does not require an appropriation from the general fund.

BOARD OF SUPERVISORS ROLL CALL # _____

Motion made by Supervisor Lund

Seconded by Supervisor ERICKSON

SUPERVISORS	DIST.	AYES	NAYS	ABSTAIN	EXCUSED
SIEBER	1	}			
DE WANE	2				
NICHOLSON	3				
HOYER	4				X
HOPP	5	X			
HAEFS	6				X
ERICKSON	7	}			
ZIMA	8				
EVANS	9				
VANDER LEEST	10				
BUCKLEY	11				
LANDWEHR	12				
DANTINNE, JR	13				

SUPERVISORS	DIST.	AYES	NAYS	ABSTAIN	EXCUSED
LA VIOLETTE	14	}			
KATERS	15				
KASTER	16				
VAN DYCK	17				
JAMIR	18				
ROBINSON	19				
CLANCY	20				
CAMPBELL	21				
MOYNIHAN, JR.	22				
STEFFEN	23				
CARPENTER	24				X
LUND	25	}			
FEWELL	26				

Total Votes Cast 23
 Motion: Adopted Defeated _____ Tabled _____

January 15, 2014

Dear County Official:

WCA Services, Inc. is excited to announce a new sponsored group program to the members of the Wisconsin Counties Association. WCA Services, Inc. has entered into an agreement with Capitol Lakes Financial, LLP and Transamerica to bring an exclusive member discount for long-term care insurance.

Capitol Lakes Financial group is poised to provide this opportunity to county government employees to achieve long-term care protection with the buying power of the WCA group. This discount program can be extended to spouses, parents, children and siblings as well.

TransCare III Long-Term Care Insurance will be offered as a voluntary benefit at no expense to the county and will be billed directly from the carrier. This long-term care insurance program will be serviced and enrolled by Capitol Lakes Financial, LLP. They will provide informational workshops for your employees that can be scheduled during the workday, over lunch or after work hours.

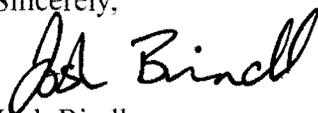
Further, individual county governments have an opportunity to carve out and offer a simplified group product. This group option would allow for counties to offer a benefit with simplified underwriting at a group rate. Employees could benefit from this option if their county anticipates higher levels of participation from their employees.

There are many ways to take advantage of this opportunity. These include:

- Invite Capital Lakes Financial to present to interested employees.
- Include information on this opportunity in your benefit resources.
- Refer interested employees to Capital Lakes Financial.
- Email all employees about this offer directing them to Capital Lakes Financial.

To discuss these options with Capital Lakes Financial contact Simon Liegel or Daniel Determan directly by e-mailing contact@capitollakesfinancial.com, or phoning 888-505-3956. These individuals have more than 10 years experience offering this great benefit to state employees. Also, a wealth of information is available on the firm's website www.Capitollakesfinancial.com.

Sincerely,



Josh Bindl

Director of Programs and Services

TOWN OF LAFAYETTE

COUNTY OF WALWORTH

STATE OF WISCONSIN

**NOTICE OF PUBLIC HEARING
PLAN COMMISSION MEETING**

Wednesday, March 5, 2014
7:30 pm
LaFayette Town Hall
W4614 Potter Road (corner of Cobb & Potter Roads)

VACATE AND DISCONTINUE A PORTION OF RIGHT-OF-WAY OF STUART DRIVE

NOTICE IS HEREBY GIVEN for a public hearing on a resolution to vacate and discontinue a portion of the right-of-way for Stuart Drive located in the Town of LaFayette that has never been opened, worked or improved as a public right-of-way. All interested in the above matter are invited to attend.

The Plan Commission will be in session on Wednesday, March 5, 2014 beginning at 7:30 pm at the LaFayette Town Hall, located at W4614 Potter Road (corner of Cobb and Potter Roads), to consider any objections to may have been filed and to hear all persons desiring to be heard.

For inquiries or to view the complete application documents to gather more information, contact the Town Clerk at 262.723.4321 or townoflafayette@gmail.com.

Barbara A Fischer, WCMC
Clerk-Treasurer

RECEIVED
WALWORTH COUNTY CLERK

2014 JAN 30 AM 9:01

RECEIVED
WALWORTH COUNTY CLERK
STATE REPRESENTATIVE
ANDY JORGENSEN 23 AM 8:59

43rd ASSEMBLY DISTRICT • ASSEMBLY DEMOCRATIC CAUCUS CHAIR

January 16, 2014

Walworth County Board of Supervisors
c/o Kimberly S. Bushey
100 W. Walworth PO Box 1001
Elkhorn, WI 53121

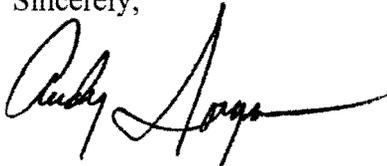
Dear Kimberly,

Thank you for providing my office with the Walworth County Board of Supervisors resolutions regarding increasing petitioner fees, setting a requirement age for officiating a marriage, changing the method of collecting costs of razing a building for a special tax to a special charge, requesting the State of Wisconsin to uphold its funding commitment, and nonpartisan redistricting reform. It is a privilege serving in the Wisconsin State Assembly and I appreciate hearing the board's thoughts on these matters.

The series of resolutions you presented me offers good insight as to what local opinions are on a number of issues. I hope that we will stay in touch, moving forward this legislative session. Communication is essential to me serving you well. Please know I will keep the board's views in mind if any of these issues come up for debate in the Wisconsin State Assembly.

Thank you again for providing my office with these resolutions, Kimberly. I truly appreciate the time the Walworth County Board of Supervisors took to adopt this series of resolutions. Please know that I am always willing to have a conversation and listen to the board's concerns regarding these or any other matters of importance.

Sincerely,



ANDY JORGENSEN
State Representative
43rd Assembly District

RECEIVED
WALWORTH COUNTY CLERK
2014 JAN 23 AM 8:59



County Clerk

Kimberly S. Bushey
County Clerk

February 11, 2014 – Walworth County Board Meeting

**Report of the County Clerk Regarding Communications Received by the
Board and Recommended to be Placed on File**

- Dunn County Resolution No. 2013-9 – Seeking Creation of a New Nonpartisan Procedure for the Preparation of Legislative and Congressional Redistricting Plans (was previously referred to the Executive Committee)

RESOLUTION 9

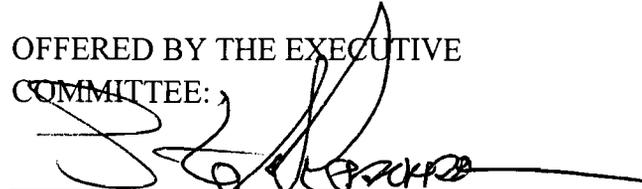
**Seeking Creation of a New Nonpartisan Procedure for the Preparation of
Legislative and Congressional Redistricting Plans**

NOW, THEREFORE, BE IT RESOLVED, that the Dunn County Board of Supervisors urges the State Legislature to create a nonpartisan procedure for the preparation of a legislative and congressional redistricting plans that would promote more accountability and transparency in the process, and prohibit the consideration of voting patterns, party information, incumbents' residence or demographic information in drawing the maps except as necessary to ensure minority participation as required by the Constitution of the United States; and

BE IT FURTHER RESOLVED, that the County Clerk is directed to send a copy of this resolution to the Governor of the State of Wisconsin, Wisconsin Counties Association, Wisconsin Towns Association, Wisconsin League of Municipalities, all members of the state legislature, and to each Wisconsin County.

Dated this 15th day of January, 2014 at Menomonie, Wisconsin.

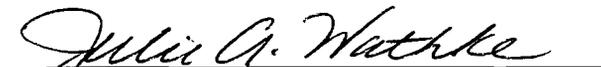
OFFERED BY THE EXECUTIVE
COMMITTEE:


Steven Rasmussen, Chair

ADOPTED ON: January 15, 2014

ATTEST:

Approved as to Form and Execution:


Julie A. Wathke, County Clerk


Nicholas P. Lange, Corporation Counsel

Budget Impact: This resolution has no impact upon the budget or levy for 2014 or 2015.

Background Information: Currently, pursuant to the Wisconsin Constitution, the legislature is directed to apportion and redistrict all legislative districts according to the number of inhabitants at its first session after the decennial federal census. At the same interval, the legislature also reapportions congressional districts in the state pursuant to federal law. Legislative and congressional redistricting plans enacted pursuant to this procedure are used to elect members of the legislature and members of Congress in the fall of the second year following the year of the census. In practice, all apportionment and redistricting is in control of the majority party. The 2011 process to draw the maps and fight lawsuits cost taxpayers nearly \$1.9 million. Historically, legislative and congressional plans Wisconsin have been subject to partisan influence that put the desires of politicians ahead of the needs of the people.

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
Greg & Sue Equi	Troy Township Tax Parcel P ET-7-2D	Rezone approx. 27.1 acres of A-1 Prime Agricultural to A-2 Agricultural District, 2.03 acres of A-1 to C-2 Upland Resource Conservation Districts and .9 acres of C-2 to A-2.	February 11, 2014

Said petition/s is/are 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).

Dated this _____ day of _____, 2014.

 County Clerk

Cc: County Supervisor Rick Stacey

January 16, 2014
January 16, 2014 - expanded

Please include the following County Zoning Agency items on the February 11, 2014, County Board agenda:

Ordinance Amendments:

Amendment Repealing and Recreating Article II of Chapter 64 – Telecommunications, Mobile Tower Siting Ordinance, Walworth County Code of Ordinances, in compliance with Wisconsin Act 20.

Approved 7 – 0 at the December 19, 2013 Zoning Agency public hearing, with modifications.

Amendment to Section(s) 74-44 of the Zoning Ordinance and Section(s) 74-171 of the Shoreland Zoning Ordinance, Walworth County Code of Ordinances relative to chickens in the R-1, R-2, R-3, R-5, R-5A and C-3 districts and modified requirements in the agricultural and C-2 districts.

Approved 7 – 0 at the January 16, 2014 Zoning Agency public hearing.

Rezoning:

1. **Timothy A. Lightfield**, Section 17, Spring Prairie Township. Rezone approximately 3.27 acres of A-1 Prime Agricultural District property to C-2 Upland Resource Conservation District. Part of Tax Parcel O SP-17-5.

Approved 7 – 0 at the January 16, 2014 Zoning Agency public hearing.

Conformance with County Land Use Plan: The County 2035 Land Use Plan identifies this area as the mostly the (AP) Prime Agricultural land use category with a small portion of (PEC) Environmental Corridor land use category.

ORDINANCE NO. 836 – 02/14

REPEALING AND RECREATING CHAPTER 64 OF THE WALWORTH COUNTY CODE OF ORDINANCES RELATING TO MOBILE TOWERS

THE WALWORTH COUNTY BOARD OF SUPERVISORS DOES ORDAIN AS FOLLOWS:

1 **PART I: That Chapter 64 of the Walworth County Code of Ordinances is hereby repealed**
2 **and recreated to read as follows:**

3
4 **“Sec. 64-26. Authority.** This ordinance is adopted under the authority granted by Wis. Stats. 59.69
5 and 66.0404 and amendments thereto. The Board of Supervisors of the County of Walworth,
6 Wisconsin, do ordain as follows:

7
8 **Sec. 64-27. Title.** This ordinance shall be known as, referred to, and cited as the Mobile Tower
9 Siting Ordinance, Walworth County, Wisconsin.

10
11 **Sec. 64-28. Purpose.** The purpose of this ordinance is to regulate by zoning permit (1) the siting
12 and construction of any new mobile service support structure and facilities; (2) with regard to a class
13 1 collocation, the substantial modification of an existing support structure and mobile service
14 facilities; and (3) with regard to a class 2 collocation, collocation on an existing support structure
15 which does not require the substantial modification of an existing support structure and mobile
16 service facilities.

17
18 **Sec. 64-29. Intent.** It is intended that Walworth County shall apply these regulations to accomplish
19 the following:

- 20
21 1. Maintain and ensure that a non-discriminatory, competitive and broad range of
22 telecommunications services and high quality telecommunications infrastructure,
23 consistent with the Federal Telecommunications Act of 1996 and Wisconsin State Statute
24 66.0404, are provided to serve the community, as well as serve as an important and
25 effective part of the Walworth County law enforcement, fire and emergency response
26 network.
- 27
28 2. Provide a process for obtaining necessary permits for mobile service facilities and
29 support structures while at the same time protecting the interest of Walworth County
30 citizens.
- 31
32 3. Furthermore, this chapter is not intended to regulate residential satellite dishes or
33 residential television antennas that are used privately. Additionally it is not intended to
34 regulate satellite dishes/antennas whose regulation is prohibited by Wis. Stats
35 59.69(4d)and (4f), or its successor Sec.s, as amended from time to time or as preempted
36 by federal law.
- 37

1 **Sec. 64-30. Applicability.** This ordinance applies only in the unincorporated parts of the county,
2 except that if a town enacts an ordinance in accordance with 66.04064(2) after the county has so
3 acted, the county ordinance does not apply, and may not be enforced, in a town, except that if the
4 town later repeals its ordinance, the county ordinance applies in that town.

5
6 **Sec. 64-31. Exempt from county review.** The following shall be exempt from county review:

- 7
8 1. The use of all receive only television antenna and satellite dishes provided
9 that the primary use of the property is not a Mobile Service Facility and that
10 the antenna use is accessory to the primary use of the property.
- 11
12 2. Amateur Radio. This chapter shall not govern the installation of any
13 antenna and their supporting towers, poles and masts that is owned and/or
14 operated by a federally licensed amateur radio operator or, is used
15 exclusively for receive-only antennas.
- 16
17 3. Mobile services providing public information coverage of news events or of
18 a temporary or emergency nature.
- 19
20 4. Utility pole mounted antenna if the height of the antenna is 30 feet or less
21 above the highest part of the utility pole.

22
23 **Sec. 64-32. Definitions.** All applicable definitions in Chapter 74 shall also apply unless
24 specifically defined in this chapter.

- 25
26 1. “**Antenna**” means communications equipment that transmits and receives
27 electromagnetic radio signals and is used in the provision of mobile
28 services.
- 29
30 2. “**Application**” means an application for a zoning permit under this Sec. to
31 engage in an activity specified in sub. (2) (a) or a class 2 collocation.
- 32
33 3. “**Class 1 collocation**” means the placement of a new mobile service facility
34 on an existing support structure such that the owner of the facility does not
35 need to construct a free standing support structure for the facility but does
36 need to engage in substantial modification.
- 37
38 4. “**Class 2 collocation**” means the placement of a new mobile service facility
39 on an existing support structure such that the owner of the facility does not
40 need to construct a free standing support structure for the facility or engage
41 in substantial modification.
- 42
43 5. “**Collocation**” means class 1 or class 2 collocation or both.
- 44
45 6. “**Department**” means the Walworth County Land Use and Resource
46 Management Department.

- 1 7. **“Distributed antenna system”** means a network of spatially separated
2 antenna nodes that is connected to a common source via a transport medium
3 and that provides mobile service within a geographic area or structure.
4 8. **“Equipment compound”** means an area surrounding or adjacent to the
5 base of an existing support structure within which is located mobile service
6 facilities.
7
8 9. **“Existing structure”** means a support structure that exists at the time a
9 request for permission to place mobile service facilities on a support
10 structure is filed with a political subdivision.
11
12 10. **“Fall zone”** means the area over which a mobile support structure is
13 designed to collapse.
14
15 11. **“Height”** means the distance measured from the original grade at the base
16 of the tower to the highest point of the tower. This measurement excludes
17 any attached antennas and protection devices (e.g. lightning rods).
18
19 12. **“Mobile service”** has the meaning given in 47 USC 153 (33).
20
21 13. **“Mobile service facility”** means the set of equipment and network
22 components, including antennas, transmitters, receivers, base stations,
23 power supplies, cabling, and associated equipment, that is necessary to
24 provide mobile service to a discrete geographic area, but does not include
25 the underlying support structure.
26
27 14. **“Mobile service provider”** means a person who provides mobile service.
28
29 15. **“Mobile service support structure”** means a freestanding structure that is
30 designed to support a mobile service facility.
31
32 16. **“Permit”** means a Walworth County Zoning Permit which authorizes any
33 of the following activities by an applicant:
34 a. A class 1 collocation.
35 b. A class 2 collocation.
36 c. The construction of a mobile service support structure.
37
38
39 17. **“Public utility”** has the meaning given in s. 196.01 (5).
40
41
42 18. **“Search ring”** means a shape drawn on a map to indicate the general area
43 within which a mobile service support structure should be located to meet
44 radio frequency engineering requirements, taking into account other factors
45 including topography and the demographics of the service area.
46

1
2 19. **“Substantial modification”** means the modification of a mobile service
3 support structure, including the mounting of an antenna on such a structure
4 that does any of the following:

- 5
6 a. For structures with an overall height of 200 feet or less, increases the
7 overall height of the structure by more than 20 feet.
8
9 b. For structures with an overall height of more than 200 feet, increases
10 the overall height of the structure by 10 percent or more. If a greater
11 height is necessary to avoid interference with an existing antenna,
12 the activity is not considered a substantial modification.
13
14 c. Measured at the level of the appurtenance added to the structure as a
15 result of the modification, increases the width of the support
16 structure by 20 feet or more, unless a larger area is necessary for
17 collocation. If a greater protrusion is necessary to shelter the
18 antenna from inclement weather or to connect the antenna to the
19 existing structure by cable, the activity is not considered a
20 substantial modification.
21
22 d. Increases the square footage of an existing equipment compound to
23 a total area of more than 2,500 square feet.
24

25 20. **“Support structure”** means an existing or new structure that supports or
26 can support a mobile service facility, including a mobile service support
27 structure, utility pole, water tower, building, or other structure.
28

29 21. **“Utility pole”** means a structure owned or operated by an alternative
30 telecommunications utility, as defined in s. 196.01(1d); public utility, as
31 defined in s. 196.01 (5); telecommunications utility, as defined in s. 196.01
32 (10); political subdivision; or cooperative association organized under ch.
33 185; and that is designed specifically for and used to carry lines, cables, or
34 wires for telecommunications service, as defined in s. 182.017 (1g) (cq); for
35 video service, as defined in s. 66.0420 (2) (y); for electricity; or to provide
36 light.
37

38 **Sec. 64-33. Siting and construction of any new mobile service facility or substantial**
39 **modification of facilities and support structures.**
40

41 Application Process

- 42
43 1. A zoning permit is required for the siting and construction of any new
44 mobile service support structure and facilities and the substantial
45 modification of an existing support structure and mobile service facilities
46 (Class 1 collocation).

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- a. New mobile service support structure and facilities means a freestanding structure that is designed to support a mobile service facility and the set of equipment and network components, including antennas, transmitters, receivers, base stations, power supplies, cabling, and associated equipment, that is necessary to provide mobile service to a discrete geographic area.

- b. Substantial modification of an existing support structure and mobile service facilities means the modification of a mobile service support structure, including the mounting of an antenna on such a structure that does any of the following:
 - 1. For structures with an overall height of 200 feet or less, increases the overall height of the structure by more than 20 feet.
 - 2. For structures with an overall height of more than 200 feet, increases the overall height of the structure by 10 percent or more. If a greater height is necessary to avoid interference with an existing antenna, the activity is not considered a substantial modification.
 - 3. Measured at the level of the appurtenance added to the structure as a result of the modification, increases the width of the support structure by 20 feet or more, unless a larger area is necessary for collocation. If a greater protrusion is necessary to shelter the antenna from inclement weather or to connect the antenna to the existing structure by cable, the activity is not considered a substantial modification.
 - 4. Increases the square footage of an existing equipment compound to a total area of more than 2,500 square feet.

- 2. A zoning permit application must be completed by any applicant and submitted to the department. The application must contain the following information, if applicable:
 - a. The name, business address, phone number, e-mail address, facsimile number of the applicant and the contact individual.
 - b. The location of the proposed or affected support structure.
 - c. The location of the proposed mobile service facility.
 - d. If the application is to construct a new mobile service support structure a construction plan which describes the proposed

1 mobile service support structure and the equipment and network
2 components, including antennas, transmitters, receivers, base
3 stations, power supplies, cabling, and related equipment to be
4 placed on or around the new mobile service support structure.
5

- 6 e. If an application is to construct a new mobile service support
7 structure, an explanation as to why the applicant chose the
8 proposed location and why the applicant did not choose
9 collocations, including a sworn statement from an individual
10 who has responsibility over the placement of the mobile service
11 support structure attesting that collocation within the applicant's
12 search ring would not result in the same mobile service
13 functionality, coverage, and capacity; is technically infeasible; or
14 is economically burdensome to the mobile service provider.
15
- 16 f. If the application is to substantially modify an existing support
17 structure, a construction plan which describes the proposed
18 modifications to the support structure and the equipment and the
19 network components, including antennas, transmitters, receivers,
20 base stations, power supplies, cabling, and related equipment
21 associated with the proposed modifications.
22
- 23 g. Federal Communications Commission (FCC) license number
24 and registration numbers, if applicable.
25
- 26 h. Copies of finding of no significant impacts (FONSI) statement
27 from the Federal Communication Commission, if applicable.
28
- 29 i. Copies of determination of no hazard from the Federal Aviation
30 Administration (FAA) including any aeronautical study
31 determination or other findings, if applicable.
32
- 33 j. Plans indicating security measures(i.e. fencing, lighting, etc).
34
- 35 k. A report prepared by an engineer licensed by the State of
36 Wisconsin certifying the structural design of the tower and its
37 ability to accommodate additional antennas.
38
- 39 l. Copies of an Affidavit of Notification indicating that all
40 operators and owners of airports located within ½ mile radius
41 from heliports, 1 miles from private airport runways, or 3 mile
42 radius from public use airport runways, have been notified via
43 certified mail, if applicable.
44
- 45 m. Proof of Bond as surety for removal, in accordance with 64-36.
46

- 1 3. Applications for a zoning permit shall be made to the department on forms
2 furnished by the county.
3
- 4 4. If an applicant submits to the department an application for a zoning permit
5 to engage in an activity described in this ordinance, which contains all the
6 information required under this ordinance, the department shall consider the
7 application complete. If the zoning administrator does not believe that the
8 application is complete, the department shall notify the applicant in writing,
9 within 10 days of receiving the application, that the application is not
10 complete. The written notification shall specify in detail the required
11 information that was incomplete. An applicant may resubmit an application
12 as often as necessary until it is complete.
13
- 14 5. Within 90 days of its receipt of a complete application, the department shall
15 complete all of the following or the applicant may consider the application
16 approved, except that the applicant and the department may agree in writing
17 to an extension of the 90 day period:
18 a. Review the application to determine whether it complies with all
19 applicable aspects of Walworth County's ordinances, subject to
20 the limitations in this Sec..
21 b. Make a final decision whether to approve or disapprove the
22 application.
23 c. Notify the applicant in writing, of its final decision.
24 d. If the decision is to disapprove the application, include with the
25 written notification substantial evidence which supports the
26 decision.
27
- 28 6. The zoning administrator may disapprove an application if an applicant
29 refuses to evaluate the feasibility of collocation within the applicant's
30 search ring and provide the sworn statement described under paragraph 2.e.
31
- 32 7. If an applicant provides the zoning administrator with an engineering
33 certification showing that a mobile service support structure, or an existing
34 structure, is designed to collapse within a smaller area than the setback or
35 fall zone area required, that setback or fall zone area does not apply to such
36 a structure unless the department provides the applicant with substantial
37 evidence that the engineering certification is flawed.
38
39
40
41

42
43 **Sec. 64-34. Class 2 collocation.**

44 Application Process.
45
46

- 1 1. A zoning permit is required for a class 2 collocation.
- 2
- 3 2. A zoning permit application must be completed by any applicant and
- 4 submitted to the department. The application must contain the following
- 5 information:
- 6
- 7 a. The name, business address, phone number, e-mail address,
- 8 facsimile, etc. of the applicant and the contact individual.
- 9
- 10 b. The location of the proposed or affected support structure.
- 11
- 12 c. The location of the proposed mobile service facility.
- 13
- 14 3. Applications for a zoning permit shall be made to the department on forms
- 15 furnished by the county.
- 16
- 17 4. A class 2 collocation is subject to the same requirements for the issuance of
- 18 a zoning permit to which any other type of commercial development or land
- 19 use development in Chapter 74 is subject.
- 20
- 21 5. If an applicant submits to the department an application for a zoning permit
- 22 to engage in an activity described in this ordinance, which contains all of
- 23 the information required under this ordinance, the department shall consider
- 24 the application complete. If any of the required information is not in the
- 25 application, the department shall notify the applicant in writing, within five
- 26 (5) days of receiving the application, that the application is not complete.
- 27 The written notification shall specify in detail the required information that
- 28 was incomplete. An applicant may resubmit an application as often as
- 29 necessary until it is complete.
- 30
- 31 6. Within 45 days of its receipt of a complete application, the department shall
- 32 complete all of the following or the applicant may consider the application
- 33 approved, except that the applicant and the department may agree in writing
- 34 to an extension of the 45 day period:
- 35
- 36 a. Make a final decision whether to approve or disapprove the
- 37 application.
- 38
- 39 b. Notify the applicant, in writing of its final decision.
- 40
- 41 c. If the application is approved, issue the applicant the relevant
- 42 permit.
- 43 d. If the decision is to disapprove the application, include with the
- 44 written notification substantial evidence which supports the
- 45 decision.
- 46

1 **Sec. 64-35 Setbacks and site development.** All setbacks shall be measured from the base of the
2 tower or structure.

- 3
- 4 1. Setbacks from property lines. All new towers shall be setback a minimum of
5 50 feet from all property lines. (This requirement does not apply to the
6 boundary of the leased parcel unless the leased parcel boundary is also a
7 property line.)
- 8
- 9 2. Setback from road right of way of all streets. All new towers shall be setback
10 from all streets a minimum as defined in the county zoning ordinances.
- 11
- 12 3. Setback from ordinary high water mark (OHWM). All new towers shall be
13 setback a minimum of 75 feet from the ordinary high water mark (OHWM) of
14 any navigable body of water.
- 15
- 16 4. Guy wire anchor setback. All guy wire anchors shall be at least 25 feet from
17 all property lines.
- 18
- 19 5. An existing legal substandard mobile service support structure or facility
20 existing at the time of the adoption or amendment of this ordinance may be
21 continued although the structure's size and/or location does not conform to
22 the required setback(s). Additions, enlargements, reconstruction or
23 replacement, within the scope of this Chapter, shall conform with the legally
24 established setback lines, as detailed in Chapter 74.
- 25
- 26 6. Equipment shelters/buildings shall be limited to 350 square feet or less in size
27 per mobile service provider and 15 feet in height measured from the lowest
28 finished grade to the ridge of the highest roof line of the structure.
- 29
- 30 7. The leased area/equipment compound, intended for the location of the mobile
31 service support structure and mobile service facility shall maintain a
32 minimum size of twenty-five hundred (2,500) square feet.
- 33
- 34 8. All sites must be served by a minimum 30 foot wide easement. All sites shall
35 use existing access points and roads whenever possible. Any new access point
36 to the site shall be approved by the applicable road jurisdiction.
- 37
- 38 9. Any parcel created shall meet the minimum lot area, width and frontage
39 requirements in accordance with Chapter 74.
- 40

41 **Sec. 64-36 Abandonment, Removal and security for removal.**

- 42
- 43 1. Any mobile service support structure and facility that is not operated for a
44 continuous period of twelve (12) months shall be considered abandoned.
45 Time may be extended upon review and approval of the department, if the

1 tower owner demonstrates a good faith effort to secure new tenants. In such
2 circumstances, the following shall apply:
3

- 4 a. The owner of such mobile service support structure and facility shall
5 remove such within 90 days of receipt of notice from the department
6 notifying the owner of such abandonment. If removal to the
7 satisfaction of the department does not occur within 90 days, the
8 county corporation counsel may order removal utilizing the
9 established security for removal as provided below and salvage. If
10 there are two or more users of a single tower, then this provision
11 shall not become effective until all operation of the tower cease.
12 The mobile service support structure shall notify the department
13 when the facility is no longer in operation.
14

- 15 2. Removal. It is the express policy of the county and this chapter that mobile
16 service support structure be removed once they are no longer in use and not
17 a functional part of providing service and that it is the mobile service
18 support structure owners responsibility to remove such structure and restore
19 the site to its original condition or a condition approved by the department.
20 This restoration shall include the removal of any subsurface structure or
21 foundation including concrete used to support the structure down to ten feet
22 below the surface. After a mobile service support structure is no longer in
23 operation, the tower owner shall have 90 days to effect removal and
24 restoration unless weather prohibits such efforts. The mobile service
25 support structure owner shall record a document with the Walworth County
26 Register of Deeds showing the existence of any subsurface structure
27 remaining below grade. Such recording shall accurately set forth the
28 location and describe the remaining structure.
29

- 30 3. Security for removal. The Mobile service support structure shall provide to
31 the county, prior to issuance of a zoning permit, a performance bond in the
32 amount of \$20,000.00 or a bond equal to a written estimate from a qualified
33 tower removal contractor to guarantee that the structure will be removed
34 when no longer in operation. The county will be named as the obligee in the
35 bond and must approve the bonding company.
36

37 **Sec. 64-37. Severability.** If any provision of this ordinance or its application to any person or
38 circumstance is held invalid, the invalidity does not affect other provisions or its applications of this
39 ordinance that can be given effect without the invalid provision or application, and to this end the
40 provision of this ordinance are severable.
41

42 **Sec. 64-38. Transferability.** Permits granted under this chapter go with the land and are
43 transferable. Permits granted under this chapter are not limited in duration. All chapter and permit
44 requirements shall apply to subsequent owners. The department shall be notified of any change in
45 ownership including, but not limited to, facility leases, mortgages, liens or other instruments which
46 may affect title to the property.

1
2 **Sec. 64-39. Appeal procedure.** Those dimensional standards established herein in accordance with
3 Wisconsin Statute 59.69 may be appealed to the Walworth County Board of Adjustment for a
4 variance following the provisions of Chapter 74, Division 10, Walworth County Code of
5 Ordinances, Zoning or Shoreland Zoning. A party who is aggrieved by the final decision of the
6 department may bring an action in the circuit court of the county in which the proposed activity,
7 which is the subject of the application, is to be located.
8

9 **Sec. 64-40. Limitations.** All limitations contained in Wis. Stat. ss/ 66.0404(4) are hereby
10 incorporated by reference.”
11

12
13 **PART II:** That this ordinance shall become effective upon passage and publication.
14

15 **PASSED and ADOPTED** by the Walworth County Board of Supervisors this 11th day of February,
16 2014.
17

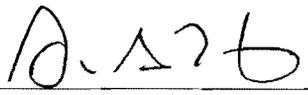
18
19
20 _____
21 Nancy Russell
22 County Board Chair

20 _____
21 Kimberly S. Bushey
22 Attest: County Clerk

23
24 County Board Meeting Date: February 11, 2014

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

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

 2/3/14

Date
David A. Bretl
County Administrator/Corporation Counsel

 2/3/14

Date
Nicole Andersen
Deputy County Administrator - Finance

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

Ordinance No. 836 – 02/14
Fiscal Note and Policy Impact Statement

I. Title: Repealing and Recreating Chapter 64 of the Walworth County Code of Ordinances Relating to Mobile Towers

II. Purpose and Policy Impact Statement: The intent of this proposed ordinance amendment is to comply with 2013 Wisconsin Act 20 where Wisconsin adopted new Mobile Tower Siting regulations. The purpose of the new law was to limit the zoning authority of counties and municipalities by creating a standardized regulatory framework pertaining to any facilities and support structures providing wireless telecommunications service. The new law created two separate regulatory frameworks and took away conditional use review. The new law prohibits environmental testing, moratoriums, prohibiting the placement of towers in particular locations within the county and prohibits annual reviews. Therefore, this amendment incorporates the new regulations of Act 20.

The first category is for new support structures and class 1 collocations. Class 1 collocations is the placement of new mobile service facility on an existing tower that needs to engage in substantial modification. Substantial modification is defined as the modification of a tower including the mounting of antennas on such a structure, that does any of the following:

1. For structures with an overall height of 200 feet or less, increases the overall height of the structure by more than 20 feet.
2. For structures with an overall height of more than 200 feet, increases the overall height of the structure by 10 percent or more.
3. Measured at the level of the appurtenance added to the structure as a result of the modification, increases the width of the support structure by 20 feet or more, unless a larger area is necessary for collocation.
4. Increases the square footage of an existing equipment compound to a total area of more than 2,500 square feet.

The second category is for Class 2 collocations. Class 2 collocations is the placement of a new mobile service facility (antennas, equipment shelters, generators, etc) on an existing support structure that does not to engage in substantial modification.

The two categories are now limited to permit review with different requirements for each category, therefore along with the ordinance amendment is a request to establish a permit review fee for Category 1 zoning permits, which is comparable to the previous conditional use review. Category 2 zoning permits already has an approved fee based on previous ordinance language.

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:

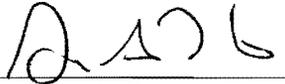
Committee: County Zoning Agency

Date: December 19, 2013

Vote: 7 - 0

County Board Meeting Date: February 11, 2014

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

 2/3/14

David A. Bretl Date
County Administrator/Corporation Counsel

 2/3/14

Nicole Andersen Date
Deputy County Administrator - Finance

ORDINANCE NO. 837 – 02/14

AMENDING SECTIONS 74-44 AND 74-171
OF THE WALWORTH COUNTY CODE OF ORDINANCES RELATING TO
PET AND ANIMAL REGULATIONS

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 amended
2 to read as follows (additions are underlined; deletions are shown in strike-through text):
3

4 “Sec. 74-44. Pet and Animal Regulations.

5
6 (c) Chickens shall also be permitted in the R-1, R-2, R-3, R-5, R-5A and C-3 districts
7 provided:
8

- 9 1. Chickens shall be female only. No roosters are permitted.
- 10 2. No more than 6 chickens allowed on the parcel.
- 11 3. Single family residence only.
- 12 4. Chickens are permitted with a legal non-conforming zoned residence,
13 duplex, tri-plex or multi-family structure, if permission is granted by
14 owner/landlord/ association and parcel has no more than 6 chickens total,
15 regardless of the number of dwelling units on the parcel.
- 16 5. No chickens are permitted in mobile home parks.
- 17 6. Towns, Homeowners Association and/or private restrictions can prohibit
18 chickens or be more restrictive than this ordinance.
- 19 7. Chickens must be kept on owners property at all times.
- 20 8. A structure to house the chickens shall not exceed 100 sq. ft., shall be
21 movable, shall be at least 10’ from side and rear property lines and shall be
22 at least 20’ from a residence, not including the residence on the subject
23 parcel.
- 24 9. The subject property shall be kept clean, sanitary, no excessive odor, noise,
25 pests or other nuisance allowed and shall provide for free movement of
26 chickens.

27
28
29
30
31
32 (d) Chickens in the agricultural and C-2 district(s) may modify the requirements of (b)
33 above provided:
34

- 35 1. A new structure to house up to 12 chickens shall be permitted within the
36 100’ setback requirement provided the structure does not exceed 100 sq. ft.
37
38
39
40

1 in size, shall be movable, shall be at least 10' from side and rear property
2 lines, and shall be at least 20' from a residence, not including the residence
3 on the subject parcel.

- 4
- 5 2. Structures that legally existed prior to November 21, 2013 that are more
6 than 100 sq. ft. in size and meet a minimum 10' side and rear yard setback
7 requirements and are at least 20' from a residence, not including the
8 residence on the subject parcel, are permitted to have no more than 12
9 female chickens.
- 10
- 11 3. Towns, Homeowners Association and/or private restrictions can prohibit
12 chickens or be more restrictive than this ordinance.
- 13
- 14 4. Chickens must be kept on owner's property at all times.
- 15
- 16 5. The subject property shall be kept clean, sanitary, no excessive odor, noise,
17 pests or other nuisance allowed and shall provide for free movement of
18 chickens. "

19

20 **PART II: That section 74-171 of the Walworth County Code of Ordinances is hereby**
21 **amended to read as follows (additions are underlined; deletions are shown in strike-through**
22 **text):**

23

24 **"Sec. 74-171. Pet and Animal Regulations**

25

26 (c) Chickens shall also be permitted in the R-1, R-2, R-3, R-5, R-5A and C-3
27 districts provided:

- 28
- 29 1. Chickens shall be female only. No roosters are permitted.
- 30
- 31 2. No more than 6 chickens allowed on the parcel.
- 32
- 33 3. Single family residence only.
- 34
- 35 4. Chickens are permitted with a legal non-conforming zoned residence,
36 duplex, tri-plex or multi-family structure, if permission is granted by
37 owner/landlord/ association and parcel has no more than 6 chickens total,
38 regardless of the number of dwelling units on the parcel.
- 39
- 40 5. No chickens are permitted in mobile home parks.
- 41
- 42 6. Towns, Homeowners Association and/or private restrictions can prohibit
43 chickens or be more restrictive than this ordinance.
- 44
- 45 7. Chickens must be kept on owners property at all times.
- 46
- 47 8. A structure to house the chickens shall not exceed 100 sq. ft., shall be
48 movable, shall be at least 10' from side and rear property lines and shall be

1 at least 20' from a residence, not including the residence on the subject
2 parcel.

3
4 9. The subject property shall be kept clean, sanitary, no excessive odor, noise,
5 pests or other nuisance allowed and shall provide for free movement of
6 chickens.

7
8 (d) Chickens in the agricultural and C-2 district(s) may modify the requirements of
9 (b) above provided:

- 10
11 1. A new structure to house up to 12 chickens shall be permitted within the
12 100' setback requirement provided the structure does not exceed 100 sq. ft.
13 in size, shall be movable, shall be at least 10' from side and rear property
14 lines, and shall be at least 20' from a residence, not including the residence
15 on the subject parcel.
- 16
17 2. Structures that legally existed prior to November 21, 2013 that are more
18 than 100 sq. ft. in size and meet a minimum 10' side and rear yard setback
19 requirements and are at least 20' from a residence, not including the
20 residence on the subject parcel, are permitted to have no more than 12
21 female chickens.
- 22
23 3. Towns, Homeowners Association and/or private restrictions can prohibit
24 chickens or be more restrictive than this ordinance.
- 25
26 4. Chickens must be kept on owner's property at all times.
- 27
28 5. The subject property shall be kept clean, sanitary, no excessive odor, noise,
29 pests or other nuisance allowed and shall provide for free movement of
30 chickens. “

31
32 **PART III:** That this ordinance shall become effective upon passage and publication.

33
34 **PASSED and ADOPTED** by the Walworth County Board of Supervisors this 11th day of February,
35 2014.

36
37
38 _____
39 Nancy Russell
40 County Board Chair

41 _____
42 Kimberly S. Bushey
Attest: County Clerk

43 County Board Meeting Date: February 11, 2014

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

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

David A. Bretl 2/3/14
Date
County Administrator/Corporation Counsel

Nicole Andersen 2/3/14
Date
Deputy County Administrator - Finance

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

Ordinance No. 837 – 02/14
Fiscal Note and Policy Impact Statement

- I. Title:** Amending Sections 74-74 of the Zoning Ordinance and Section 74-171 of the Shoreland Zoning Ordinance of the Walworth County Code of Ordinances Relating to Pet and Animal Regulations.
- II. Purpose and Policy Impact Statement:** This ordinance amendment was initiated by Dan Kilkenny relative to chickens. The amendment will permit chickens in the residential districts of R-1, R-2, R-3, R-5, R-5A and C-3 provided there are no more than six chickens and no roosters. No chickens are permitted in mobile home parks. Towns, Homeowners Associations and/or private restrictions can be more restrictive than the county ordinance with regards to chickens. Chickens must be kept on the property at all times and a structure used to house chickens shall not exceed 100 sq. ft., shall be movable, shall be at least 10' from side and rear property lines and shall be at least 20 feet from a residence, not including the residence on the subject parcel.

The amendment will also permit the modification of setbacks for up to 12 chickens in the Agricultural and C-2 districts provided a new structure to house chickens shall be permitted within the 100' setback requirement if the structure does not exceed 100 sq. ft. in size, shall be movable, shall be at least 10' from side and rear property lines and shall be at least 20' from a residence, not including the residence on the subject property. Any structure that legally existed prior to November 21, 2013 that is more than 100 sq. ft. in size and meets a minimum of a 10' side and rear yard setback and is at least 20 feet from a residence, not including the residence on the subject parcel is permitted to have no more than 12 female chickens. All other restrictions noted above also apply.

- 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:**

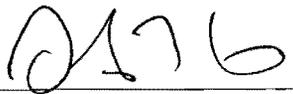
Committee: County Zoning Agency

Date: January 16, 2014

Vote: 7 - 0

County Board Meeting Date: February 11, 2014

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

 2/3/14

Date
David A. Bretl
County Administrator/Corporation Counsel

 2/3/14

Date
Nicole Andersen
Deputy County Administrator - Finance

ORDINANCE NO. 835-02/14

ORDINANCE AMENDING 2-44 OF THE WALWORTH COUNTY CODE OF ORDINANCES PERTAINING TO THE TEMPORARY ASSIGNMENT OF A SUPERVISOR TO A COMMITTEE AS THE RESULT OF A VACANCY

THE WALWORTH COUNTY BOARD OF SUPERVISORS DOES ORDAIN AS FOLLOWS:

1 **PART I:** That section 2-44 of the Walworth County Code of ordinances is hereby amended to
2 read as follows (additions are underlined; deletions are shown in strike-through text):
3

4 **“Sec. 2-44. Vacancies.**

5
6 (a) County board supervisor vacancies, caused by resignation or death, shall be filled in
7 accordance with the procedures set forth in Wis. Stats. § 59.10(3)(e).
8

9 (b) When committee vacancies occur subsequent to the biennial organizational meeting,
10 replacement county board supervisors shall be selected in accordance with the procedures set forth in
11 section 2-131(a)(4)b as follows: ~~Approval shall be by a majority of members elect of the county~~
12 ~~board.~~

13 (1) In the event the supervisor vacancy, which created the committee vacancy, has been
14 filled pursuant to (a), committee assignments shall be consistent with the provisions
15 of sec. 2-41 (4).
16

17 (2) In the event the supervisor vacancy has not been filled, an existing supervisor may be
18 assigned to fill a committee vacancy on a temporary basis until the supervisor
19 vacancy is filled. The temporary assignment shall not be subject to the provisions of
20 sec. 2-41 (4).
21

22 (c) Vacancies filled under this section shall be subject to approval by a majority of
23 members elect of the county board.”
24

25 **PART II:** That this ordinance shall become effective upon passage and publication.
26

27 **PASSED and ADOPTED** by the Walworth County Board of Supervisors this 11th day of February
28 2014.
29
30

31 _____
32 Nancy Russell
33 County Board Chair
34

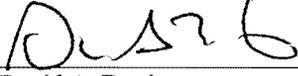
Kimberly S. Bushey
Attest: County Clerk

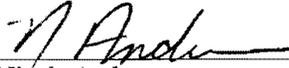
35 County Board Meeting Date: February 11, 2014

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

Policy and Fiscal Note is attached.

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

 11/28/14
Date
David A. Bretl
County Administrator/Corporation Counsel

 11/29/14
Date
Nicole Andersen
Deputy County Administrator - Finance

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

Ordinance No. 835-02/14
Fiscal Note and Policy Impact Statement

I. Title: Ordinance Amending Section 2-44 of the Walworth County Code of Ordinances Pertaining to the Temporary Assignment of a Supervisor to a Committee As the Result of a Vacancy

II. Purpose and Policy Impact Statement: The purpose of this amendment is to provide for a process for temporary supervisor assignments on committees.

III. Is this a budgeted item and what is its fiscal impact: Adoption of this amendment will not have a fiscal impact on the county budget.

IV. Referred to the following standing committee(s) for consideration and date of referral:

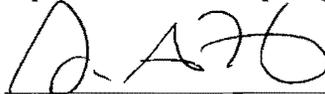
Committee: Executive

Date: January 20, 2014

Vote: 4 - 0

County Board Meeting Date: February 11, 2014

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
County Administrator/Corporation Counsel

1/28/14
Date



Nicole Andersen
Deputy County Administrator - Finance

1/29/2014
Date

Resolution No. 76-02/14

Recognizing Jerry Grant for 16 Years of Dedicated Service as a County Board Supervisor

1 Moved/Sponsored by: Executive Committee

2
3 **WHEREAS**, Jerry S. Grant has served as a Walworth County Board of Supervisor from 1998 to
4 2014; and,

5
6 **WHEREAS**, during his tenure, Supervisor Grant has held a variety of leadership positions,
7 including two terms as County Board Vice Chair, from April 2008 to April 2010 and again from
8 April 2012 to April 2014, as well as numerous chairmanships; and,

9
10 **WHEREAS**, Supervisor Grant has provided leadership on many important county issues,
11 including construction of the Judicial Center, and replacement of the Lakeland Health Care
12 Center and Lakeland School; and,

13
14 **WHEREAS**, Supervisor Grant has faithfully represented the Whitewater area through many
15 changes in county governance, including downsizing of the county board from 35 to 25, and
16 finally eleven members; and,

17
18 **WHEREAS**, during his tenure, Supervisor Grant was a proponent of technology; leading by
19 example, he received all county agendas and informational packets electronically; and,

20
21 **WHEREAS**, Supervisor Grant spent countless hours researching important issues facing the
22 county over the years, including county board governance and health insurance.

23
24 **NOW, THEREFORE, BE IT RESOLVED** that the Walworth County Board of Supervisors
25 does hereby recognize and commend Jerry Grant for his sixteen years of dedicated service to the
26 citizens of Walworth County.

27
28
29 _____
30 Nancy Russell
31 County Board Chair

Kimberly S. Bushey
County Clerk

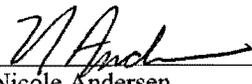
32
33 County Board Meeting Date: February 11, 2014

34
35 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:

 2/7/14
Date
David A. Bretl
County Administrator/Corporation Counsel

 2/3/14
Date
Nicole Andersen
Deputy County Administrator - Finance

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

Policy and Fiscal Note
Resolution No. 77-02/14

- I. **Title:** Supporting Wisconsin 2013 Assembly Bill 308 Proposing to Repeal Wis. Stats. Section 66.0602(2m)(b) and Renumber Section 66.0601(a) Relating to Reduction of Local Levy Limits by the Amount of Certain Fee Revenue Received

- II. **Purpose and Policy Impact Statement:** The purpose of this resolution is to support passage of Wisconsin 2013 Assembly Bill 308.

- III. **Budget and Fiscal Impact:** This is an advisory resolution; therefore, passage will not have any fiscal impact on the county budget.

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

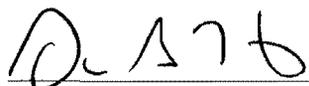
Committee: Executive

Meeting Date: January 20, 2014

Vote: 4 - 0

County Board Meeting Date: February 11, 2014

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

 2/3/14

David A. Bretl
County Administrator/Corporation Counsel

 2/3/14

Nicole Andersen
Deputy County Administrator – Finance

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

Resolution No. 78-02/14

- I. **Title:** Supporting Legislation to Create Statute Sections Relating to Granting Immunity from Certain Criminal Prosecutions for Offenses Relating to a Controlled Substance or a Controlled Substance Analog

- II. **Purpose and Policy Impact Statement:** The purpose of this resolution is to support legislation granting immunity from certain criminal prosecutions for offenses relating to a controlled substance or a controlled substance analog.

- III. **Budget and Fiscal Impact:** This is an advisory resolution; therefore, passage will not have any fiscal impact on the county budget.

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

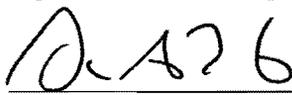
Committee: Executive

Meeting Date: January 20, 2014

Vote: 4 - 0

County Board Meeting Date: February 11, 2014

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

 2/3/14

David A. Bretl
County Administrator/Corporation Counsel

 2/3/14

Nicole Andersen
Deputy County Administrator – Finance

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

Resolution No. 79-02/14
**Supporting Legislation Relating to Programs for the Disposal of Drugs, Including
Controlled Substances, Certain Medical or Drug-Related Items and the Regulation of
Prescription Drugs**

1 Moved/Sponsored by: Executive Committee
2

3 **WHEREAS**, under current law, persons that are not licensed as a pharmacist or other
4 practitioner may not deliver, receive or possess certain drugs; and;
5

6 **WHEREAS**, Wisconsin 2013 LRB 3348/2 proposes that the state Department of Justice (DOJ)
7 be authorized concerning the operation of drug disposal programs in the state to receive and
8 destroy drugs, including prescription drugs, controlled substances and controlled substance
9 analogs as well as certain medical and drug delivery devices collectively known as
10 pharmaceutical items; and,
11

12 **WHEREAS**, the bill also proposes that the DOJ authorize a person to operate a drug disposal
13 program if, among others things, that person demonstrates to the DOJ's satisfaction that the
14 program's receipt of pharmaceutical items will comply with federal and state laws applicable to
15 the transportation and delivery of pharmaceutical items; and,
16

17 **WHEREAS**, the bill requires a drug disposal program to adopt policies and procedures that
18 describe in detail the place and manner of the program's operation, and provide the 24-hour
19 contact information for a person in Wisconsin responsible for the program, said policies and
20 procedures to be approved by the DOJ before the drug disposal program may begin operation;
21 and,
22

23 **WHEREAS**, the bill also provides that a city village, town or county may operate or authorize
24 another person to operate a drug disposal program within the political subdivision's borders; and,
25

26 **WHEREAS**, the bill authorizes a person who lawfully possesses a prescription drug or the
27 person's guardian, trustee or personal representative to grant written authorization to certain other
28 persons to destroy the prescription drug if certain conditions are satisfied, including a description
29 of the prescription drug and assurance that the drug and authorization were obtained by the
30 person without the payment of money or something else of value.
31

32 **NOW, THEREFORE, BE IT RESOLVED** that the Walworth County Board hereby supports
33 legislation relating to programs for the disposal of drugs, including controlled substances, certain
34 medical or drug-related items and the regulation of prescription drugs.
35

36 **BE IT FURTHER RESOLVED** that the County Clerk forward a copy of this resolution to the
37 Governor and all state Assembly Representatives and Senators representing Walworth County as
38 well as the Wisconsin Counties Association.
39
40

41 _____
42 Nancy Russell
43 County Board Chair

Kimberly S. Bushey
County Clerk

1 County Board Meeting Date: February 11, 2014

2

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:

DA Bretl 2/13/14

David A. Bretl Date
County Administrator/Corporation Counsel

N Andersen 2/13/14

Nicole Andersen Date
Deputy County Administrator - Finance

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

Policy and Fiscal Note
Resolution No. 79-02/14

- I. **Title:** Supporting Legislation Relating to Programs for the Disposal of Drugs, Including Controlled Substances, Certain Medical or Drug-Related Items and the Regulation of Prescription Drugs
- II. **Purpose and Policy Impact Statement:** The purpose of this resolution is to support legislation relating to programs for the disposal of drugs, including controlled substances, certain medical or drug-related items and the regulation of prescription drugs.
- III. **Budget and Fiscal Impact:** This is an advisory resolution; therefore, passage will not have any fiscal impact on the county budget.
- IV. **Referred to the following standing committees for consideration and date of referral:**

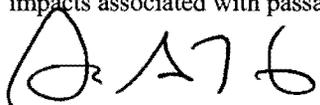
Committee: Executive

Meeting Date: January 20, 2014

Vote: 4 - 0

County Board Meeting Date: February 11, 2014

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

 2/13/14
Date

David A. Bretl
County Administrator/Corporation Counsel

 2/13/14
Date

Nicole Andersen
Deputy County Administrator - Finance

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

Resolution No. 80-02/14

Supporting Legislation to Create Statute Sections Relating to Training and Agreements for Administering the Drug Naloxone, Requiring Emergency Medical Technicians to Carry Naloxone, and Providing Immunity for Certain Individuals Who Administer Naloxone

1 Moved/Sponsored by: Executive Committee
2

3 **WHEREAS**, under current law, the Department of Health Services (DHS) serves as the lead state
4 agency for emergency medical services and has various duties relating to the provision of such
5 services, including certifying first responders and licensing emergency medical technicians
6 (EMTs) at the EMT-Basic, EMT-Intermediate and EMT-Paramedic (advanced) levels; and;
7

8 **WHEREAS**, in order to become licensed as an EMT, individuals must satisfy certain criteria,
9 including obtaining training commensurate with the EMT licensure level sought, and the law
10 allows EMTs to undertake specific life-saving actions that are authorized for the specific EMT
11 licensure level; and,
12

13 **WHEREAS**, Wisconsin 2013 LRB 3274/1 provides that certified first responders may, upon
14 completion of certain required training, administer the drug naloxone, which can have the effect of
15 countering the effects of an overdose in a person undergoing an opioid-related drug overdose; and,
16

17 **WHEREAS**, the bill also requires that EMTs who have completed required training carry and
18 have available naloxone when performing their duties as an EMT; and,
19

20 **WHEREAS**, the bill additionally allows a law enforcement agency or fire department to enter into
21 a written agreement to affiliate with an ambulance service provider or physician for the purpose of
22 obtaining a supply of naloxone, and allowing law enforcement officers and fire fighters to obtain
23 necessary training to safely and properly administer naloxone to individuals who are undergoing or
24 believed to be undergoing an opioid-related drug overdose; and,
25

26 **WHEREAS**, the bill further provides immunity from criminal or civil liability to law enforcement
27 officers or fire fighters acting in good faith to administer naloxone to an individual undergoing or
28 suspected to be undergoing an overdose if the law enforcement officer or fire fighter is acting
29 pursuant to a written agreement as described above.
30

31 **NOW, THEREFORE, BE IT RESOLVED** that the Walworth County Board hereby supports
32 proposed legislation to create statute sections relating to training and agreements for administering
33 the drug naloxone, requiring emergency medical technicians to carry naloxone, and providing
34 immunity for certain individuals who administer naloxone.
35

36 **BE IT FURTHER RESOLVED** that the County Clerk forward a copy of this resolution to the
37 Governor and all state Assembly Representatives and Senators representing Walworth County as
38 well as the Wisconsin Counties Association.
39
40

41 _____
42 Nancy Russell
43 County Board Chair

Kimberly S. Bushey
County Clerk

1 County Board Meeting Date: February 11, 2014

2

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:

 Dc 1576 2/13/14
David A. Bretl Date
County Administrator/Corporation Counsel

 N Andersen 2/13/14
Nicole Andersen Date
Deputy County Administrator - Finance

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

Policy and Fiscal Note
Resolution No. 80-02/14

- I. **Title:** Legislation to Create Statute Sections Relating to Training and Agreements for Administering the Drug Naloxone, Requiring Emergency Medical Technicians to Carry Naloxone, and Providing Immunity for Certain Individuals Who Administer Naloxone

- II. **Purpose and Policy Impact Statement:** The purpose of this resolution is to support legislation to create statute sections relating to training and agreements for administering the drug naloxone, requiring emergency medical technicians to carry naloxone, and providing immunity for certain individuals who administer naloxone.

- III. **Budget and Fiscal Impact:** Passage of this advisory resolution will not result in any fiscal impact on the county budget.

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

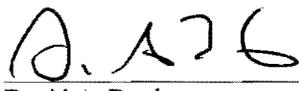
Committee: Executive

Meeting Date: January 20, 2014

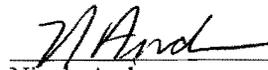
Vote: 4 - 0

County Board Meeting Date: February 11, 2014

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

 2/4/14

David A. Bretl
County Administrator/Corporation Counsel

 2/3/14

Nicole Andersen
Deputy County Administrator – Finance

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

Resolution No. 81-02/14
**Supporting Legislation Relating to Identification, Presentation and Monitoring for
Certain Prescription Drugs**

1 Moved/Sponsored by: Executive Committee

2
3 **WHEREAS**, under current law, a drug or controlled substance is classified in one of five
4 separate schedules: Schedule I, II, III, IV and V, these classifications being based on 1) whether
5 there is a currently accepted medical use for the drug; 2) the drug's potential for abuse; and, 3)
6 the nature of the dependence that use of the drug may produce; and;

7
8 **WHEREAS**, current law requires the Pharmacy Examining Board (PEB) to establish a program
9 to monitor the dispensing of certain prescription drugs, including Schedule I, II and III controlled
10 substances and other drugs identified by the PEB as having a high potential for abuse; and,

11
12 **WHEREAS**, in general, a Schedule I controlled substance may not be dispensed, even with a
13 prescription; and,

14
15 **WHEREAS**, the PEB program requires pharmacists or persons who prescribe prescription drugs
16 to generate records documenting the dispensing of prescription drugs; and,

17
18 **WHEREAS**, Wisconsin 2013 LRB-3112/2 proposes requiring any person to whom a Schedule
19 II or III controlled substance is dispensed to show an acceptable form of identification, including
20 a driver's license, state identification card, US uniformed service card or US passport; and,

21
22 **WHEREAS**, this bill also proposes requiring a pharmacist or other person who dispenses a
23 Schedule II or III controlled substance to record the name on the identification card of the person
24 to whom the controlled substance is dispensed.

25
26 **NOW, THEREFORE, BE IT RESOLVED** that the Walworth County Board hereby supports
27 legislation relating to identification, presentation and monitoring for certain prescription drugs.

28
29 **BE IT FURTHER RESOLVED** that the County Clerk forward a copy of this resolution to the
30 Governor and all state Assembly Representatives and Senators representing Walworth County as
31 well as the Wisconsin Counties Association.

32
33
34
35 _____
36 Nancy Russell
37 County Board Chair

Kimberly S. Bushey
County Clerk

38
39 County Board Meeting Date: February 11, 2014

40
41 Action Required: Majority Vote X Two-thirds Vote _____ Other _____

Policy and Fiscal Note is attached.

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

David A. Bretl 2/3/14
Date
County Administrator/Corporation Counsel

Nicole Andersen 2/3/14
Date
Deputy County Administrator - Finance

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

Policy and Fiscal Note
Resolution No. 81-02/14

- I. **Title:** Supporting Legislation Relating to Identification, Presentation and Monitoring for Certain Prescription Drugs
- II. **Purpose and Policy Impact Statement:** The purpose of this resolution is to support legislation relating to identification, presentation and monitoring for certain prescription drugs.
- III. **Budget and Fiscal Impact:** This is an advisory resolution and, as such, passage will not have any fiscal impact on the county budget.
- IV. **Referred to the following standing committees for consideration and date of referral:**

Committee: Executive

Meeting Date: January 20, 2014

Vote: 4 - 0

County Board Meeting Date: February 11, 2014

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

 2/3/14

David A. Bretl
County Administrator/Corporation Counsel

 2/3/14

Nicole Andersen
Deputy County Administrator – Finance

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

Policy and Fiscal Note
Resolution No. 83-02/14

- I. **Title:** Denying the Claim of Martin Stern

- II. **Purpose and Policy Impact Statement:** The purpose of this resolution is to deny the claim of Martin Stern.

- III. **Budget and Fiscal Impact:** Passage of this resolution will not have any fiscal impact on the county budget.

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

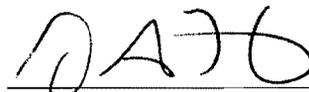
Committee: Executive

Meeting Date: January 20, 2014

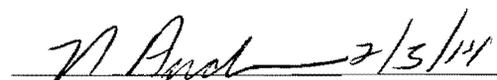
Vote: 4 - 0

County Board Meeting Date: February 11, 2014

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

 2/3/14

Date
David A. Bretl
County Administrator/Corporation Counsel

 2/5/14

Date
Nicole Andersen
Deputy County Administrator – Finance

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

Policy and Fiscal Note
Resolution No. 84-02/14

- I. **Title:** Denying the Claim of Shahid Muqaddim

- II. **Purpose and Policy Impact Statement:** The purpose of this resolution is to deny the claim of Shahid Muqaddim.

- III. **Budget and Fiscal Impact:** Passage of this resolution will not have any fiscal impact on the county budget.

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

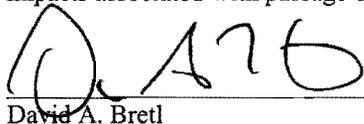
Committee: Executive

Meeting Date: January 20, 2014

Vote: 4 - 0

County Board Meeting Date: February 11, 2014

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

 2/3/14
Date

David A. Bretl
County Administrator/Corporation Counsel

 2/3/14
Date

Nicole Andersen
Deputy County Administrator – Finance

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

ORDINANCE NO. 831-02/14

AMENDING SECTION 30-286 OF THE WALWORTH COUNTY CODE OF ORDINANCES RELATIVE TO CLERK OF COURTS FEES

THE WALWORTH COUNTY BOARD OF SUPERVISORS DOES ORDAIN AS FOLLOWS:

PART I: That Section 30-286 of the Walworth County Code of Ordinances is hereby amended to read as follows (additions shown by underline; deletions shown by strike-through):

“Sec. 30-286. Consolidated fee schedule.

There is hereby imposed the fees set forth in the following county consolidated fee schedule.

Walworth County
Consolidated Fee Schedule

The fee schedule table is intended as guidance and does not replace the Wisconsin State Statutes, where applicable, as the source of authority.

Description	Fee	Effective Date	Authority
Clerk of Courts			
Fines, Forfeitures and Surcharges (CCAP = Consolidated Court Automation Program):			
DNA analysis surcharge (DNAAS) (requiring a sample is different from imposing a surcharge: 973.047(1) provides that the court shall order any person convicted of a felony to provide a DNA sample to the state crime laboratory so for most offenses, the sample is mandatory and the surcharge is discretionary)	\$200.00 per case for each misdemeanor and \$250.00 per case for each felony. Will be effective for sentences imposed or probation placements made on or after January 1, 2014.) <u>(100% state) If a court imposes a sentence or places a person on probation, the court shall impose a DNA surcharge, calculated as follows:</u> <u>(a) For each conviction for a felony, \$250.</u> <u>(b) For each conviction for a misdemeanor, \$200.</u> <u>(100% to State DOJ)</u>	Jan-14	Wis. Stats. § 940.225, 948.02(1), 948.02(2), 948.025, 973.047(1), 973.046(lr)

Description	Fee	Effective Date	Authority
Driver improvement program surcharge (DIS) (does not apply to failure to carry proof of insurance under 344.62(2))	\$435.00 (if the court imposes a fine or forfeiture for a violation of operating under influence of intoxicant or other drug under 346.63(1) or (5) or a local ordinance in conformity; or injury by intoxicated use of a vehicle under 346.63(2) or (6) or 940.25; or homicide by intoxicated use of a vehicle under 940.09, it shall impose a driver improvement surcharge.) (60% county, 40% state). NOTE: On 1/1/14, the distribution of this surcharge will change to 50.3% to county, and 49.7% to state.	Jul-13 Jan-14	Wis. Stats. § 346.665, 346.63(1) and (5), 346.63(2) and (6), 940.25, 940.09, 346.655(2)"

1 **PART II:** That this ordinance shall become effective upon passage and publication.
2
3 **PASSED and ADOPTED** by the Board of Supervisors of Walworth County Wisconsin this 11th
4 day of February 2014.

5
6 County Board Meeting Date: February 11, 2014

7
8 Action Required: Majority Vote X Two-thirds Vote _____ Other _____
9

10
11
12
13 _____
14 Nancy Russell
County Board Chair

Kimberly S. Bushey
County Clerk

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

DA 76 1/28/14
David A. Bretl Date
County Administrator/Corporation Counsel

NA 1/29/14
Nicole Andersen Date
Deputy County Administrator-Finance

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

Policy and Fiscal Note
Ordinance No. 831 – 02/14

- I. **Title:** Amending Section 30-286 of the Walworth County Code of Ordinances Relative to Clerk of Courts Fees
- II. **Purpose and Policy Impact Statement:** The purpose of this ordinance amendment is to codify updated fees for the Clerk of Courts department pursuant to changes in state statutes.
- III. **Is this a budgeted item and what is its fiscal impact?** The fiscal impact of the amended fees is as follows:

The Driver Improvement Surcharge distribution has changed from 60% County and 40% State to a reduction of 50.2% County to 49.7% State. This will be a 9.7% decrease for the County. The DNA Surcharge goes only to the Department of Justice, and nothing to the County.

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

Committee: Finance Committee

Date: January 23, 2014

Vote: 5-0

County Board Meeting Date: February 11, 2014

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

 1/28/14
Date
David A. Bretl
County Administrator/Corporation Counsel

 1/29/14
Date
Nicole Andersen
Deputy County Administrator-Finance

Resolution No. 70-02/14

Authorizing the Transfer of Funds from the Road Construction Committed Fund Balance Account to the CTH H (CTH NN to Williams Street) Roadwork Project

1 Moved/Sponsored by: Public Works and Finance Committees

2

3 **WHEREAS**, the 2014 - 2018 Walworth County Capital Improvement Plan included the County
4 Trunk Highway (CTH) H (CTH NN to Williams Street) mill and overlay project in years 2016
5 and 2017; and,

6

7 **WHEREAS**, Walworth County and the City of Lake Geneva have both received petitions from
8 local residents requesting that this project be completed as soon as possible; and,

9

10 **WHEREAS**, the Lake Geneva Public Works Committee formally requested that this project be
11 completed as soon as possible; and,

12

13 **WHEREAS**, funds are available in the road construction committed fund balance account to
14 proceed with the CTH H (CTH NN to Williams Street) mill and overlay project.

15

16 **NOW, THEREFORE, BE IT RESOLVED** that the Walworth County Board of Supervisors
17 authorizes the transfer of \$ 268,600 from the road construction committed fund balance account
18 to the CTH H (CTH NN to Williams Street) mill and overlay project.

19

20

21

22

23

24 _____
Nancy Russell
25 County Board Chair

Kimberly S. Bushey
County Clerk

26

27

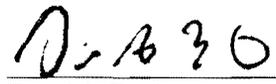
28 County Board Meeting Date: February 11, 2014

29

30 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:

 2/3/14

David A. Bretl Date
County Administrator/Corporation Counsel

 2/3/14

Nicole Andersen Date
Deputy County Administrator - Finance

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

Policy and Fiscal Note
Resolution No. 70-02/14

- I. **Title:** Authorizing the Transfer of Funds from the Road Construction Committed Fund Balance Account to the CTH H (CTH NN to Williams Street) Roadwork Project.
- II. **Purpose and Policy Impact Statement:** The purpose of this resolution is to expedite the CTH H (CTH NN to Williams Street) project and authorize the transfer of funds available from the road construction committed fund balance account to the CTH H (CTH NN to Williams Street) mill and overlay project.

The Public Works Committee has requested that an intergovernmental agreement be negotiated with the City of Lake Geneva for eventual jurisdictional transfer of those sections of CTH H lying within the Lake Geneva city limits. That agreement is to be executed by April 1, 2014.

- III. **Budget and Fiscal Impact:** The 2014 – 2018 Walworth County Capital Improvement Plan included engineering for the CTH H (CTH NN to Williams Street) project in year 2016 and construction in 2017.

This resolution authorizes the use of \$ 268,600 of funds available in the capital projects fund road construction committed fund balance to complete engineering and construction for the CTH H (CTH NN to Williams Street) project in 2014. This funding level includes engineering fees and a 15% contingency.

The current balance in the road construction committed fund balance account is \$3,183,804.

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

Committee: Public Works Meeting Date: December 16, 2013

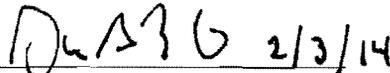
Vote: 5-0

Committee: Finance Meeting Date: January 23, 2014

Vote: 5-0

County Board Meeting Date: February 11, 2014

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



David A. Bretl Date
County Administrator/Corporation Counsel



Nicole Andersen Date
Deputy County Administrator - Finance

Resolution No. 71-02/14
**Authorizing the Closing of CTH O Roadwork Project and
Transferring Remaining Funds to the Road Construction Committed Fund Balance
Account**

1 Moved/Sponsored by: Public Works and Finance Committees

2
3 **WHEREAS**, the County Trunk Highway (CTH) O roadwork project was funded by tax levy,
4 state funds, and road construction committed funds; and,

5
6 **WHEREAS**, the total budget for this project was \$3,342,150; and,

7
8 **WHEREAS**, all field work on the projects was completed in 2013 at a cost of \$2,189,405; and,

9
10 **WHEREAS**, the Walworth County Department of Public Works requests to transfer the
11 remaining project funds of \$1,152,745 to the Road Construction Committed Fund Balance
12 Account.

13
14 **NOW, THEREFORE, BE IT RESOLVED** that the Walworth County Board of Supervisors
15 authorizes the closure of the CTH O project and approves the transfer of the remaining project
16 funds to the Road Construction Committed Fund Balance Account in the Capital Projects Fund.

17
18
19
20
21 _____
22 Nancy Russell
23 County Board Chair

Kimberly S. Bushey
County Clerk

24
25
26 County Board Meeting Date: February 11, 2014

27
28 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:

DA36 2/13/14
David A. Bretl Date
County Administrator/Corporation Counsel

N Andersen 2/13/14
Nicole Andersen Date
Deputy County Administrator - Finance

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

Policy and Fiscal Note
Resolution No. 71-02/14

- I. Title:** Authorizing the Closing of CTH O Roadwork Project and Transferring Remaining Funds to the Road Construction Committed Fund Balance Account.
- II. Purpose and Policy Impact Statement:** The purpose of this resolution is to authorize the closing of the 2013 CTH O Roadwork Project.
- III. Budget and Fiscal Impact:** Construction on the Walworth County Trunk Highway (CTH) O roadwork project was complete in 2013. Project costs were less than budgeted by \$1,152,745. The project was funded by tax levy, state funds, and road construction committed funds.

This resolution authorizes returning the funds remaining from the 2013 road project in the amount of \$1,152,745 to the Capital Projects Funds Committed to Road Construction.

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

Committee: Public Works Meeting Date: January 20, 2014

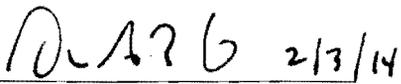
Vote: 5-0

Committee: Finance Meeting Date: January 23, 2014

Vote: 5-0

County Board Meeting Date: February 11, 2014

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

 2/13/14
David A. Bretl Date
County Administrator/Corporation Counsel

 2/13/14
Nicole Andersen Date
Deputy County Administrator - Finance

Resolution No. 72-02/14

**Accepting the KARA Foundation Donation to Continue Technological Opportunities for
Lakeland School Students and Staff**

1 Moved/Sponsored by: Children with Disabilities Education Board (CDEB) & Finance Committee

2
3 **WHEREAS**, Patrick DeMoon, attorney at Godfrey, Leibsle, Blackburn & Howarth, S.C., Elkhorn,
4 Wisconsin, serves on the Board of Directors of the Geneva National Foundation and the KARA
5 Foundation; and,

6
7 **WHEREAS**, Patrick strives to give back to his community; and,

8
9 **WHEREAS**, the KARA Foundation is a 501(c)(3) non-profit, private foundation that provides
10 funding for a variety of charitable endeavors throughout the United States, with a special emphasis
11 on the arts, healthcare and the environment; and,

12
13 **WHEREAS**, as Director of the KARA Foundation, Patrick sought donation funds on behalf of
14 Lakeland School students and staff and was able to gather support and endorsement of the grant
15 donation of \$5,000, and,

16
17 **WHEREAS**, the county acknowledges the generous spirit in which the donation has been offered.

18
19 **NOW, THEREFORE, BE IT RESOLVED** that the Walworth County Board of Supervisors does
20 hereby accept the donation of five thousand dollars from the KARA Foundation to continue
21 technological opportunities for students and staff at the Lakeland School facility.

22
23 **BE IT FURTHER RESOLVED** that the Walworth County Board of Supervisors commends
24 Patrick DeMoon and the KARA Foundation for their generosity and commitment to special
25 education in Walworth County.

26
27
28
29 _____
30 Nancy Russell
31 County Board Chair

Kimberly S. Bushey
County Clerk

32
33 County Board Meeting Date: February 11, 2014

34
35 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:

 1/30/14

David A. Bretl Date
County Administrator/Corporation Counsel

 1/30/14

Nicole Andersen Date
Deputy County Administrator - Finance

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

Resolution No. 73-02/14
**Authorizing the Transfer of Funds from the 2014 Contingency
Fund to Complete Government Center Remodel for Human Resources and Administration
and to Fund the Newly Created Risk/Benefits Manager Position**

1 Moved/Sponsored by: Finance Committee

2
3 **WHEREAS**, Walworth County is moving the functions of employee benefits from the Finance
4 department to the Human Resources department; and,

5
6 **WHEREAS**, a county wide safety program will be implemented within the Human Resources
7 department; and,

8
9 **WHEREAS**, the Finance department will continue to be responsible for the management of
10 payroll functions; and,

11
12 **WHEREAS**, the Finance department will be reclassifying the former Payroll/Benefits Manager
13 position to a Financial Systems Administrator to oversee payroll staff and applications as well as
14 all other financial information technologies; and,

15
16 **WHEREAS**, there is a need for a position within the Human Resources department to supervise
17 the employee benefits program and the safety program; and,

18
19 **WHEREAS**, the County Board of Supervisors previously approved a remodel project in the
20 Government Center for the Human Resources department; and,

21
22 **WHEREAS**, the aforementioned remodel project will not provide enough space for the addition
23 of the employee benefits staff and the staff necessary for the safety program; and,

24
25 **WHEREAS**, the newly reorganized Human Resources department will need to compile
26 employee files currently maintained separately into one file within a high density filing system;
27 and,

28
29 **WHEREAS**, the County Administration department will have additional space with the Human
30 Resources department being relocated; and,

31
32 **WHEREAS**, there will be a need for an office for the County Board chairperson.

33
34 **WHEREAS**, there remains a need for additional conference rooms in the Government Center;
35 and,

36
37 **NOW, THEREFORE, BE IT RESOLVED** by the Walworth County Board of Supervisors that
38 the sum of \$84,000 be transferred from the 2014 Contingency Fund to provide the funds
39 necessary to fund the creation of the Risk/Benefits Manager position; and,

1 **BE IT FURTHER RESOLVED** by the Walworth County Board of Supervisors that the sum of
2 \$9,000 be transferred from the 2014 Contingency Fund to complete funding for Phase I of the
3 Human Resources Department remodel; and,
4

5 **BE IT FURTHER RESOLVED** by the Walworth County Board of Supervisors that the sum of
6 \$106,000 be transferred from the 2014 Contingency Fund to provide the funds necessary to fund
7 Phase II of the Government Center remodeling project; and,
8

9 **BE IT FURTHER RESOLVED** by the Walworth County Board of Supervisors that the sum of
10 \$20,000 be transferred from the 2014 Contingency Fund to provide the funds necessary to fund
11 the purchase of a high density filing system for the Human Resources department.
12
13
14
15

16 _____
17 Nancy Russell
18 County Board Chair
19
20 _____
21 Kimberly S. Bushey
22 County Clerk

County Board Meeting Date: February 11, 2014

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

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

<u>David A. Bretl</u>	<u>2/3/14</u>	<u>Nicole Andersen</u>	<u>2/3/14</u>
David A. Bretl	Date	Nicole Andersen	Date
County Administrator/Corporation Counsel		Deputy County Administrator - Finance	

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

Policy and Fiscal Note
Resolution No. 73-02/14

- I. **Title:** Authorizing the Transfer of Funds from the 2014 Contingency Fund to Complete Government Center Remodel for Human Resources and Administration and to Fund the Newly Created Risk/Benefits Manager Position.
- II. **Purpose and Policy Impact Statement:** The purpose of this resolution is to authorize the transfer of \$219,000 from the 2014 Contingency Fund to provide the funds necessary to complete Phase II of the Human Resources department remodel project, create a new position titled Risk/Benefits Manager within the Human Resources department, and to provide funds for the installation of a high density filing system within the new Human Resources department.
- III. **Budget and Fiscal Impact:** The current balance in the 2014 contingency fund is \$475,000. Adoption of this resolution will authorize the expenditure of \$219,000 from the fund. Excess contingency funds not utilized shall lapse to the General Fund upon project completion. The remodel project will be bid and coordinated by the Public Works Committee in conjunction with the currently approved Human Resources department project. Recruitment for the Risk/Benefits Manager position will begin upon final County Board approval of an Ordinance amendment to Chapter 15-17 approved by the Human Resources Committee on 1/22/2014 and this resolution for an anticipated start date in April 2014.
- IV. **Referred to the following standing committees for consideration and date of referral:**

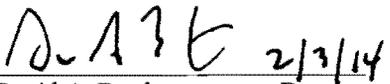
Committee: Finance

Meeting Date: January 23, 2014

Vote: 5-0

County Board Meeting Date: February 11, 2014

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



David A. Bretl Date
County Administrator/Corporation Counsel



Nicole Andersen Date
Deputy County Administrator - Finance

Resolution No. 74-02/14
Resolution Authorizing the Redemption of General Obligation Promissory Notes
Dated August 1, 2007

1 Moved/Sponsored by: Finance Committee

2
3 **WHEREAS**, Walworth County, Wisconsin (the "County") has outstanding its General
4 Obligation Promissory Notes, dated August 1, 2007 (the "2007 Notes") which mature on April 1
5 in the years 2014 through 2017; and,

6
7 **WHEREAS**, this County Board of Supervisors has determined that it is necessary and desirable
8 to call the 2007 Notes maturing in the years 2015 through 2017 for redemption on April 1, 2014
9 with funds of the County.

10
11 **NOW, THEREFORE, BE IT RESOLVED** by the County Board of Supervisors of Walworth
12 County, Wisconsin, that the 2007 Notes maturing in the years 2015 through 2017 are called for
13 prior payment on April 1, 2014 at the price of par plus accrued interest to the date of redemption.
14

15 **BE IT FURTHER RESOLVED** that the County Board hereby directs the County Clerk to work
16 with Robert W. Baird & Co. Incorporated to cause timely notice of redemption, in substantially
17 the form attached hereto as Exhibit A and incorporated herein by this reference (the "Notice"), to
18 be provided at the times, to the parties and in the manner set forth on the Notice.
19
20
21
22

23 _____
24 Nancy Russell
25 County Board Chair

Kimberly S. Bushey
County Clerk

26
27 County Board Meeting Date: February 11, 2014

28
29 Action Required: Majority Vote X Two-thirds Vote _____ Other _____
30

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

DA Bretl 2/3/14
Date
David A. Bretl
County Administrator/Corporation Counsel

N Andersen 2/3/14
Date
Nicole Andersen
Deputy County Administrator - Finance

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

EXHIBIT A

NOTICE OF FULL CALL*

to Holders of

WALWORTH COUNTY, WISCONSIN
GENERAL OBLIGATION PROMISSORY NOTES,
DATED AUGUST 1, 2007

NOTICE IS HEREBY GIVEN that the Notes of the above-referenced issue which mature on the dates and in the amounts; bear interest at the rates; and have the CUSIP Nos. as set forth below have been called for prior payment on April 1, 2014 at a redemption price equal to 100% of the principal amount thereof plus accrued interest to the date of prepayment:

<u>Maturity Date</u>	<u>Principal Amount</u>	<u>Interest Rate</u>	<u>CUSIP No.</u>
04/01/2015	\$180,000	4.05%	933526LU7
04/01/2016	190,000	4.10	933526LV5
04/01/2017	200,000	4.15	933526LW3

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

Said Notes will cease to bear interest on April 1, 2014.

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

Dated _____

* To be provided to Associated Trust Company, National Association, Green Bay, Wisconsin. The registrar and fiscal agent shall be directed to give notice of such prepayment by facsimile transmission, electronic transmission, registered or certified mail, overnight express delivery or in any other manner required by The Depository Trust Company, to The Depository Trust Company, Attn: Supervisor, Call Notification Department, 570 Washington Blvd., Jersey City, NJ 07310, not less than thirty (30) days nor more than sixty (60) days prior to April 1, 2014 and to the MSRB.

** If the Notes are subject to the continuing disclosure requirements of SEC Rule 15c2-12 effective July 3, 1995, this Notice should be filed electronically with the MSRB through the Electronic Municipal Market Access (EMMA) System website at www.emma.msrb.org.

Policy and Fiscal Note
Resolution No. 74-02/14

I. **Title:** Resolution Authorizing the Redemption of General Obligation Promissory Notes, Dated August 1, 2007

II. **Purpose and Policy Impact Statement:** The initial \$1.4 million general obligation promissory note was issued August 1, 2007 to cover the cost of road construction. The notes become callable on April 1, 2014. The principal due on April 1, 2015, 2016 and 2017, if paid early, would result in savings from reduced interest payments for the remaining years of outstanding debt.

III. **Budget and Fiscal Impact:** This resolution, if approved, authorizes calling the 2015, 2016 and 2017 portions of the August 1, 2007 note on April 1, 2014. The 2015 principal amount of \$180,000 (4.05% interest rate), the 2016 principal amount of \$190,000 (4.10% interest rate) and the 2017 principal amount of \$200,000 (4.15% interest rate) will reduce outstanding principal by \$570,000.

\$570,000 will be required to call the above mentioned portions of the 2007 notes. The county's overall interest payments will be reduced by \$47,770. Unassigned general funds will be used to call the debt. In addition, the county will pay the regularly scheduled principal and interest payment in April, 2014, which will result in these issues being fully redeemed in April, 2014.

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

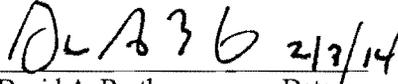
Committee: Finance

Meeting Date: January 23, 2014

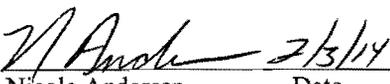
Vote: 5-0

County Board Meeting Date: February 11, 2014

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



David A. Bretl Date
County Administrator/Corporation Counsel



Nicole Andersen Date
Deputy County Administrator - Finance

ORDINANCE NO. 832 – 02/14

**AMENDING SECTION 15-17 OF THE WALWORTH COUNTY CODE OF
ORDINANCES RELATING TO A REORGANIZATION OF THE FINANCE AND
HUMAN RESOURCES DEPARTMENTS**

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

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

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

9
10 (i) *Finance*

CLASSIFICATION TITLE	FTE
Accountant	1.00
Accounting Assistant	2.00
Administrative Assistant	2.00 1.00
Benefits Specialist	2.00
Comptroller	1.00
Deputy Administrator – Finance	1.00
Finance Manager	2.00
<u>Financial Systems Administrator</u>	1.00
Payroll & Benefits Manager	1.00
<u>Payroll Specialist Systems Coordinator</u>	2.00
Senior Accountant	1.50
Total Finance FTEs	15.50 12.50

26
27 (k) *Human Resources*

CLASSIFICATION TITLE	FTE
<u>Administrative Assistant</u>	1.00
<u>Benefits Specialist</u>	2.00
Human Resources Assistant	2.00
Human Resources Director	1.00
Human Resources Generalist	1.00
<u>Human Resources Manager</u>	1.00 ¹
Human Resources Specialist	1.00 ²
<u>Risk/Benefits Manager</u>	1.00

1 Total Human Resources FTEs 5.00 9.00

2 ¹The creation of this position is effective as of June 22, 2014.

3 ²The elimination of this position is effective as of June 21, 2014.

4
5 (u) Grand Total - County FTEs 809.72 810.72

6
7 **PART II: Except as otherwise noted, the balance of the position changes shall be effective**
8 **as of March 3, 2014.**

9
10 **PASSED and ADOPTED** by the Walworth County Board of Supervisors this 11th day of
11 February 2014.

12
13
14
15
16
17 _____
18 Nancy Russell
19 County Board Chair

Kimberly S. Bushey
Attest: County Clerk

20
21 **County Board Meeting Date:** February 11, 2014

22
Action Required: Majority Vote _____ Two-thirds Vote X 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 1/27/14
Date
County Administrator/Corporation Counsel

Nicole Andersen 1/27/14
Date
Deputy County Administrator-Finance

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

Ordinance No. 832-02/14
Fiscal Note and Policy Impact Statement

I. **Title:** Amending Section 15-17 of the Walworth County Code of Ordinances Relating to a Reorganization of the Finance and Human Resources Departments

II. **Purpose and Policy Impact Statement:** The purpose of this ordinance amendment is to reflect the move of Employee Benefits from the Finance Department to the Human Resources Department as of March 3, 2014. In addition, this amendment also creates the position of Risk/Benefits Manager as of March 3, 2014, eliminates the Human Resources Specialist as of June 21, 2014 and creates the Human Resources Manager as of June 22, 2014.

**Please note that as of January 1, 2014, the total number of FTEs was 809.72. As of March 3, 2014, the total number of FTEs will be 810.72.

With the creation of the IT Specialist position that is effective June 1, 2014 (previously approved with the 2014 budget adoption), the total number of FTEs will be 811.72.

III. **Is this a budgeted item and what is its fiscal impact:** The movement of Employee Benefits to Human Resources, as well as the changes to the Finance Department positions, can be funded within the existing 2014 budget. The contingency fund will be utilized to fund the Risk/Benefits Manager position. A resolution authorizing the transfer of contingency funds for this purpose is being presented to the Finance Committee on January 23, 2014.

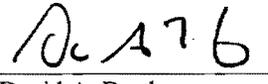
IV. **Referred to the following standing committee(s) for consideration and date of referral:**

Committee: Human Resources Committee Date: January 22, 2014

Vote: 5-0

County Board Meeting Date: February 11, 2014

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.

 1/27/14

Date
David A. Bretl
County Administrator/Corporation Counsel

 1/27/14

Date
Nicole Andersen
Deputy County Administrator-Finance

ORDINANCE NO. 833 – 02/14

AMENDING SECTION 15-17 OF THE WALWORTH COUNTY CODE OF ORDINANCES RELATING TO THE RECLASSIFICATION OF A MACHINE OPERATOR TO A PATROLMAN IN PUBLIC WORKS

THE WALWORTH COUNTY BOARD OF SUPERVISORS DOES ORDAIN AS FOLLOWS:

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

Sec. 15-17. Authorized positions by department.

(o) Public Works

CLASSIFICATION TITLE	FTE
Machine Operator	1.00
Patrolman/Woman	28.00 <u>29.00</u>

PART II: This ordinance shall become effective upon passage and publication.

PASSED and ADOPTED by the Walworth County Board of Supervisors this 11th day of February 2014.

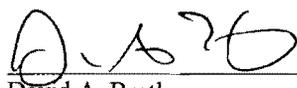
Nancy Russell
County Board Chair

Kimberly S. Bushey
Attest: County Clerk

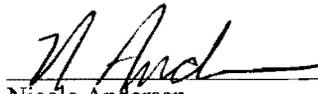
County Board Meeting Date: February 11, 2014

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

1/29/14
Date


Nicole Andersen
Deputy County Administrator-Finance

1/30/14
Date

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

Ordinance No. 833-02/14
Fiscal Note and Policy Impact Statement

- I. **Title:** Amending Section 15-17 of the Walworth County Code of Ordinances Relating to the Reclassification of a Machine Operator to a Patrolman in Public Works
- II. **Purpose and Policy Impact Statement:** The purpose of this ordinance amendment is to reclassify the recently vacated Machine Operator position to a Patrolman. This is part of a multi-year plan to eliminate the Machine Operator classification.
- III. **Is this a budgeted item and what is its fiscal impact:** The Machine Operator position is paid at a higher pay range than the Patrolman position, so passage of this resolution will result in a cost savings to the county.
- IV. **Referred to the following standing committee(s) for consideration and date of referral:**

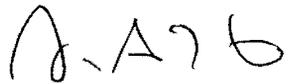
Committee: Human Resources Committee

Date: January 22, 2014

Vote: 5-0

County Board Meeting Date: February 11, 2014

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.

 1/29/14
David A. Bretl Date
County Administrator/Corporation Counsel

 1/30/14
Nicole Andersen Date
Deputy County Administrator-Finance

ORDINANCE NO. 834 – 02/14

AMENDING SECTION 15-333 OF THE WALWORTH COUNTY CODE OF ORDINANCES
RELATING TO PAY PLAN ADMINISTRATION

THE WALWORTH COUNTY BOARD OF SUPERVISORS DOES ORDAIN AS FOLLOWS:

1 **PART I: That section 15-333 of the Walworth County Code of Ordinances is hereby amended**
2 **to read as follows (additions are underlined; deletions are shown in strike-through text):**

3
4 **“Sec. 15-333. Pay Plan administration.**

5
6 (h) Promotion. A regular employee permanently reassigned to a different position in a
7 higher pay range shall be advanced to the pay step in the higher pay range as outlined below: ~~that~~
8 ~~provides the minimum increase in pay rate. The effective date of the promotion increase shall be the~~
9 ~~date the employee assumes the full duties and responsibilities of the new position. The appointing~~
10 ~~authority shall make the effective date of the promotion the beginning of the next pay period~~
11 ~~whenever possible. The promoted employee, except when placed at the maximum rate, shall be~~
12 ~~eligible for step advancement based on the effective date of the promotion and performance in the~~
13 ~~new position pursuant to 15-333(g). In the case of employees subject to section 15-324, placement in~~
14 ~~the pay range shall be determined by the county administrator subject to the rules set forth in section~~
15 ~~15-333(e)(1) through (5).~~

- 16
17 (1) Same pay table, one pay range higher: The step that provides at least a 3% increase.
18 (2) Same pay table, two or more pay ranges higher: The step that provides at least a 5%
19 increase.
20 (3) Different pay table: The step that provides the minimum increase in pay rate.
21

22 The effective date of the promotion increase shall be the date the employee assumes the full
23 duties and responsibilities of the new position. The appointing authority shall make the effective date
24 of the promotion the beginning of the next pay period whenever possible. The promoted employee,
25 except when placed at the maximum rate, shall be eligible for step advancement based on the
26 effective date of the promotion and performance in the new position pursuant to 15-333(g). In the
27 case of employees subject to section 15-324, placement in the pay range shall be determined by the
28 county administrator subject to the rules set forth in section 15-333(e)(1) through (5).
29

30 (i) Demotion. A regular employee permanently reassigned to a different position in a
31 lower pay range shall be reduced to the pay step in the lower pay range that provides the smallest
32 decrease in pay rate. The effective date of the reduction shall be the date the employee assumes the
33 full duties and responsibilities of the new position. The appointing authority shall make the effective
34 date of the reduction the beginning of the next pay period whenever possible. The employee when
35 placed at less than the maximum rate shall be eligible for step advancement based on the effective
36 date of the reduction and performance in the new position pursuant to 15-333(g).
37

38 (j) Lateral transfer. A regular employee transferred to a different position with an
39 equivalent pay range shall remain at the same pay rate. Eligibility for step advancement will be

1 based on the effective date of the transfer and performance in the new position, pursuant to 15-
 2 333(g).

3
 4 (k) *Temporary assignments within pay plan.* The department head shall approve the
 5 temporary assignment of an employee to a different position within the same pay plan. The pay rate
 6 for the temporary assignment shall be as follows:

- 7
 8 (1) *Same pay ~~plan~~ table and pay range:* No change in pay rate.
 9
 10 (2) *Same pay ~~plan~~ table and higher pay range:* A regular employee temporarily assigned
 11 to a position in a higher pay range for the time periods specified below shall be paid
 12 at the pay step in the higher pay range as specified below. The higher rate shall only
 13 apply when the employee has assumed all or a significant portion of the higher-level
 14 duties and responsibilities of the higher classification. The temporary rate shall only
 15 apply to actual hours worked and specifically excludes any paid non-productive time.
 16

Unit or Department	Time Period	Step
Lakeland Health Care Center and Public Works (Facilities Division)	Immediately	<p data-bbox="1161 821 1450 926">Step which provides the minimum increase in pay rate</p> <p data-bbox="1161 963 1450 1068"><u>One pay range higher: The step that provides at least a 3% increase.</u></p> <p data-bbox="1161 1106 1450 1253"><u>Two or more pay ranges higher: The step that provides at least a 5% increase.</u></p>
All other departments	Eight (8) hours or more	<p data-bbox="1161 1335 1450 1440">Step which provides the minimum increase in pay rate</p> <p data-bbox="1161 1478 1450 1583"><u>One pay range higher: The step that provides at least a 3% increase.</u></p> <p data-bbox="1161 1621 1450 1768"><u>Two or more pay ranges higher: The step that provides at least a 5% increase.</u></p>
HHS Professionals	At least five (5)	Step which provides

	consecutive work days	<p>the minimum increase in pay rate</p> <p><u>One pay range higher: The step that provides at least a 3% increase.</u></p> <p><u>Two or more pay ranges higher: The step that provides at least a 5% increase.</u></p>
--	-----------------------	--

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(3) Different pay table and pay range: Step which provides the minimum increase in pay rate.

(3) (4) Same pay plan and higher pay range (MX (Pay For Performance) Pay Plan): A regular employee temporarily assigned to a position in a higher pay range for a period of at least five consecutive work days shall be paid at a rate approved by the county administrator. Placement of the employee into a new rate shall be based on the following:

- a. Relevant experience of the assigned employee;
- b. Relevant education of the assigned employee;
- c. Rate of employee permanently in position;

The higher rate shall only apply when the employee has assumed all or a significant portion of the higher-level duties and responsibilities of the higher classification. The temporary rate shall only apply to actual hours worked and specifically excludes any paid non-productive time.

(4) Same pay plan and lower pay range: No change in pay rate.

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

PASSED and ADOPTED by the Walworth County Board of Supervisors this 11th day of February, 2014.

Nancy Russell

Kimberly S. Bushey

Policy and Fiscal Note
Resolution No. 75-02/14

I. Title: Committing To Promote Certain Public Works Employees upon Completion of Required Training and Proficiency Testing

II. Purpose and Policy Impact Statement: The purpose of this ordinance is to provide an opportunity for county maintenance assistants to improve their skills, pass proficiency testing and obtain a promotion. Maintenance Assistants were previously classified as Building Maintenance Engineers (BME I's) and Janitors. These workers are scheduled to receive \$1.00 per year pay cuts until their pay falls within the approved pay range.

III. Budget and Fiscal Impact: Maintenance Technicians are paid at a greater rate than Maintenance Assistants. The 2014 pay ranges are as follows:

2014	
Maintenance Assistant	\$13.16 – 15.80
Maintenance Technician	\$18.30 – 21.96

The 2014 fiscal impact of this proposal will depend upon when and how many Maintenance Technician position are created. Our five Maintenance Assistants are currently being paid \$17.48 or \$18.38 per hour. Promoted employees would receive a small hourly pay increase, as determined by existing ordinance.

The Public Works Department will need to ensure that funding is in place prior to creation of the new position and elimination of the old ones.

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

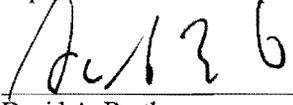
Committee: Human Resources

Meeting Date: January 22, 2014

Vote: 5-0

County Board Meeting Date: February 11, 2014

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 2/3/14
David A. Bretl
County Administrator/Corporation Counsel



Date 2/3/14
Nicole Andersen
Deputy County Administrator – Finance

Resolution No. 85-02/14

Authorizing the County Administrator to Execute an Employment Agreement By and Between Walworth County and Dale Wilson as Director of Human Resources

1 Moved/Sponsored by: Human Resources Committee

2

3 **WHEREAS**, the Walworth County Administrator has nominated Dale Wilson to serve in the
4 position of Human Resources Director; and,

5

6 **WHEREAS**, the Human Resources Committee met pursuant to ordinance to recommend to the
7 county board a proposed employment agreement by and between Walworth County and Mr.
8 Dale Wilson; and

9

10 **WHEREAS**, the County Board has confirmed the County Administrator's nomination;

11

12 **NOW, THEREFORE, BE IT RESOLVED** by the Walworth County Board of Supervisors that
13 the County Administrator is hereby authorized and directed to execute an employment contract
14 by and between Walworth County and Dale Wilson consistent with the terms set forth in Section
15 15-6 of the Code of Ordinances.

16

17

18

19

20 _____
21 Nancy Russell
22 County Board Chair

Kimberly S. Bushey
County Clerk

23

24

25

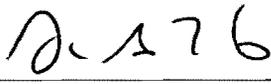
26

27

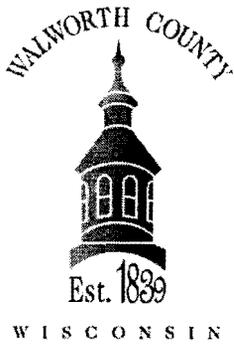
Action Required: Majority X Two-thirds _____ Other _____

County Board Meeting Date: February 11, 2014

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	_____ Nicole Andersen Deputy County Administrator - Finance
2/3/14	2/3/14
Date	Date

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



Administration

David A. Bretl
County Administrator

Suzanne Harrington
Administrative Assistant

Vicki L. Price
Administrative Clerk

Memorandum

To: Walworth County Board of Supervisors

From: David A. Bretl, County Administrator

Date: February 3, 2014

Re: **Resolution number 86-01/14 Approving a Contract Settlement
with Deputy Sheriff's Association**

Attached is a draft resolution approving a one-year collective bargaining agreement with the Deputy Sheriff's Association. The Human Resources Committee recommended ratification of the Agreement which includes the following:

- One year term.
- 2 ½ percent raise.
- Clarification of contract language.
- Definition of residency following State law change prohibiting most local residency laws.
- Resolution of several grievances.

A more complete summary of terms was presented to the Human Resources Committee. The Committee directed that some clarifications be made. Our labor counsel is currently revising that document and I will provide it to you when it becomes available.

DAB/vlp
Enclosures

Policy and Fiscal Note
Resolution No. 86-02/14

- I. **Title:** Approving a Collective Bargaining Agreement by and between Walworth County and the Deputy Sheriffs Association for the Period of January 1, 2014 to December 31, 2014
- II. **Purpose and Policy Impact Statement:** Adoption of this resolution will establish wage rates and conditions of employment with the Deputy Sheriffs Association for a one-year period.
- III. **Budget and Fiscal Impact:** The proposed agreement calls for a 2 ½ percent wage increase, sufficient funds have already been included in the 2014 budget.
- IV. **Referred to the following standing committees for consideration and date of referral:**

Committee: Human Resources Meeting Date: January 22, 2014

Vote: 5 – 0

County Board Meeting Date: February 11, 2014

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

David A. Bretl Date
County Administrator/Corporation Counsel

Nicole Andersen Date
Deputy County Administrator - Finance