



Board of Supervisors

**WALWORTH COUNTY BOARD OF SUPERVISORS
MEETING**

TUESDAY, JULY 9, 2013 AT 6:00 P.M.

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

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

A G E N D A – AMENDED JULY 2, 2013

Call to Order

Pledge of Allegiance

Invocation

- Daniel G. Kilkenny, Walworth County Board Supervisor, District #8

Roll Call

Withdrawals from Agenda, if any

Approval of the Agenda

Approval of the Minutes

- June 11, 2013 Committee of the Whole Minutes
- June 11, 2013 County Board Meeting Minutes

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

Appointments/Elections

1. Board of Adjustment
 - Gregory Guidry – Three-year term to begin upon confirmation and end on June 30, 2016 (Recommended by the Executive Committee 5-0)
2. Civil Service Board
 - John Marra – Five-year term to begin upon confirmation and end on July 30, 2017
 - James Nerud – Term to begin upon confirmation and end on December 31, 2015 (Recommended by the Executive Committee 5-0)

Communications and Matters to Be Referred

1. Claims Received After Agenda Mailing
2. Claims: a) Summons and Complaint – Winston Revocable Trust, Bear Cave Irrevocable Trust, and Bear Cave Residence Trust, Plaintiffs, v. Walworth County Board of Adjustment and Walworth County Department of Land Use and Resource Management, Defendants; b) Notice of Claim received from Missy Frautschy;

- c) Notice of Claim received from Howard Thiel; d) Notice of Claim received from Sandra Walter (To be referred to the Executive Committee)
3. Correspondence from County Administrator regarding an extension of the County's option to purchase the Clark property in the Town of Lyons for the purpose of establishing a park. (It is anticipated that a motion will be made pursuant to Section 2-65(c)(1) of the Code of Ordinances and that the resolution attached to the above-stated correspondence will be acted on immediately.)
 4. Request for a Public Hearing in regard to the potential revocation of conditional use permit approvals for Units 11 and 174 of the Willow Run Condominium Association (To be referred to the County Zoning Agency)
 5. Correspondence received from the Walworth County Fair Office regarding a request for the Fairest of the Fair Abigail Jensen to make a presentation to the County Board (To be placed on file) (It is anticipated that the County Board will suspend its rules and consider the request and permit the Fairest of the Fair to make a short presentation at tonight's meeting)
 6. Eau Claire County Resolution No. 13-14/038 – Support of Clean Energy Choice for Wisconsin (To be referred to the Executive Committee)
 7. Brown County Resolution In Favor of Freezing Renewable Energy Requirements at the 2011 Level (To be referred to the Executive Committee)
 8. Correspondence from Southeastern Wisconsin Regional Planning Commission in regard to their Calendar Year 2014 Budget (To be referred to the Finance Committee)
 9. Correspondence from the Wisconsin Historical Society in regard to the Whitewater Passenger Depot being entered in the National Register of Historic Places and the State Register of Historic Places (To be placed on file)
 10. Correspondence from State Representative Andy Jorgensen acknowledging receipt of Walworth County resolutions (To be placed on file)
 11. Report of the County Clerk Regarding Communications Received by the Board and Recommended to be Placed on File
 12. Report of the County Clerk Regarding Communications Received by the Board After the Agenda Mailing
 13. 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. David A. Hernandez and Tereasa Surratt (Anthony Colletti – Applicant), Section 2, Sugar Creek Township. Rezone 3.12 acres of R-1 to P-1 – Approved: 7-0 (June 20, 2013 County Zoning Agency Public Hearing)
2. Adam Friemoth and Donald Barker, Section 12, Lafayette Township. Rezone 5.28 of A-2 to A-1 and 5.28 acres of A-1 to A-2 – Approved: 7-0 (June 20, 2013 County Zoning Agency Public Hearing)

Executive Committee

1. Ord. No. 794-07/13 – Amending Section 2-200 of the Walworth County Code of Ordinances Relating to Establishing Terms for Certain Members of the Land

- Information Advisory Council – *Vote Required: Two-thirds* (Recommended by the Executive Committee 5-0)
2. Ord. No. 795-07/13 – Amending Sections 2-32 and 2-154 of the Walworth County Code of Ordinances Relating to Duties and Responsibilities of the County Board – *Vote Required: Two-thirds* (Recommended by the Executive Committee 5-0)
 3. Res. No. 36-07/13 – Opposing Legislative Efforts to Remove Local Control of the Statewide 911 System – *Vote Required: Majority* (Recommended by the Executive Committee 5-0)
 4. Res. No. 37-07/13 – Supporting an Amendment to State Law to Permit a Multi-Vendor Student Information System for Wisconsin School Districts – *Vote Required: Majority* (Recommended by the Executive Committee 5-0)
 5. Res. No. 38-07/13 – Supporting Efforts to Maintain the Tax-Exempt Status of Municipal Bonds – *Vote Required: Majority* (Recommended by the Executive Committee 5-0)
 6. Res. No. 39-07/13 – Recognizing Marilyn Putz for Her Service to Walworth County – *Vote Required: Majority* (Recommended by the Executive Committee 5-0)
 7. Res. No. 40-07/13 – Endorsing the Regional Housing Plan for the Year 2035 as Set Forth in SEWRPC Planning Report No. 54 – *Vote Required: Majority* (Recommended by the Executive Committee 4-1)

Health and Human Services Board

1. Res. No. 41-07/13 – Accepting the Wisconsin Trauma Project Grant – *Vote Required: Majority* (Recommended by the Health and Human Services Board 7-1)

Human Resources Committee

1. Ord. No. 787-07/13 – Amending Section 15-17 of the Walworth County Code of Ordinances Relating to the Elimination of Contracts and the Creation of Positions in Health & Human Services – *Vote Required: Two-thirds* (Recommended by the Human Resources Committee 5-0)
2. Ord. No. 788-07/13 – Amending Section 15-359 of the Walworth County Code of Ordinances Relating to Special Pay Premiums for Certain LHCC Employees – *Vote Required: Majority* (Recommended by the Human Resources Committee 5-0)
3. Ord. No. 789-07/13 – Amending Section 15-337 of the Walworth County Code of Ordinances Relating to Reinstatement of Pay and Benefits for Employees Reinstated from Layoff – *Vote Required: Majority* (Recommended by the Human Resources Committee 5-0)
4. Ord. No. 790-07/13 – Amending Section 15-17 of the Walworth County Code of Ordinances Relating to the Reclassification of a Property Tax Specialist to an Account Clerk IV in the Treasurer’s Office – *Vote Required: Majority* (Recommended by the Human Resources Committee 5-0)
5. Ord. No. 791-07/13 – Amending Section 15-17 of the Walworth County Code of Ordinances Relating to the Creation of a Treatment Court Coordinator Position in the Clerk of Courts Office – *Vote Required: Two-thirds* (Recommended by the Human Resources Committee 5-0)
6. Ord. No. 792-07/13 – Amending Section 15-324 of the Walworth County Code of Ordinances Relating to the Family Court Commissioner Salary – *Vote Required: Majority* (Recommended by the Human Resources Committee 5-0)
7. Ord. No. 793-07/13 – Amending Sections 15-6 and 15-810 of the Walworth County Code of Ordinances Relating to Position Titles in Information Technology – *Vote Required: Majority* (Recommended by the Human Resources Committee 5-0)

8. Ord. No. 796-07/13 – Amending Section 15-17 of the Walworth County Code of Ordinances Relating to the 2013-14 Lakeland School Staffing Plan – *Vote Required: Majority* (The Human Resources Committee and the Children with Disabilities Education Board will each consider this item at a special meeting prior to the July 9, 2013 County Board meeting.)
9. Ord. No. 797-07/13 – Amending Section 15-17 of the Walworth County Code of Ordinances Relating to Staffing Changes at the Lakeland Health Care Center – *Vote Required: Majority* (The Human Resources Committee will consider this item at a special meeting prior to the July 9, 2013 County Board meeting.)
10. Res. No. 42-07/13 – Approving Modifications to Walworth County’s Self-Funded Health Insurance Plan – *Vote Required: Majority* (Recommended by the Human Resources Committee 5-0)
11. Res. No. 43-07/13 – Adopting 2014 Pay Ranges for Certain Hourly Employees and Salaried Exempt Employees – *Vote Required: Majority* (Recommended by the Human Resources Committee 5-0)

Park Committee

1. Res. No. 35-07/13 – Recognizing and Commending Jacob Dertz on his Completion of an Eagle Scout Service Project at Natureland Park – *Vote Required: Majority* (Recommended by the Park 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

*Please note: There will not be a County Board meeting held in August.

**Supervisors and Committees: Please submit titles for the Thursday, September 5, 2013 agenda on or before Friday, August 23, 2013.

***Please Note: Additions underlined, deletions ~~struck through~~.

**JUNE 11, 2013 SESSION
OF THE
WALWORTH COUNTY BOARD OF SUPERVISORS
COMMITTEE OF THE WHOLE**

The Walworth County Board Committee of the Whole meeting was called to order by Chair Russell at 5:07 p.m. at the Government Center, 100 W. Walworth Street, Elkhorn, Wisconsin.

Roll Call

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

- **The purpose of the meeting is:**
 - Presentation by the Wisconsin & Southern Railroad (WSOR) regarding opportunities provided by WSOR operations for economic development

Ken Lucht, Director of Government Relations of Wisconsin & Southern Railroad LLC, delivered a presentation. Mr. Lucht stated that Walworth County has been a founding member of the Wisconsin River Rail Transit Commission. WSOR contracts with the Wisconsin River Rail Transit Commission and the Wisconsin Department of Transportation (DOT). DOT is the manager of the rail road system that WSOR operates. As a freight rail operator, they work closely with local units of government. They operate in 21 counties in Southern Wisconsin with 44 locomotives that service over 180 customers throughout their entire system, which is approximately 600 miles. Mr. Lucht stated they have 250 dedicated team members that provide service to all of their customers on their system.

Mr. Lucht stated that the State of Wisconsin and Walworth County are involved in freight rail system preservation because of the economics. He said one rail car equates to four trucks. He stated last year, they surpassed 60,000 car loads. He also stated that trains and railroads are environmentally friendly forms of transportation. He said today's trains can haul one ton of freight over 480 miles on one gallon of diesel fuel and they are continuing to improve this so the costs savings to users is substantial.

He stated their primary commodity is grain and 50% of their traffic is related to agricultural and energy products. He stated it has been a successful partnership working the counties and the State of Wisconsin as it has resulted in 40 new businesses in the past five years and led to the creation of 1,300 new jobs. He added they have 12 new businesses in the planning stages.

He stated the company was established in 1988 and at that time, they had approximately 7,500 car loads. In 2012, they surpassed 60,000 car loads. He also stated they were affected by the recession but they are climbing out of it. In 2016, they estimate they will be close to 75,000 car loads. He said the consequences of having a successful partnership are the challenges that you face. One of the biggest challenges is investments in track and infrastructure. Over the last 30 years, they have had an aggressive capital upgrade plan to invest in these corridors to bring them up to modern standards. A program that they support and share with the Wisconsin River Rail Transit Commission and DOT is an aggressive tie replacement program. He said one tie, if properly maintained, can last over 40 years. They have an annual continuous welded rail program as the majority of the track operated on is a

jointed track which is nearly over 100 years old and was designed for much lighter loads. Another priority for their capital upgrade plan is to invest in bridges. They have over 360 bridges that are not up to modern standards, which have resulted in numerous slow orders where trains can only go 5 miles per hour due to the age and condition of the bridges. He stated the priority is to replace these structures that are deteriorating. Mr. Lucht gave an overview of a 2013 Capital Rehab Project in Walworth County, which is the Janesville to Zenda CWR (Continuous Welded Rail) Project. He stated this is an \$11 million project with 80% coming from DOT and 20% coming from WSOR. He stated all projects use domestic products with most materials coming from the Midwest.

Mr. Lucht gave an overview of the socio-economic benefits of freight rail, which include 200 businesses employing 34,500 people; businesses pay \$34 million in property taxes per year; railroads pay \$27 million in ad valorem taxes per year, which is a tax on equipment, locomotives, and terminals and buildings; rail saves agriculture producers approximately \$6 million per year; the system saves Wisconsin taxpayers over \$12 million in highway maintenance costs by having freight continued to be used; 1,100 new jobs created in the past five years; and 300 new jobs projected in the next two years. These numbers were generated by a recent economic impact study that was conducted by UW-Extension Services. Mr. Lucht also gave an overview about the businesses in Walworth County that use WSOR. He stated that grain is the largest commodity in Walworth County. There are approximately 500,000 tons of products that go in and out of Walworth County on an annual basis, with 83% of this being grain or approximately 16.3 million bushels of corn transported by rail. Another large commodity in Walworth County is refrigerated/cold storage foods.

Mr. Lucht opened up the presentation for any questions and thanked the Board for their support.

Adjournment

On motion by Supervisor Brandl, seconded by Supervisor Weber, the meeting was adjourned at 5:37 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 June 11, 2013 Committee of the Whole Meeting.

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

**JUNE 11, 2013
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, Tim Schiefelbein, Rick Stacey, David A. Weber, and Chair Nancy Russell. A quorum was established.

Kimberly S. Bushey, Walworth County Clerk, 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 following amendments: 1) move Executive Committee Item #3 and Finance Committee Item #3 to immediately after Comment Period by Members of the Public Concerning Items on the Agenda; 2) move the Closed Session regarding “Establishing negotiating parameters for the potential acquisition or lease of on-site clinic building” to immediately after Park Committee; and 3) move Human Resources Committee Item #1 to immediately follow this Closed Session.

Approval of the Minutes

On motion by Vice-Chair Grant, seconded by Supervisor Brandl, the May 14, 2013 County Board meeting minutes were approved by voice vote.

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

Linda Eastburg, 5751 State Road 50, Lyons Township. Ms. Eastburg addressed the board regarding the Walworth County health insurance. She spoke in favor of the on-site clinic because employees will receive better care and the on-site clinic will save money for employees and taxpayers.

Bob Schiltz, 2142 Sheridan Springs Road, Lyons Township. He stated he represents the Deputy Sheriffs Association. He spoke in favor of the county continuing with its current partially self-funded plan. He also spoke in favor of the board aggressively looking into making the current health plan a Health Savings Account (HSA) type plan and the on-site clinic to help reduce the overall costs of that plan.

Executive Committee

3. Res. No. 30-06/13 – Recognizing Joshua P. Grube, Deputy District Attorney, on Receiving the 2013 Voices of Courage Award Conveyed by the Wisconsin Coalition Against Sexual Assault – *Vote Required: Majority* (Recommended by the Executive Committee 5-0)

On motion by Supervisor Weber, seconded by Supervisor Brandl, **Resolution No. 30-06/13** was approved by voice vote. Chair Russell asked Deputy District Attorney Joshua Grube and District Attorney Daniel Necci to come forward. Chair Russell read the resolution. District Attorney Necci addressed the board. Deputy District Attorney Grube thanked the board for the recognition.

Finance Committee

3. Res. No. 28-06/13 – Recognizing Trina Adams for Receiving the American Payroll Association’s Citation of Merit – *Vote Required: Majority* (Recommended by the Finance Committee 5-0)

On motion by Supervisor Schaefer, seconded by Supervisor Weber, **Resolution No. 28-06/13** was approved by voice vote. Chair Russell asked Trina Adams and Nicki Andersen, Deputy County Administrator – Finance to come forward. Chair Russell read the resolution. Andersen addressed the Board. Ms. Adams thanked the board for the recognition.

Appointments/Elections

1. Aging and Disability Resource Center Governing Board (ADRC)
 - Ryan Keller – Three-year term to begin upon confirmation and end on June 30, 2016 (Recommended by the Executive Committee 5-0)

On motion by Supervisor Schaefer, seconded by Supervisor Weber, the appointment of Ryan Keller to the ADRC was approved by voice vote.

Communications and Matters to Be Referred

Chair Russell announced that unless there was a request for an individual communication to be discussed, the Clerk would dispense with the reading of each title and the Chair would direct that all communications be referred or placed on file as indicated on the agenda.

1. Claims Received After Agenda Mailing
2. Claims: None.
3. Outagamie County Resolution No. 14--2013-14 Opposing all legislative efforts to remove local control of the 911 system (To be referred to the Executive Committee)
4. Portage County Resolution No. 155-2012-2014 – Resolution In Support of Amending State Law to Permit a Multi-Vendor Student Information System for Wisconsin School Districts by 2013 Assembly Bill 60 and 2013 Senate Bill 54 (To be referred to the Executive Committee)
5. Manitowoc County Resolution No. 2013/2014-11 – Resolution Requesting State Funding of Lake Michigan Beach Testing Programs (To be referred to the Executive Committee)
6. Correspondence received from the State of Wisconsin Criminal Justice Coordinating Council in regard to creating or working to further advance the county’s Criminal Justice Coordinating Council (To be referred to the Executive Committee)
7. Correspondence received from Governor Scott Walker acknowledging receipt of Walworth County resolution (To be placed on file)
8. Correspondence received from Senator Tim Cullen acknowledging receipt of Walworth County resolutions (To be placed on file)
9. Report of the County Clerk Regarding Communications Received by the Board and Recommended to be Placed on File
 - Langlade County Resolution #34-2013 – Opposition to Increasing Acreage of Alien Ownership (was previously referred to the Executive Committee)
 - Manitowoc County Resolution No. 2013/2014-13 – Resolution Opposing AB 85 and SB 95 (was previously referred to the Executive Committee)
10. Report of the County Clerk Regarding Communications Received by the Board After the Agenda Mailing
 - Resolution No. 33-06/13 – Adopting the Pay Range for the Circuit Court Commissioner Position – Vote Required: Majority (Recommended by the Human Resources Committee 5-0)
 - Town of Richmond Ordinance No. 5/21/13-2 – An ordinance amending Chapter 10 of the Town Code of the Town of Richmond, relating to Buildings and Building Regulations – To be referred to the County Zoning Agency

- Town of Richmond Ordinance No. 5/21/13 – An ordinance amending and replacing Chapter 39 of the Town Code of the Town of Richmond, Wisconsin, to provide for the licensing of center pivot manure distribution systems in the Town of Richmond – To be referred to the County Zoning Agency
 - Correspondence received from Southeastern Wisconsin Regional Planning Commission (SEWRPC) in regard to the SEWRPC Planning Report No. 54, A Regional Housing Plan for Southeastern Wisconsin: 2035 – To be referred to the Executive Committee (The full report can be viewed in the County Clerk’s office)
 - Correspondence received from State Representative Andy Jorgensen acknowledging receipt of Walworth County resolutions – To be placed on file
 - Correspondence received via e-mail from State Representative David Craig acknowledging receipt of Walworth County resolutions – To be placed on file
 - Correspondence received from Secretary Mark Gottlieb, Wisconsin Department of Transportation, acknowledging receipt of Walworth County Resolution No. 20-05/13 – To be placed on file
 - *Walworth County Aging & Disability Resource Center News*, June 2013 – To be placed on file
11. Report of the County Clerk Regarding Zoning Petitions (To be referred to the County Zoning Agency)
- David A. Hernandez and Tereasa Surratt, Sugar Creek Township. Rezone approximately 3.12 acres of R-1 Single Family Residential District to P-1 Recreational Park District
 - Adam Friemoth and Donald Barker, Lafayette Township. Rezone approximately 5.28 acres of A-2 Agricultural District to A-1 Prime Agricultural District and rezone 5.28 acres of A-1 to A-2

Unfinished Business

1. Ord. No. 782-05/13 – Amending Section 2-45 of the Walworth County Code of Ordinances Relating to County Board Supervisor Compensation For Supervisors Elected in 2014 – *Vote Required: Two-thirds* (Recommended by the Executive Committee 5-0)

Vice-Chair Grant offered a motion, seconded by Supervisor Weber, to approve Ordinance No. 782-05/13. A Supervisor excused himself from the meeting temporarily. The Board moved on to the next item until the Supervisor returned. A roll call vote was taken. Total votes: 11. Ayes: 8 – Brandl, Grant, Kilkenny, Schaefer, Schiefelbein, Stacey, Weber, and Russell; Noes: 3 – Brellenthin, Monroe, and Redenius; Absent: 0. **Ordinance No. 782-05/13** was approved by roll call vote.

New Business

Reports of Standing Committees

County Zoning Agency Report of Proposed Zoning Amendments

1. S. Terry Woods, Ltd., Inc. (Terry Woods, Owner/Applicant), Section 31, Linn Township. Rezone approximately .85 acres of A-2 to A-4 – Approved: 4-0 (May 16, 2013 County Zoning Agency Public Hearing)

On motion by Vice-Chair Grant, seconded by Supervisor Stacey, Item 1 under Report of Proposed Zoning Amendments was approved as recommended by the County Zoning Agency.

Executive Committee

1. Ord. No. 783-06/13 – Amending Section 2-151 of the Walworth County Code of Ordinances Relating to Rules and Duties of Members – *Vote Required: Two-thirds* (Recommended by the Executive Committee 5-0)
2. Res. No. 29-06/13 – Opposing State Legislation Re-introducing the Use of Bail Bondsmen in Wisconsin – *Vote Required: Majority* (Recommended by the Executive Committee 5-0)

3. Res. No. 30-06/13 – Recognizing Joshua P. Grube, Deputy District Attorney, on Receiving the 2013 Voices of Courage Award Conveyed by the Wisconsin Coalition Against Sexual Assault – *Vote Required: Majority* (Recommended by the Executive Committee 5-0)
4. Res. No. 31-06/13 – Opposing State Legislation Setting Hours for Obtaining Absentee Ballots – *Vote Required: Majority* (Recommended by the Executive Committee 5-0)
5. Res. No. 32-06/13 – Denying the Claim of Thomas R. Austin – *Vote Required: Majority* (Recommended by the Executive Committee 5-0)

Vice-Chair Grant offered a motion, seconded by Supervisor Weber, to approve Item 1, Ordinance No. 783-06/13. On motion by Vice-Chair Grant, seconded by Supervisor Weber, **Ordinance No. 783-06/13** was approved by unanimous consent.

On motion by Supervisor Weber, seconded by Supervisor Brandl, Item 2, **Resolution No. 29-06/13**; Item 4, **Resolution No. 31-06/13**; and Item 5, **Resolution No. 32-06/13**, were approved by voice vote.

Item 3, Resolution No. 30-06/13, was acted upon earlier in the meeting.

Finance Committee

1. Discussion and possible action regarding the communication from Supervisor Rick Stacey regarding zoning fees
2. Res. No. 27-06/13 – Committing Children with Disabilities Education Board 2013 Fund Balances – *Vote Required: Two-thirds* (Recommended by the Children with Disabilities Education Board 3-0 and the Finance Committee 5-0)
3. Res. No. 28-06/13 – Recognizing Trina Adams for Receiving the American Payroll Association’s Citation of Merit – *Vote Required: Majority* (Recommended by the Finance Committee 5-0)

Chair Russell stated that Item #1, Discussion and possible action regarding the communication from Supervisor Stacey regarding zoning fees, was defeated at the Finance Committee meeting by a vote of 2-3. She stated it was recommended to review the fee structure. On motion by Supervisor Kilkenny, seconded by Vice-Chair Grant, Supervisor Stacey’s communication was placed on file.

Supervisor Weber offered a motion, seconded by Vice-Chair Grant, to approve Item 2, Resolution No. 27-06/13. On motion by Vice-Chair Grant, seconded by Supervisor Weber, **Resolution No. 27-06/13** was approved by unanimous consent.

Item 3, Resolution No. 28-06/13, was discussed earlier in the meeting.

Human Resources Committee

1. Discussion and possible action regarding the future of Walworth County’s health plan and on-site clinic
2. Ord. No. 784-06/13 – Amending Section 15-17 of the Walworth County Code of Ordinances Relating to the Creation of a Circuit Court Commissioner – *Vote Required: Two-thirds* (Recommended by the Human Resources Committee 5-0)
3. Ord. No. 785-06/13 – Amending Section 15-17 of the Walworth County Code of Ordinances Relating to the Creation of Six Project Economic Support Specialists and the Reclassification of an HS Worker II to an Economic Support Specialist – *Vote Required: Two-thirds* (Recommended by the Human Resources Committee 5-0)
4. Ord. No. 786-06/13 – Amending Section 15-359 of the Walworth County Code of Ordinances Relating to Special Pay Premiums for Health and Human Services Employees – *Vote Required: Majority* (Recommended by the Human Resources Committee 5-0)

5. Res. No. 33-06/13 – Adopting the Pay Range for the Circuit Court Commissioner Position – *Vote Required: Majority* (Recommended by the Human Resources Committee 5-0)

Item #1, Discussion and possible action regarding the future of Walworth County’s health plan and on-site clinic, was discussed later in the meeting.

Supervisor Monroe offered a motion, seconded by Supervisor Brandl, to approve Item 2, Ordinance No. 784-06/13. On motion by Vice-Chair Grant, seconded by Supervisor Weber, **Ordinance No. 784-06/13** was approved by unanimous consent.

Vice-Chair Grant offered a motion, seconded by Supervisor Brandl, to approve Item 3, Ordinance No. 785-06/13. On motion by Vice-Chair Grant, seconded by Supervisor Brandl, **Ordinance No. 785-06/13** was approved by unanimous consent.

On motion by Supervisor Weber, seconded by Supervisor Monroe, Item 4, **Ordinance No. 786-06/13**, and Item 5, **Resolution No. 33-06/13**, were approved by voice vote.

Park Committee

1. Res. No. 34-06/13 – Supporting a Land Acquisition in the Town of Troy by the Nature Conservancy for Conservation and Recreational Purposes – *Vote Required: Majority* (The Park Committee considered this item at a special meeting on June 10, 2013 and it was recommended 5-0)

On motion by Vice-Chair Grant, seconded by Supervisor Weber, **Resolution No. 34-06/13** was approved by voice vote.

Closed Session

The Board will convene in closed session pursuant to the exemption contained in Section 19.85 (1)(e) of the Wisconsin Statutes, “Deliberating or negotiating the purchasing of public properties, the investing of public funds, or conducting other specified public business, whenever competitive or bargaining reasons require a closed session.”

In closed session, the Board will discuss the following item:

- Establishing negotiating parameters for the potential acquisition or lease of on-site clinic building

On motion by Supervisor Brandl, seconded by Supervisor Weber, the board convened into closed session at 6:35 p.m. A roll call vote was taken. Total votes: 11. Ayes: 11 – Brandl, Brellenthin, Grant, Kilkenny, Monroe, Redenius, Schaefer, Schiefelbein, Stacey, Weber, and Russell; Noes: 0; Absent: 0.

The Board will reconvene in open session and may take action on the closed session item.

On motion by Supervisor Weber, seconded by Supervisor Schiefelbein, the board convened into open session at 6:55 p.m.

Human Resources Committee

1. Discussion and possible action regarding the future of Walworth County’s health plan and on-site clinic

Administrator Bretl stated there has been much discussion over the past several months regarding health insurance. He said the county’s Tier 1 health plan is a good plan with respect to employee choice; however, it is an expensive plan relative to our peers. He stated that of seven comparable counties, the

Tier 1 plan is one of the highest of surrounding counties. He said the Tier 2 plan was also higher than average but in the ballpark of what our peer counties were. He stated over the years the county has heard from its consultants that moving to an “off the shelf” health plan with a group of our size is not a good idea. He said that costs for an “off the shelf” health plan are the same but the county would be subject to any rate increases. He also said that an on-site clinic with a fitness facility was made part of the 2013 budget. He stated that based on feedback Supervisors had received from constituents, the fitness and new construction portions of this on-site clinic were removed.

Bretl stated the first option for Supervisors is that they can decide to continue with the county’s current health plan, Tier 1 and Tier 2, and they do not have to change anything. He said a second option is the possibility of moving to the State Health Plan, which is significantly cheaper than our current plan and is more cost effective from a taxpayer perspective. He stated the State Health Plan is more limiting in terms of employee choice. He said there are several options that are free under the State Health Plan but if you do not use those providers, it is more expensive from the employee’s perspective. He stated a third option is the on-site clinic, which would be coupled with the county’s partially self-funded health plan. He said the county would not need an on-site clinic if it is decided to move to the State Health Plan because they do not give credit for an on-site clinic. He stated that the Board had discussed in closed session the potential availability of a building. He said setting up the on-site clinic does not only include the purchase price but also the costs of equipping it and operating it. He also said that if the Board chooses this route, they would be looking at a minimum of a three-year commitment.

Supervisor Schiefelbein asked for clarification that with the State Health Plan, employees are tied to one health care system, which is Mercy. Vice-Chair Grant stated that is incorrect as Walworth County has eight different plans to choose from under the State Health Plan. He said that if an employee chooses MercyCare or Unity, the employee does not have to pay a premium contribution towards the plan as the entire contribution would be paid by the employer. He stated he has made arrangements with his contact at the State Health Plan to conduct a conference call with him during the Human Resources Committee meeting on Wednesday, June 19, 2013. Supervisor Schiefelbein asked if Aurora is available as a provider under the State Health Plan. Vice-Chair Grant stated that Aurora is not accepted by the State Health Plan as they refused to submit a quote to the State. He said that if an employee uses a clinic outside of Walworth County, the employee must pay the premiums that coincide with that county. Supervisor Schiefelbein asked what providers are available in Walworth County besides Mercy and Dean. Vice-Chair Grant stated there is a Dean Clinic in Whitewater and Mercy is available throughout the county with the exception of the eastern portion of the county. He said that Unity does not have a clinic in Walworth County, but they are contracted with Mercy. He also said that if an employee wants to use other providers, the State Health Plan has plans such as the Standard Plan, Anthem, and Humana; however, the rates and out-of-pocket expenses are higher. Supervisor Schiefelbein asked about the dental and vision components of the State Health Plan. Vice-Chair Grant stated that currently there is limited dental offered in the State Health Plan; however, it is anticipated that in 2014, dental plans will be available. He also stated he is not aware of any vision plans with the State Health Plan.

Supervisor Schaefer asked how many employees utilize Aurora. Nicki Andersen, Deputy County Administrator – Finance, stated that based on the total claims in 2012, 56% of those claims came from Aurora, which equated to 46% of total costs. Supervisor Schaefer stated that if the county moves to the State Health Plan, any employees that use Aurora doctors will have to switch providers. Vice-Chair Grant stated that if the county moved forward with the on-site clinic, there would be a switch of medical providers. Bretl stated the estimated savings they came up with was based on the incentive of utilizing the on-site clinic. Andersen stated the incentive was to waive copays and deductible if employees use the on-site clinic. She also said that the more people you have use the clinic, the more savings you will have. Vice-Chair Grant stated they have no guarantee as to how many employees will utilize the clinic.

Andersen stated they have not factored in any change in plan design other than adding the on-site clinic. She said that unless the Board decides otherwise, they do not expect an increase. Supervisor Brellenthin stated he cannot support changing to an insurance company that does not recognize Aurora as a provider. Chair Russell stated there are plans under the State Health Plan that accept Aurora; however, they are more expensive. Vice-Chair Grant stated that with the Standard Plan, an employee can use any medical provider; however, it carries a higher premium. He said the maximum the employer will contribute towards the premium is \$552.88 for a single plan. He also said that under the family plan of the Standard Plan, the employee would pay \$985.39 towards the premium. Bretl stated the employee's contribution for a family plan under the county's current Tier 1 plan is \$155 per month. He also stated that under the county's present plan, an employee can see a variety of providers. He said that if the county moves to the State Health Plan, it is cheaper for the county but it is more expensive for a more inclusive plan from the employee's perspective. He stated the Board does not need to make a decision tonight but they need direction from the Board.

Supervisor Kilkenny stated this is something that needs to be looked at if it is going to save money. He also stated he is concerned that if you are out-of-state or have an emergency, if you are allowed to see a different provider or if you would have to pay more money. Vice-Chair Grant stated if a doctor refers you to a specialist, part of the referral process is to get clearance from the insurance company to pay that bill for wherever you go. Supervisor Schiefelbein asked how the State Health Plan will affect retirees. He stated that it is important to know that Supervisors are not covered by the county health plan. Vice-Chair Grant stated that if retirees are eligible for the county health plan then they are eligible for the State Health Plan. He also stated that any employee that has not retired yet, they will be eligible for the State Health Plan when they do retire. Supervisor Kilkenny stated that he is covered under the county health plan and he pays the full premium. He said he would like to know the aggregate savings if the county moves to the State Health Plan. Andersen stated if the county moves to the State Health Plan and an employee chooses a plan that covers Aurora, it would require employees to pay \$500-\$1,000 per month for their plan. Supervisor Kilkenny stated the county contribution to the premium under the State Health Plan is stable. Vice-Chair Grant suggested distributing the information he has compiled on the State Health Plan to all employees. Supervisor Weber stated listening sessions would need to be conducted so that everyone is on the same page. He said he is concerned about taking Aurora out of the picture because of the network they represent which has degrees of expertise that are available to us and our employees. He stated he is not sure the competitors have the same level of expertise even with their dynamic growth. He said we need more comparable information. He also said that the savings rarely are there and if there are savings, they are momentarily.

Supervisor Brandl stated if the county moves to the State Health Plan, they will not see savings initially due to being subject to a surcharge the first year and possibly the second year. Vice-Chair Grant stated there may or may not be a surcharge. He said the process is that the county applies for the State Health Plan which includes submitting 24 months of medical payouts. He stated the State Health Plan reviews this information and determines if a surcharge would be assessed. He said the county would be notified if they will be assessed a surcharge and what the surcharge will be before the county would agree to be a part of the program. He also said that if we are assessed a surcharge, it is for the first year then the second year is half of the surcharge. He stated the surcharge is based on the number of employees and it would be the county's costs not the employees. Andersen asked if the surcharge is subject to the 88%, and Vice-Chair Grant indicated he could obtain this information. Supervisor Schaefer asked what surrounding counties are on the State Health Plan and what their surcharge was. Vice-Chair Grant stated that Jefferson and Dodge Counties are on the State Health Plan and he is unsure of their surcharge as they have been on the plan for quite some time. Chair Russell stated that one of the advantages of being on the State Health Plan is that you are a part of a bigger pool. Bretl asked if it is a priority to reduce the county's health insurance costs. Vice-Chair Grant stated that is a priority to reduce insurance costs and that is why he

supports the State Health Plan because it reduces the county's costs and it keeps employees' out-of-pocket expenses reasonable.

Supervisor Stacey offered a motion, seconded by Vice-Chair Grant, to eliminate the on-site clinic as an option. Supervisor Brellenthin stated it was a bad idea to eliminate the on-site clinic if we don't know what insurance we are going to have. Bretl stated the Board can refer this back to the Human Resources Committee and the motion to refer back to committee would take precedence over Supervisor Stacey's motion to eliminate the clinic. Supervisor Kilkenny offered a motion, seconded by Supervisor Brellenthin, to refer the issue of the clinic back to the Human Resources Committee as well as fully examine the State Health Plan in order to obtain the information requested. Motion carried. Chair Russell suggested that Supervisors be in attendance at the Human Resources Committee on June 19, 2013. Administrator Bretl directed the Clerk to place Supervisor Grant's correspondence regarding the State Health Plan information on the county's website.

Report of Special Committees

There was none.

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

There was none.

Supervisor Stacey was excused at 8:05 p.m.

Closed Session

The Board will convene in closed session pursuant to the exemption contained in Section 19.85 (1)(e) of the Wisconsin Statutes, "Deliberating or negotiating the purchasing of public properties, the investing of public funds, or conducting other specified public business, whenever competitive or bargaining reasons require a closed session."

In closed session, the Board will discuss the following item:

- Establishing guidance/parameters for negotiations with LEA, HHS Professionals, and Deputy Sheriffs Association for successor agreements

On motion by Supervisor Brandl, seconded by Vice-Chair Grant, the board convened into closed session at 8:05 p.m. A roll call vote was taken. Total votes: 10. Ayes: 10 – Brandl, Brellenthin, Grant, Kilkenny, Monroe, Redenius, Schaefer, Schiefelbein, Weber, and Russell; Noes: 0; Absent: 1 – Stacey.

The Board will reconvene in open session and may take action on the closed session item.

On motion by Supervisor Kilkenny, seconded by Supervisor Brandl, the board convened into open session at 8:22 p.m.

On motion by Supervisor Weber, seconded by Supervisor Schaefer, to proceed as discussed in closed session. Motion carried.

Chairperson's Report

Chair Russell did not have anything to report.

Adjournment

On motion by Supervisor Weber, seconded by Supervisor Brandl, the meeting was adjourned at 8:25 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 June 11, 2013 meeting.

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

WALWORTH COUNTY
BOARD OF ADJUSTMENT

STATE OF WISCONSIN)
) SS
COUNTY OF WALWORTH)

I, the undersigned Chair of the Walworth County Board of Supervisors, do hereby re-appoint Gregory Guidry to the Walworth County Board of Adjustment for an additional three-year term to begin upon County Board confirmation and end on June 30, 2016, or until a successor is named.

Dated this 9th day of July 2013.

Nancy Russell, Chair
Walworth County Board of Supervisors

Nomination for Committee/Board/Commission Appointment

Committee: Walworth County Board of Adjustment

Nominee: Gregory Guidry

Address: W6987 Quinney Road

Elkhorn, WI 53121

Submitted by: David Bretl, County Administrator

Authority: Section 59.18, Wisconsin Statutes

Who will the nominee replace? The applicant is the incumbent.

When did/does the incumbent's current term expire? June 30, 2013

Was this vacancy advertised? no

Comment Appointment by the County Board would be for a three-year term to end on June 30, 2016.

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

For incumbents, committee attendance, if known:

Mr. Guidry's attendance at Board of Adjustment meetings has been good.

WALWORTH COUNTY
NOTICE OF INTEREST TO SERVE AS A CITIZEN REPRESENTATIVE

Name: Gregory Guidry Date: 5/30/13
Mailing Address: W6987 Quinsey Rd Phone: 262 903 5932
Elkhorn WI 53121
gregoryguidry@netwurx.net

I reside in: the Town of Sugar Creek
 the Village of _____
 the City of _____

Please consider me for appointment to: B.O.A.

I am interested in serving as a citizen representative because: My field of
expertise + background. WI licensed Building
Inspector + Electrical Contractor. I've been in
construction for over 40 yrs

Special skills, experience or qualifications I possess related to this appointment are:
I currently serve as the vice-Chairman
of the B.O.A.

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.

Gregory E Guidry 5/30/13
Signature of Applicant Date

Feel free to attach any additional documentation to this form.

WALWORTH COUNTY
CIVIL SERVICE BOARD

STATE OF WISCONSIN)
) SS
COUNTY OF WALWORTH)

I, the undersigned Chair of the Walworth County Board of Supervisors, do hereby appoint John Marra to serve on the Walworth County Civil Service Board for a five-year term. Said term to begin upon County Board confirmation and end on July 30, 2017, or until a successor is named.

Dated this 9th day of July 2013.

Nancy Russell, Chair
Walworth County Board of Supervisors

Nomination for Committee/Board/Commission Appointment

Committee: Walworth County Civil Service Board

Nominee: John Marra

Address: 548 Wiswell Drive

Williams Bay, WI 53191

Submitted by: David Bretl, County Administrator

Authority: Section 59.18, Wisconsin Statutes

Who will the nominee replace? _____

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

Was this vacancy advertised? yes

Comment This appointment is to fill a position that had a 12/31/12 term end.

Mr. Marra's appointment would be for a five-year term of service to begin upon

County Board confirmation and end on July 30, 2017.

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

John Marra Michael Kocourek

Kenneth Deakins _____

For incumbents, committee attendance, if known:

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

Name: John P. Marra

Date: May 27, 2013

Mailing Address: 548 Wiswell Drive
Williams Bay, WI 53191

Phone: (262) 245-9373

RECEIVED

MAY 29 2013

I reside in: the Town of _____
 the Village of Williams Bay, WI
 the City of _____

WALWORTH COUNTY ADMINISTRATION

Please consider me for appointment to: Civil Service Board

I am interested in serving as a citizen representative because: It would be a honor
and privilege to serve in this capacity here in the county which I reside and I feel
my extensive law enforcement background makes me well suited to serve as a member
of a board of this nature if I am so chosen to become one.

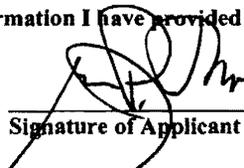
Special skills, experience or qualifications I possess related to this appointment are:
34 years of law enforcement experience both in line and administrative services
that could contribute valuable insight to the charge and work of this board.

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.



Signature of Applicant

Date

Feel free to attach any additional documentation to this form.

WALWORTH COUNTY
CIVIL SERVICE BOARD

STATE OF WISCONSIN)
) SS
COUNTY OF WALWORTH)

I, the undersigned Chair of the Walworth County Board of Supervisors, do hereby re-appoint James Nerud to serve on the Walworth County Civil Service Board. This term is to begin upon County Board confirmation and end on December 31, 2015, or until a successor is named.

Dated this 9th day of July 2013.

Nancy Russell, Chair
Walworth County Board of Supervisors

Nomination for Committee/Board/Commission Appointment

Committee: Walworth County Civil Service Board

Nominee: James Nerud

Address: W5359 Plantation Road

Elkhorn, WI 53121

Submitted by: David Bretl, County Administrator

Authority: Section 59.18, Wisconsin Statutes

Who will the nominee replace? The nominee is a current member of the Civil Service Board.

When did/does the incumbent's current term expire? 12/31/10

Was this vacancy advertised? yes

Comment Mr. Nerud continued serving beyond his current term expiration. His new term would begin upon County Board confirmation and end on December 31, 2015.

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

James Nerud

For incumbents, committee attendance, if known:

Mr. Nerud's attendance at Civil Service Board meetings has been excellent.

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

Name; James O. Nerud _____

Date: 03-29-2013

Mailing Address: _W5359 Plantation Rd. Elkhorn, Wi. 53121

Phone:262-742-2739 _____

RECEIVED

APR 1 2013

WALWORTH COUNTY ADMINISTRATION

I reside in: the Town of _Sugar Creek_____
 the Village of _____
 the City of _____

Please consider me for appointment to: __Civil Service Board

I am interested in serving as a citizen representative because: I have worked on the Civil Service Board for the past 7 years and would be interested in continuing my service to Walworth County as a Civil Service Board member. _____

Special skills, experience or qualifications I possess related to this appointment are:
My previous service on the Civil Service Board of Walworth County.

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.

 03-29-2013
Signature of Applicant Date

Feel free to attach any additional documentation to this form.

STATE OF WISCONSIN : CIRCUIT COURT : WALWORTH COUNTY

WINSTON REVOCABLE TRUST, under trust
agreement dated August 26, 2005
233 S. Wacker Dr, Ste 6600
Chicago, Illinois 60606

13CV00514

BEAR CAVE IRREVOCABLE TRUST, under trust
agreement dated August 26, 2005.
233 S. Wacker Dr, Ste 6600
Chicago, Illinois 60606

Case No. _____

Case Code: 30607

BEAR CAVE RESIDENCE TRUST, under trust
agreement December 18, 2012
233 S. Wacker Dr, Ste 6600
Chicago, Illinois 60606

RECEIVED
WALWORTH COUNTY CLERK
2013 JUN 14 PM 2:15

Plaintiffs,

v.

**WALWORTH COUNTY BOARD OF
ADJUSTMENT**,
100 West Walworth Street, Room 222
PO Box 1001
Elkhorn, WI 53121

FILED
CIRCUIT COURT
MAY 17 2013

CLERK OF COURTS-WALWORTH CO.

**WALWORTH COUNTY DEPARTMENT OF
LAND USE AND RESOURCE MANAGEMENT**,
100 West Walworth Street, Room 222
PO Box 1001
Elkhorn, WI 53121

HON. JAMES L. CARLSON

Defendants.

SUMMONS

THE STATE OF WISCONSIN

To each person named above as a defendant:

You are hereby notified that the above-named plaintiffs have 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, 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 Clerk of Court, Walworth County Judicial Center, 1800 County Trunk NN, P.O. Box 1001, Elkhorn WI 53121, and to Daniel A. O'Callaghan of Michael Best & Friedrich LLP, plaintiffs' attorneys, whose address is N19 W24133 Riverwood Drive, Suite 200, Waukesha, Wisconsin 53188-1174. You may have an attorney help or represent you.

If you do not provide a proper answer within twenty (20) days, 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 16th day of May, 2013.

MICHAEL BEST & FRIEDRICH LLP

By: 

Jordan J. Hemaidan, SBN 1026993
Daniel A. O'Callaghan, SBN 1042866
N19 W24133 Riverwood Drive, Suite 200
Waukesha, WI 53188-1174
Telephone: (608) 257-3501
Facsimile: (608) 283-2275

Attorneys for Plaintiffs

029727-0002\13163144.1

STATE OF WISCONSIN : CIRCUIT COURT : WALWORTH COUNTY

WINSTON REVOCABLE TRUST, under trust
agreement dated August 26, 2005
233 S. Wacker Dr, Ste 6600
Chicago, Illinois 60606

73CV00514

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Chicago, Illinois 60606

Case No. _____

Case Code: 30607

BEAR CAVE RESIDENCE TRUST, under trust
agreement December 18, 2012
233 S. Wacker Dr, Ste 6600
Chicago, Illinois 60606

Plaintiffs,

v.

**WALWORTH COUNTY BOARD OF
ADJUSTMENT**,
100 West Walworth Street, Room 222
PO Box 1001
Elkhorn, WI 53121

FILED
CIRCUIT COURT
MAY 17 2013

CLERK OF COURTS-WALWORTH CO.

**WALWORTH COUNTY DEPARTMENT OF
LAND USE AND RESOURCE MANAGEMENT**,
100 West Walworth Street, Room 222
PO Box 1001
Elkhorn, WI 53121

Defendants.

COMPLAINT

Plaintiffs, Winston Revocable Trust ("WRT"), Bear Cave Irrevocable Trust ("BCIT")
and Bear Cave Residence Trust ("BCRT"), by their attorneys, Michael Best & Friedrich LLP,
bring this action for Certiorari pursuant to § 59.694(10) of the Wisconsin statutes appealing a

decision of the Walworth County Board of Adjustment dated April 17, 2003, and seeking a declaratory judgment pursuant to § 806.04 of the Wisconsin statutes that Plaintiffs are entitled to a zoning permit from the Defendant Walworth County Department of Land Use and Resource Management. In support of their claims, Plaintiffs state as follows:

PARTIES

1. Plaintiffs WRT, BCIT and BCRT are, collectively, the owners of all of the units of Camp Delavan Condominium (the "Property"), a 6-unit condominium on approximately 20 acres of land located along the shore of Delavan Lake in the Town of Delavan, declared and existing under the Condominium Ownership Act of the State of Wisconsin pursuant to a condominium declaration filed in the Office of the Register of Deeds for Walworth County, Wisconsin, on February 19, 2010, as Document No. 783475. WRT (formerly known as the Jennifer Leischner Litowitz 2005 Declaration of Trust) is the owner of Unit 5; BCIT is the owner of Units 1, 2 and 4; and BCRT is the owner of Units 3 and 6. WRT BCIT and BCRT together hold all of the undivided interests in the common elements of the Condominium. Jennifer Leischner Litowitz is the trustee of WRT, BCIT and BCRT. The Plaintiffs are collectively referred to hereafter as the "Litowitz Family" or the "Litowitzes."

2. Defendant Walworth County is a governmental body and political subdivision created pursuant to the laws of the State of Wisconsin, which has empowered its Department of Land Use and Resource Management (the "Department") to administer, supervise, and enforce the provisions of Walworth County's shoreland zoning ordinance (the "Ordinance").

3. Defendant Walworth County Board of Adjustment ("BOA") is a body politic organized and existing pursuant to § 59.694 of the Wisconsin Statutes and is authorized to hear and decide appeals where it is alleged there is error in any order, requirement, decision or

determination made by an administrative official in the enforcement of the Ordinance and to grant variances from the strict application of the Ordinance.

FACTS

4. For most of the last century, the Property was the home of Camp Delavan, a summer camp serving Boy Scouts from across the Midwest.

5. The Litowitz Family purchased the Property in 2007 and immediately began working with the Town of Delavan and Walworth County on a plan to make a number of improvements to the Property in a way that would respect and honor the Property's heritage as a scout camp.

6. After numerous public meetings and a rigorous conditional use/planned residential development approval process, Walworth County ultimately approved the Litowitzes' plan to renovate the Property as a private family retreat, a plan that was carefully crafted with a tremendous amount of public input.

7. According to the approved plan, the old boathouse located on the Property (the "Boathouse") was identified as an existing structure, which the Litowitz Family was permitted to retain. The Litowitzes were also permitted to construct half a dozen new residential structures.

8. Shortly after receiving approval from Walworth County, the Litowitzes applied for permits from the Department for the new residential structures and began construction.

9. In 2011, after construction of the new residential buildings had commenced, the Litowitzes began rebuilding the existing Boathouse.

10. During a January 2012 site visit, Department staff advised the Litowitzes that work on the Boathouse had not been authorized and instructed the Litowitzes to apply for a permit.

11. On January 25, 2012, the Litowitzes submitted an application to the Department (the "Application") seeking a permit for the Boathouse alterations.

12. In the following months, the Litowitzes engaged in a number of conversations with Department staff concerning the scope of the Application and the precise nature of the approval sought, with the Litowitzes agreeing to make certain concessions during the course of those conversations that resolved all of the Department's concerns except for "the roof alterations outside the envelope of the structure."

13. In a letter dated November 2, 2012, the Department staff formally denied the Application (*see* letter attached hereto as Exhibit A, hereafter, the "Denial Letter").

14. The Denial Letter explained that "[t]he Ordinance permits the reconstruction of a legal substandard boathouse provided the construction occurs within the footprint and envelope of the pre-existing legal structure" but went on to conclude that the Application could not be granted because the roof alterations were "outside the envelope of the [original] structure."

15. Section 74-263 of the Ordinance defines the term *building envelope* as the "three dimensional space ... defined by maximum height regulations and minimum yard setbacks."

16. Notwithstanding the definition of the term provided in the Ordinance, Department staff advised the Litowitzes that the Department has long interpreted "building envelope" to describe the *precise* volume of space a building occupies.

17. The Denial Letter advised the Litowitzes of the right to appeal the denial and enclosed an application form to be used if the Litowitzes wanted a hearing before the BOA.

18. The Litowitzes filled out and returned the form to the BOA seeking relief from the Department's denial (*see* Exhibit B attached hereto, the "Appeal").

19. The BOA scheduled a public hearing on the Appeal, which took place on February 13, 2013.
20. At the February 13th hearing, the Litowitzes objected to the Department's interpretation of the term "building envelope" and appealed to the BOA to grant relief from the Department's denial of the permit Application.
21. At a meeting held February 14, 2013, the BOA deliberated over the testimony presented at hearing the previous day, then voted to deny the Appeal.
22. The BOA reduced its decision to writing in an order filed February 19, 2013 (*see Exhibit C* attached hereto).
23. During deliberations, one of the main factors cited by BOA members in denying the Appeal was a perception that "to approve such a large increment of relief would set a precedent." This factor is recited in the BOA's written decision.
24. On March 13, 2013, the Litowitzes petitioned the BOA to reconsider its denial (*see Exhibit D* attached hereto, the "Reconsideration Petition").
25. Among other things, the Litowitzes sought to present additional information in support of their arguments that the Department's interpretation of the term *building envelope* is erroneous and, alternatively, that the relief sought by the Litowitzes are reasonable and supported by the law.
26. Department staff advised the Litowitzes that the BOA would consider the request at the next available meeting date but that no oral testimony would be allowed.
27. At a meeting held April 11, 2013, the BOA denied the Reconsideration Petition.

28. In moving to deny the Litowitzes' request, the vice-chair misstated the law of area variances in Wisconsin, indicating that the Litowitzes failed to demonstrate that the Property would be "unusable" without a variance.

29. While deliberating the motion to deny the Reconsideration Petition, individual Board members displayed animus toward the Litowitzes, indicating, among other things, that "[the Litowitzes] overstepped their boundaries dramatically" and "as I said when we heard it the first time, they did this without a permit, *which I know we're not supposed to think about but gosh darn it*" and "what they've done was done illegally ... it's wrong, it was done illegally and I just think it needs to be gone."

30. Despite the Department's admonition that no oral testimony would be allowed, an additional factor cited by the BOA in denying the Reconsideration Petition was the Litowitzes' failure to present witnesses at the reconsideration meeting.

31. The BOA's rules of procedure governing reconsideration requests (*see Exhibit E* attached hereto) does not allow for the presentation of oral testimony at the BOA's reconsideration meeting.

32. Another factor cited by the BOA in denying the Reconsideration Petition was an apparent discrepancy between the building plans the Litowitzes submitted as part of the Appeal and an unidentified drawing discussed by the BOA during its deliberations but which was not presented at the earlier hearing, with one board member going so far as to say, "this drawing ... is a problem, no question about it."

33. The BOA reduced its decision to writing in an order filed April 17, 2013 (*see Exhibit F* attached hereto).

FIRST CLAIM FOR RELIEF

**WRIT OF CERTIORARI
PURSUANT TO WIS. STAT. § 59.694(10)**

34. The allegations and statements set forth in paragraphs 1 through 33 are restated and incorporated by reference herein.

35. During the February 13th hearing, the vice-chair of the BOA indicated that he had knowledge of plumbing alterations to the Boathouse (“I did understand that there was a bathroom added and a sink added once upon a time to this structure that had to get removed”), an issue beyond the scope of the Appeal and about which he could only have ascertained through sources outside the proceedings.

36. The vice-chair’s comments at hearing referencing information not in evidence demonstrate *ex parte* communications that tainted the Board’s consideration of the Litowitzes’ appeal.

37. The BOA’s consideration of construction plans that were not submitted at hearing is procedurally erroneous as the Litowitzes had no opportunity to examine such plans.

38. It was error for the BOA to base its denial of the Reconsideration Petition, in part, on the Litowitzes’ failure to present witnesses at the reconsideration meeting because the BOA’s own rules of procedure do not permit oral testimony in such instances.

39. It was error for the BOA to ignore the arguments advanced by the Litowitzes that the Department’s interpretation of the term *building envelope* was incorrect.

40. The motion to deny the Litowitzes’ reconsideration request was based on an erroneous understanding of the law of area variances in Wisconsin, which does not require that a property owner demonstrate that the property will be “unusable” without a variance.

41. The BOA's denial of the Litowitzes' reconsideration request was based on personal animus toward the Litowitzes for failing to have obtained a permit before undertaking alterations to the Boathouse.

42. The proceedings, decision and determination by Defendant BOA regarding the Litowitzes' Petition are contrary to the law; are arbitrary, oppressive, and unreasonable; are contrary to the substantial evidence presented at hearing; and represent its will rather than its judgment.

43. The BOA's actions in this case are both procedurally and substantively erroneous and of great prejudice and damage to the Litowitzes.

SECOND CLAIM FOR RELIEF

**DECLARATORY JUDGMENT PURSUANT TO WIS. STAT. § 806.04 THAT
PLAINTIFF IS ENTITLED TO A ZONING PERMIT FOR THE
BOATHOUSE ALTERATIONS**

44. The allegations and statements set forth in paragraphs 1 through 43 are restated and incorporated by reference herein.

45. Section 74-263 of the Ordinance defines the term *building envelope* as the "three dimensional space ... defined by maximum height regulations and minimum yard setbacks."

46. Notwithstanding the definition of the term provided in the Ordinance, the Department staff advised the Litowitzes that the Department has long interpreted "building envelope" to describe the *precise* volume of space a building occupies.

47. The Department's interpretation of the term *building envelope* is contrary to the law and the Litowitzes are entitled to a zoning permit for the boathouse alterations because the altered structure has the exact same footprint as the original structure and is no taller than the original structure.

WHEREFORE, the Litowitzes pray for relief as follows:

A. An order of certiorari requiring Defendant BOA, within a reasonable time to be determined by the Court, to certify and return to the Court and to the Litowitzes' attorneys, after service of a Summons and this Complaint, a correct transcript of the BOA's proceedings and certified copy of the record before the BOA in the matter from which this petition is taken;

B. An order staying all legal proceedings in furtherance of the action appealed from and enjoining the agents, officers and employees of Walworth County from taking any enforcement action or issuing any notice or order with respect to the use and occupancy of the Boathouse while this action is pending before the Court;

C. An order reversing the Defendant BOA's denial of the Litowitzes' Appeal and the Reconsideration Petition;

D. A declaration that the Boathouse alterations at issue in this case are permitted under the Ordinance or, alternatively, an order directing the BOA to grant a variance from the strict application of the provisions of the Ordinance;

E. An order commanding the Department to issue a zoning permit for the Boathouse alterations; and

F. An order granting such other further relief as the Court deems just and equitable.

Dated this 16~~th~~ day of May, 2013.

MICHAEL BEST & FRIEDRICH LLP

By: 

Jordan J. Hemaidan, SBN 1026993
Daniel A. O'Callaghan, SBN 1042866
N19 W24133 Riverwood Dr.
Waukesha, WI 53188
Phone: 608-257-3501
Facsimile: 608-283-2275

Attorneys for Plaintiff

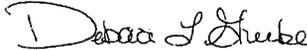
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Jennifer Leischner-Litowitz
November 2, 2012

Delavan
Page 2

If you have any questions regarding this matter, please feel free to contact me or our office, weekdays 8:00 to 5:00 pm.

Sincerely,
WAL WORTH COUNTY LAND USE AND RESOURCE
MANAGEMENT


Debora L. Grube, Sr. Zoning Officer

Copy:
Atty. Dan O'Callaghan, Michael Best & Friedrich, LLP, P.O. Box
1806, Madison, WI 53701-1806
Delavan Lake Sanitary District, 2990 County Rd. F South,
Delavan, WI 53115
Town of Delavan Building Inspector, Roland Hemman, 2371
Town Hall Rd., Delavan, WI 53115
Town of Delavan Clerk, Dixie Bernstein, 5621 Town Hall Rd.,
Delavan, WI 53115

One official copy of this document is being submitted to the County Board of Supervisors for their review and approval.

1-12

Exhibit A

CONDITIONS OF APPROVAL

This permit is issued subject to any federal, state or local restrictions. Each applicant for a zoning permit is charged with knowledge of the Walworth County Code of Ordinances. Copies of the text of the zoning ordinances or portions thereof and copies of the official zoning maps are available for sale, copying or inspection upon request. Any statement made, site plan submitted, assurance given or permit erroneously issued contrary to the zoning ordinance is null and void. Any modification of approved permit requires zoning permit review and approval.

This permit shall require the submittal of a foundation survey prepared by a Registered Land Surveyor, to the zoning department within 30 days of backfilling.

In lieu of the survey as required above, the owner is eligible to complete the inspection waiver form in the same time frame.

This permit shall require the applicant to call the zoning division at 262-741-4972 for an inspection to assure compliance with the setback requirements of zoning. The applicant shall call the zoning division immediately upon backfilling the foundation. Lot boundaries shall be clearly identified for inspection.

This permit is not valid until all other applicable permits have been obtained.

OKAY TO ISSUE

PERMIT REVIEWED BY THE WALWORTH COUNTY ZONING DIVISION REVIEW DATE: 2/2/12

ISSUING OFFICER: _____ ISSUE DATE: _____

** FOR OFFICE USE ONLY **

FEE 1000 FLOODPLAIN INFORMATION:
 DOUBLE FEE _____ 100 YEAR FLOODPLAIN ELEVATION _____ LOWEST FLOOR ELEVATION _____
 OTHER _____ ELEVATION _____ FLOODPLAIN SETBACK _____ FEET FROM TOTAL _____
 BUILDING FOUNDATION TO 100 YEAR FLOODPLAIN

ZONING DISTRICT (S): L-2 & L-2A NOT IN SHORELAND SHORELAND

EROSION CONTROL APPLICATION TO LCC _____ RETURNED TO ZONING _____

SANITARY APPROVAL (INITIALS) _____ SANITARY PERMIT NO. _____

DATE OF SANITARY PERMIT APPROVAL: _____

PERMIT ISSUED BY WALWORTH COUNTY ZONING DIVISION

NAME: Michelle D. Hansen DATE: 2/2/12 11-2-12
 ORDINANCE NUMBER: 212 attached 20120122 20120122

APPLICANT IS REQUESTING: _____

DATE: 1/23/12 100032100

WALWORTH COUNTY WATERFRONT ZONING PERMIT APPLICATION		TAX KEY NUMBER FCAMP 00001-6	
OWNER NAME Jennifer Leachner-Litovitz Declaration		MAILING ADDRESS 610 Longwood Avenue Glencos, IL 60022	
PROJECT ADDRESS 3240 North Shore Drive, Delavan, Wisconsin 53115		TELEPHONE (847) 242-9804	FAX NO. 242-9804
CONTRACTOR NAME Novak Construction		MAILING ADDRESS 3423 North Drake Avenue Chicago, IL 60618	
		TELEPHONE (773) 278-1100	FAX NO. 278-1100
1. SITE	LOCATION/SECTION	31 T 2 N R 1b R	
LOT VARY	LOT VARY	LOT VARY	LOT VARY
SUBDIVISION NAME Camp Delavan Condominium		LOT NO. 1-6	BLK NO.
2. PROJECT		3. DESCRIPTION	
PLEASE MARK ALL THAT APPLY		SEE REVERSE	
<input type="checkbox"/> NEW SINGLE FAMILY RESIDENCE	<input type="checkbox"/> MULTI-FAMILY, UNITS	<input type="checkbox"/> DECK	<input type="checkbox"/> POOL
<input type="checkbox"/> ADDITION	<input type="checkbox"/> ALTERATION (Boat House)	<input type="checkbox"/> ACCESSORY STRUCTURE/GARAGE	<input type="checkbox"/> OTHER Sliding Lift, Walk Improved Area
4. HEIGHT		5. ESTIMATED COST	
BOAT HOUSE (Existing) Sliding Lift		TOTAL \$ 75,000 ±	
A. Construction Size/Dimensions		6. FLOODPLAIN INFORMATION	
B. Total Sq. Ft.		100 YEAR FLOODPLAIN ELEVATION 929'	
C. Structure is used for (garage, kitchen, bedroom, storage, etc.)		ELEVATION 933.6' FLOODPLAIN SETBACK 23' FEET FROM BUILDING FOUNDATION TO 100 YEAR FLOODPLAIN (Boat House)	
D. Slid Lift, Storage (Boat House)		7. SANITARY FACILITIES	
E. Slid Lift, Storage (Boat House)		<input type="checkbox"/> MUNICIPAL SEWER JAN 25 2012 0 NUMBER OF BEDROOMS EXISTING	
F. Slid Lift, Storage (Boat House)		<input type="checkbox"/> PRIVATE SEWAGE SYSTEM 0 NUMBER OF BEDROOMS ADDED	
G. Slid Lift, Storage (Boat House)		0 TOTAL NUMBER OF BEDROOMS	
The owner agrees to comply with the Walworth County Code of Ordinances Chapter 74 and with the conditions of this permit; understands that the issuance of the permit created no legal liability, express or implied, of the department, municipality, agency or inspector; and certifies that all of the above information is accurate.			
SIGNATURE OF OWNER <u>Michelle D. Hansen</u> (Vaccen E. Hansen) DATE January 23, 2012			
PERMIT EXPIRES: PERMIT EXPIRES WITHIN TWENTY-FOUR (24) MONTHS AFTER THE ISSUANCE OF THE PERMIT IF THE STRUCTURE FOR WHICH A PERMIT IS ISSUED IS NOT SUBSTANTIALLY COMPLETED. (Chapter 74, Division 13, Walworth County Code of Ordinances)			
WALWORTH COUNTY LAND USE AND RESOURCE MANAGEMENT DEPARTMENT 100 N. WALWORTH ST., P.O. BOX 1001, DELAVAN, WISCONSIN 53121 PHONE # 262-741-4972 OR FAX # 262-741-4974			

DEC 11 2010

PETITION FOR VARIANCE
WALWORTH COUNTY BOARD OF ADJUSTMENT

DATE FILED: December 7, 2010

\$450.00 made payable to Walworth County

	Owner	Applicant
Name	Jennifer L. Litowitz 2005 Declaration of Trust	Jennifer L. Litowitz 2005 Declaration of Trust
Address	c/o Dan O'Callaghan Michael Best & Friedrich LLP N19 W24133 Riverwood Dr., Ste. 200 Waukesha, WI 53188	c/o Dan O'Callaghan Michael Best & Friedrich LLP N19 W24133 Riverwood Dr., Ste. 200 Waukesha, WI 53188
Phone	262-956-6551	262-956-6551
Fax	262-956-0656	262-956-0656

Legal description of property: NW1/4, NE1/4, S 31, T 2 N, R 16 E, Town of Delavan

Physical Address: 3240 N. Shore Drive, Town of Delavan

Tax parcel number: FCAMP 00001 through FCAMP 00005

Lot area & dimensions: Irregular, approximately 19.85 acres

Zoning District (s): R-2A Single Family Residence District

Project Description: Request for approval of alterations to preexisting boathouse

Required by Ordinance

s. 74.90 "Existing substandard structures may be moved, removed, razed, and reconstructed, or replaced to their original design (building envelope) and location (footprint)"

Variance Requested

The request is to permit changes to the roof line (i.e. modify the "building envelope") of the preexisting boathouse as shown on the attached drawings. The location (footprint) of the boathouse remains unchanged.

NO VARIANCE TO THE PROVISIONS OF THE WALWORTH COUNTY CODE OF ORDINANCES SHALL BE GRANTED BY THE BOARD OF ADJUSTMENT UNLESS IT FINDS THAT ALL OF THE FOLLOWING FACTS AND CONDITIONS EXIST. Indicate your "Exceptional Circumstances", "Hardship" and "Absence of Detriment" not created by the Owner in the spaces provided below (attach additional pages as necessary):

(1) UNIQUE PROPERTY LIMITATIONS. Compliance with the terms of the Code of Ordinances is prevented by unique features of this property

See attached letter.

1-1

Exhibit B

(2) UNNECESSARY HARDSHIP. Unnecessary hardship is present because

See attached letter.

(3) NO HARM TO PUBLIC INTERESTS. A variance will not be contrary to the public interest

See attached letter.

Legal description of property: NW1/4, NE1/4, S 31, T 2, N.R. 10 E, Town of Oshtemo

Attach a plat of survey of your site and a copy of detailed construction plans.

IF YOU QUALIFY FOR A VARIANCE

- The Board may grant only the minimum variance necessary while preserving the purpose and intent of the zoning ordinances.
- The Board may impose conditions on project design, construction activities or operation of a facility to assure that public interests are protected.
- A variance granted by the Board of Adjustment shall expire within twelve (12) months unless substantial work has commenced pursuant to such grant.
- A variance decision may be appealed to circuit court by an aggrieved party within 30 days of filing of the decision in the office of the board. For this reason you may choose to delay construction on your project until after the appeal period has expired in order to minimize the risk that the court may overturn the Board of Adjustments decision and void your variance.
- Because a property rather than its owner may qualify for a variance (unique property limitations test), a variance transfers to subsequent property owners.

Jennifer L. Litowitz 2005 Declaration of Trust

Signed: By: [Signature]
(Applicant/Agent/Owner)
Daniel A. O'Callaghan, attorney for petitioner

Date: December 7, 2010

Remit to: Walworth County Land Use
and Resource Management
Zoning Division
100 West Walworth Street
P.O. Box 1001
Elkhorn, WI 53121

DEC 11 2010

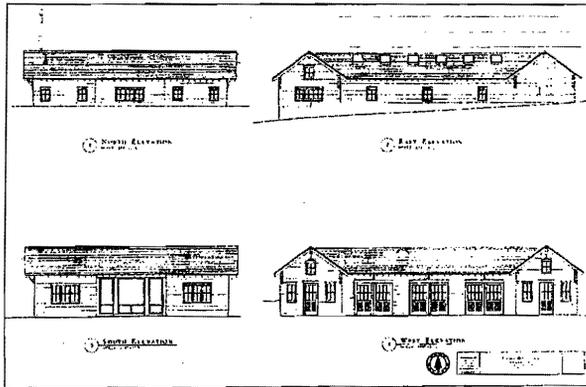
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1-2

Attachment to Petition for Variance
3240 North Shore Drive, Town of Delavan

Overview

Section 74-90 of the Walworth County Shoreland Zoning Ordinance provides that "existing substandard structures may be moved, removed, razed and reconstructed, or replaced to their original design (building envelope) and location (footprint)." However, in this case, the owner has made changes to the roofline of the preexisting boathouse that staff has determined to be outside of the original "building envelope." The footprint and overall height of the boathouse remains unchanged. The shape and volume of the roof was redesigned and reconfigured to be more consistent with the overall architectural character of the other buildings on the property. The property owner seeks a variance from the Walworth County Board of Adjustment to allow these alterations to remain as-built:



The one-story boathouse is used exclusively for the storage of watercraft and related marine equipment. Consistent with the limits imposed by ordinance, the boathouse is not used for human habitation or commercial purposes.

Background

For most of the last century, the property was the home of Camp Delavan, a summer camp serving Boy Scouts from across the Midwest. The scout camp closed in the early 1990's but the Property and its various buildings have remained in use over the years, changing hands several times since the camp closed. The current owners was attracted to the property because of its unique heritage as a Boy Scout camp.

DEC 11 2012

1-3

The family purchased the Property in 2007 and, in an effort to preserve the heritage of the property, they immediately began working with the Town of Delavan and Walworth County on a plan to make a number of improvements to the property. After numerous public meetings and a rigorous conditional use/planned residential development approval process, the County ultimately approved plans for the renovation of the property as a private family retreat, plans that were carefully crafted with a tremendous amount of public input. The overarching goal throughout the process, evident in all of the work undertaken by the family, has been to honor the property's unique heritage as a Boy Scout camp.

Construction began in earnest in late 2009 and most aspects of the project have already been completed. Preservation of the natural environment has been a top goal from the beginning, right alongside the goal of preserving the Property's unique heritage as a Boy Scout camp. The owners have gone the extra mile and have spared no expense in pursuing these goals. One of the first projects to be completed was an extensive woodland and shoreline restoration, the cost of which exceeded a million dollars.

A number of different permits have been issued for various phases of construction and dozens of inspections have taken place. During one of those inspections in January of this year, the County's code enforcement officer noted work that was done to the boathouse that was not covered under any of the building permits that had been issued for the project.

The owners subsequently submitted a building permit application for the specific aspects of the work cited by the code enforcement officer. Several months were spent working with Walworth County zoning staff to identify concerns with respect to the work and to make adjustments to the plan to satisfy those concerns. However, the alterations to the roofline, which the staff determined to be outside of the original "building envelope," can only be approved by the Board of Adjustment.

Description of Work

The existing one-story boathouse measures 42 feet by 65 feet (2,730 square feet). Although the boathouse is much larger than what is allowed under the current zoning ordinance, the boathouse has existed on the property for decades, dating back to the time the property was used as a scout camp. For many years, the boathouse served as the base of the Sea Scouts, a scouting group geared for older boys who were interested in learning about boat management and seamanship. Oral histories of the camp refer to water safety classes that were held in the boathouse and an office that the scoutmaster kept in the building. Today, the boathouse is used exclusively for the storage of watercraft and related marine equipment.

In the initial plans submitted to the County in 2009, the owners explained their intent to renovate the existing boathouse in its current location. As part of the renovation work, the roof was rebuilt in 2011. The overall height of the structure remains the same but the shape of the roof has changed. Detailed plans showing the as-built alterations are enclosed along with an as-built survey and photos of the boathouse.

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1-4

Criteria for Approving a Variance

In order to approve a variance, the Board of Adjustment looks primarily at three issues: 1) unique property limitations, 2) unnecessary hardship, and 3) no harm to public interests. The following statement explains how the current proposal satisfies these concerns.

Unique Property Limitations

As described above, the property's history as a scout camp is truly unique. Additionally, the enclosed survey, building plans and photos show the unique physical limitations of the property that result from steep slopes, which make it impractical to move the boathouse back out of the shoreland setback. Moreover, a large 30-foot sanitary sewer main easement (shown on the survey) is located immediately north of the boathouse, which further limits the owners' ability to relocate the boathouse to a position on the property that conforms to the modern day requirements under the County's shoreland zoning ordinance. Finally, as touched on above, the owners have taken extraordinary care to improve the woodlands on the property and have completed an extensive shoreland restoration project. These are two other unique features of the property. The variance requested by the owners arises from these unique property features.

Unnecessary Hardship

The owners seek relief from the strict application of a dimensional standard contained in the ordinance. The strict application of that standard would unreasonably prevent the owners from restoring the architectural character of the preexisting boathouse, which had apparently been modified a number of times over the years. The owners' goal for this project is to honor the property's unique heritage as a Boy Scout camp.

The Board of Adjustment is required to evaluate the hardship in light of the purpose of the zoning restriction at issue. The purpose of the particular ordinance at issue in this case is to limit the size of any alteration/reconstruction of an existing substandard structure. The owners acknowledge that purpose and have respected it by not increasing the height or overall volume of the preexisting boathouse. As noted, the owner's objective is to use the property (and the boathouse) for a permitted purpose – but in a manner that allows them to restore the architectural character of the property. These conditions, which relate to the property's history and legacy, are not self-created.

No Harm to Public Interests

The final criteria that guides the Board of Adjustment in its decision making is to examine whether there will be any harm to the public interests if the variance is approved. For all of the reasons noted above, a variance will not create substantial detriment to adjacent property or to the general public. In fact, because of the property's sloping topography, the boathouse isn't readily visible from any adjacent property and has a relatively low profile along the shoreline.

Additionally, approval of the variance would not undermine the purpose, intent and spirit of the County's shoreland zoning ordinance. The ordinance attempts to strike a careful balance between a property owner's rights to continue using their property against the rights of the public to a high quality shoreland. The owners in this case wholeheartedly support the purpose, intent and spirit of the County's shoreland zoning ordinance and have gone above and beyond to ensure that their renovations have not had any adverse impact on the environment.

DEC 11 2012

DEC 11 2012

PETITION FOR VARIANCE
WALWORTH COUNTY BOARD OF ADJUSTMENT

DATE FILED: December 7, 2010

\$450.00 made payable to Walworth County

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1-1

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Daniel A. O'Callaghan, attorney for petitioner

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DEC 11 2010

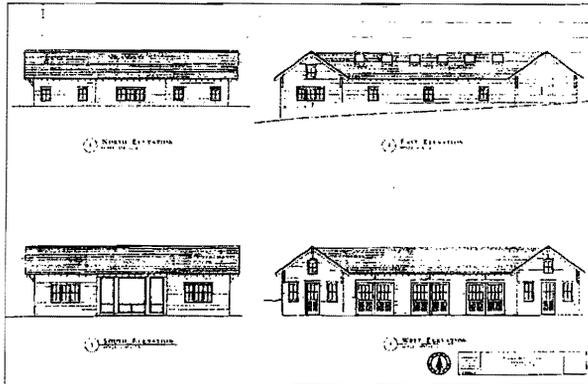
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1-2

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DEC 11 2012
1-3

The family purchased the Property in 2007 and, in an effort to preserve the heritage of the property, they immediately began working with the Town of Delavan and Walworth County on a plan to make a number of improvements to the property. After numerous public meetings and a rigorous conditional use/planned residential development approval process, the County ultimately approved plans for the renovation of the property as a private family retreat, plans that were carefully crafted with a tremendous amount of public input. The overarching goal throughout the process, evident in all of the work undertaken by the family, has been to honor the property's unique heritage as a Boy Scout camp.

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DEC 11 2012

1-4

Criteria for Approving a Variance

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Unique Property Limitations

As described above, the property's history as a scout camp is truly unique. Additionally, the enclosed survey, building plans and photos show the unique physical limitations of the property that result from steep slopes, which make it impractical to move the boathouse back out of the shoreland setback. Moreover, a large 30-foot sanitary sewer main easement (shown on the survey) is located immediately north of the boathouse, which further limits the owners' ability to relocate the boathouse to a position on the property that conforms to the modern day requirements under the County's shoreland zoning ordinance. Finally, as touched on above, the owners have taken extraordinary care to improve the woodlands on the property and have completed an extensive shoreland restoration project. These are two other unique features of the property. The variance requested by the owners arises from these unique property features.

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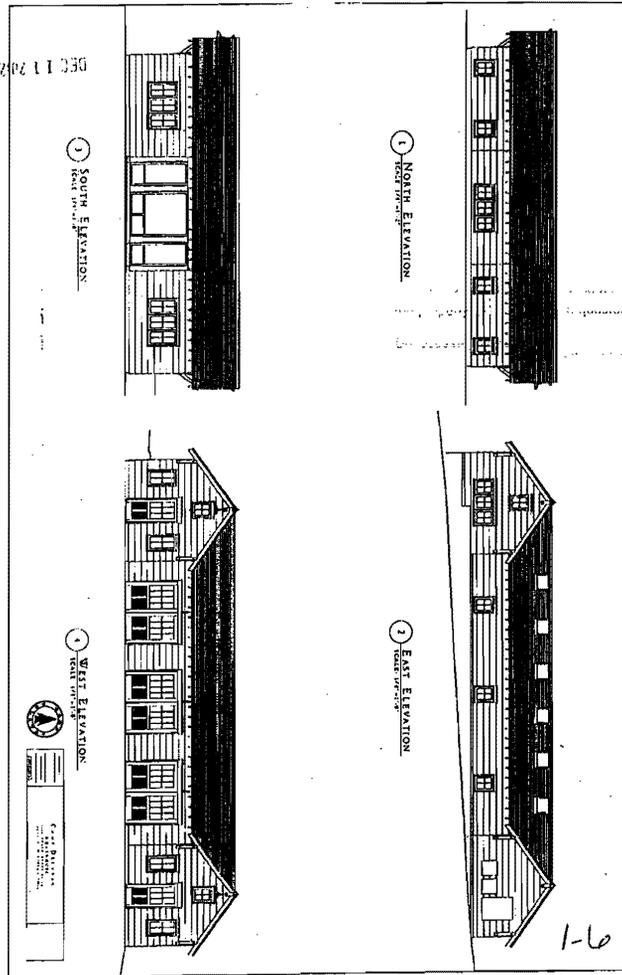
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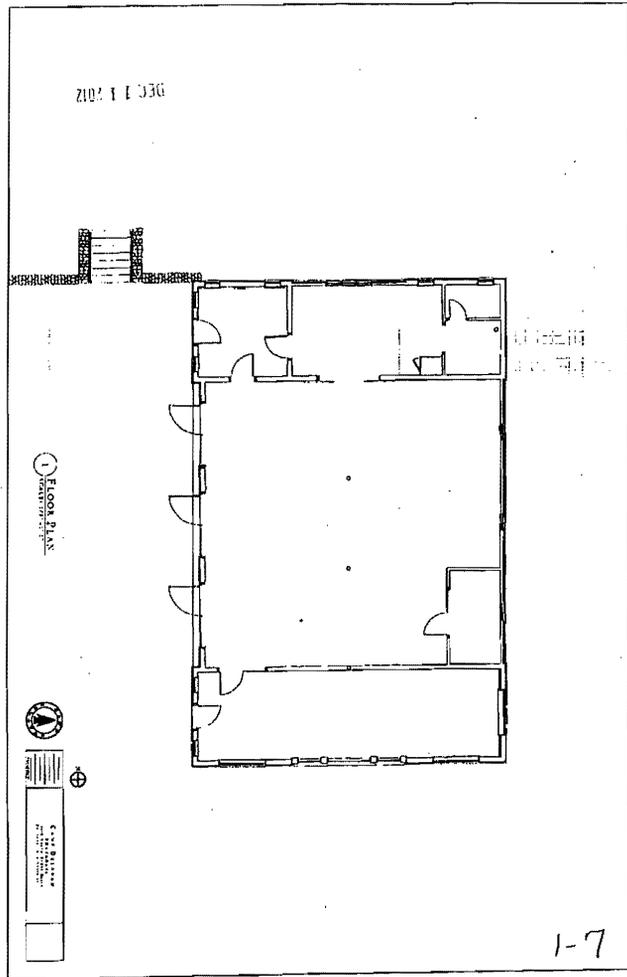
No Harm to Public Interests

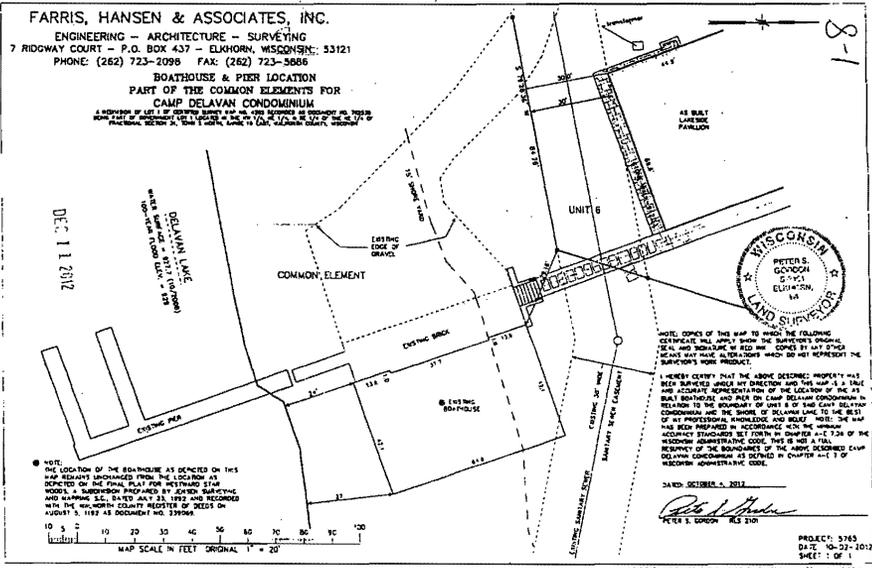
The final criteria that guides the Board of Adjustment in its decision making is to examine whether there will be any harm to the public interests if the variance is approved. For all of the reasons noted above, a variance will not create substantial detriment to adjacent property or to the general public. In fact, because of the property's sloping topography, the boathouse isn't readily visible from any adjacent property and has a relatively low profile along the shoreline.

Additionally, approval of the variance would not undermine the purpose, intent and spirit of the County's shoreland zoning ordinance. The ordinance attempts to strike a careful balance between a property owner's rights to continue using their property against the rights of the public to a high quality shoreland. The owners in this case wholeheartedly support the purpose, intent and spirit of the County's shoreland zoning ordinance and have gone above and beyond to ensure that their renovations have not had any adverse impact on the environment.

DEC 11 2012









View of boathouse from gravel access drive looking east.



View of boathouse from gravel access drive looking east.

5
1000
1000

DEC 1 1 2012 1-9



View toward Delavan Lake looking south along eastern property line.



DEC 11 2012

1-10



Land Use and Resource Management Department

NOTICE OF BOARD OF ADJUSTMENT DECISION AND FINDINGS

NAME OF APPLICANT (S): Jennifer Leischner Litowitz Trust, owner
Attorney Daniel A. O'Callaghan, Michael Best & Friedrich LLP, applicant

TOWN: Town of Delavan

TAX PARCEL NUMBER: FCAMP 00001
through FCAMP 00006

REQUIRED BY ORDINANCE: The Ordinance requires an existing substandard structure to be reconstructed to their original design (building envelope) and location (footprint).

VARIANCE REQUEST: The applicants are requesting to permit changes to the roofline (exceed envelope) of a boathouse. The request is a variance from Section(s) 74-167 / 74-219 of Walworth County's Code of Ordinances - Shoreland Zoning to permit a boathouse to exceed the envelope of a substandard structure.

BOARD OF ADJUSTMENT DECISION: The Walworth County Board of Adjustment, during the meeting of February 13 & 14, 2013, for the petition of Jennifer Leischner Litowitz Trust, owner / Attorney Daniel A. O'Callaghan, Michael Best & Friedrich LLP, applicant, voted to **DENY** the request to permit changes to the roofline (exceed envelope) of a boathouse.

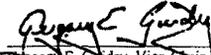
BOARD OF ADJUSTMENT FINDINGS: The Board found the property owner did not prove exceptional or unique circumstances to the property not generally found on other neighboring properties rather than considerations personal to the property owner. The Board found the owner satisfied the safety issue and drainage issue with the completion of the watershed project by moving the dirt away from the structure thereby eliminating the need to alter the roof and to raise the walls. The hardship was self-created in not researching the ordinance requirements for compliance before increasing the envelope of the boathouse. The Board found compliance with the strict requirements of the zoning ordinance would not unreasonably prevent the owner from using the property for a permitted purpose. The Board found to approve such a large increment of relief would set a precedent. There was one letter of support from the Town of Delavan. There was no opposition.

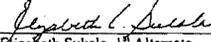
100 West Walworth Street
P.O. Box 1001
Room 222
Elkhorn, WI 53121
Planning/Zoning/Inspection/
Construction Divisions
262.741.4972 tel
262.741.4974 fax
262.741.4973 fax

The owner / applicant shall contact the Walworth County Land Use & Resource Management Department immediately to bring the property into compliance with the requirements of the Walworth County (Shoreland) Zoning Ordinance.

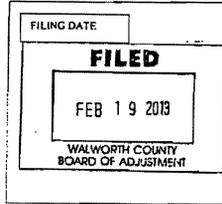
Exhibit C

BOARD MEMBER'S SIGNATURES:


Gregory E. Gundry, Vice-Chair


Elizabeth Sukala, 1st Alternate


Ann Seaver, Secretary



This decision may be appealed by filing an action in certiorari in the Walworth County Circuit Court within thirty (30) days from the date the decision is filed in the offices of the Land Use and Resource Management Department.

Approvals by the Board of Adjustment shall expire within twelve (12) months unless substantial work has commenced pursuant to such approvals.

Non-compliance with the Boards decision may result in citations being issued at \$663.00 per day.

Other rights or remedies may be available to the parties under applicable law. This decision is personal to the parties and does not constitute an offer of insurance or any other financial product. The Board of Adjustment is not a licensed insurance agent or broker.

MICHAEL BEST

Michael Best & Friedrich LLP
Attorneys at Law
One South Pinckney Street
Suite 700
Madison, WI 53703
P.O. Box 1806
Madison, WI 53701-1806
Phone 608.257.3501
Fax 608.283.2275

Daniel A. O'Callaghan
Direct 608.283.0117
Email daocallaghan@michaelbest.com

March 12, 2013

Walworth County Board of Adjustment
100 West Walworth Street, Room 222
PO Box 1001
Elkhorn, WI 53121

Re: Request for reconsideration of denial of a variance for the Camp Delavan boathouse

Dear Chairman Roth and Members of the Board:

On February 14, 2013, the Board denied the property owner's petition for a variance to permit alterations to the roof of the existing boathouse. At the conclusion of its oral ruling, the Board urged the owner to submit a written request for reconsideration and to present the Board with additional information that would allow the Board to reopen the matter and conduct a further hearing. Please accept this letter on behalf of Mrs. Litowitz as a request for reconsideration.

February 14, 2013 Decision

When deciding whether to grant a variance, the Board considers three factors: 1) unique property limitations, 2) unnecessary hardship, and 3) no harm to public interests. During its oral ruling, the Board made a finding that two of the three criteria had been satisfied but the Board was not satisfied that there was a unique property limitation that could serve as the basis for a variance. The Board was particularly concerned about what it perceived as the unprecedented magnitude of the variance requested.¹ Because of some uncertainty around the precise nature of the changes to the walls and the overall height of the structure, the Board invited the owner to submit additional information for reconsideration within thirty days. Specifically, the Board was looking for the owner to present additional information explaining changes to the height of the walls and further explanation of whether or not the building was raised. Board members also requested further information about what they perceived as the unprecedented magnitude of the variance requested.

Wisconsin courts have recognized that a Board of adjustment is permitted to reopen a matter when circumstances warrant reconsideration. Reasons for reconsideration include new information or material evidence not presented at the previous hearing. The remainder of this letter explains the new information Mrs. Litowitz is prepared to present to the Board.

¹ For example, during the Board's oral ruling, Vice Chairman Guidry indicated, "the biggest issue is the huge increment of relief in changing the building envelope of the structure."

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Exhibit D

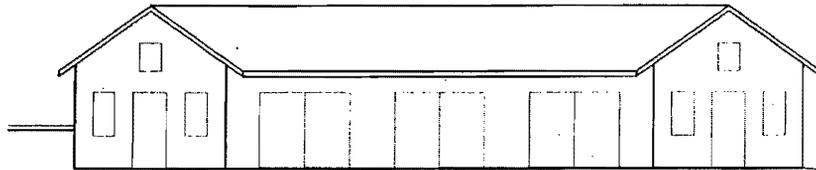
MICHAEL BEST

Walworth County Board of Adjustment
March 12, 2013
Page 2

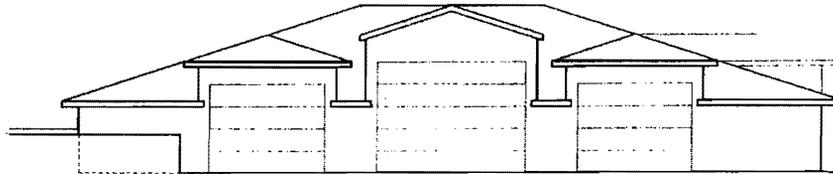
New/Additional Information

1. *Building Volume Calculations*

As noted above, a large factor in the Board's decision to deny the variance was the perception that the relief requested was significantly greater than any relief the Board had granted in earlier cases. The Board was concerned that approval of this "huge increment of relief" would result in a precedent that the Board would be forced to follow in future cases. Since this concern was not articulated as such until after the public hearing was closed, Mrs. Litowitz did not have an adequate opportunity to respond. Promptly following the Board's oral ruling, Mrs. Litowitz commissioned her architect to prepare additional drawings of the before and after conditions and to calculate the building volume, both before and after, so that the Board would have a more precise understanding of the relief actually being sought in this case. These calculations show that the estimated volume of the boathouse before alteration was approximately 26,935 cubic feet and the post-alteration volume is 29,175 cubic feet. The increase is 8.3%.



1228.5 cu. ft. - side volume times 2
23,205 cu. ft. - main volume
3,358 cu. ft. - center volume
Total: 29,175 cu. ft.



1246.875 cu. ft. - main dormer
1,246.875 cu. ft. - main gable
8,032.5 cu. ft. - hip roof
16,380 cu. ft. - main volume
310 cu. ft. - hip roof times 3
115 cu. ft. - hip bases times 3
Total: 26,935 cu. ft.

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Walworth County Board of Adjustment
March 12, 2013
Page 3

2. Scale Models

To assist the Board in better understanding the changes to the structure, Mrs. Litowitz had her architect create two scale models: one showing what the boathouse looked like before the alterations were made and one showing the boathouse in its current configuration. These three-dimensional models were prepared in direct response to the Board's request for additional information and Mrs. Litowitz would like the opportunity for a further hearing on this matter so she can present the models to the Board.

3. Historical Photographs

The property owner's desire to respect the historical character of the buildings on the property and the heritage of the property, as a scout camp were cited as unique limitations especially the desire to see the boathouse (which was significantly altered in 1986 as evidenced by the building permit that is part of the record) brought more in line with the rest of the historical camp architecture. It is not possible to do so without deviating from the preexisting building envelope. We believe that the 8.3% deviation requested is a reasonable accommodation.

During the public hearing, Board members raised questions about the historical camp architecture. Following the Board's decision, we reached out to Sue Davis, one of the neighbors. Sue and her husband Jim live across the street from Camp Delavan on a small farmette. Sue has very specific memories of the boathouse because she grew up on the camp property where her father was caretaker. Sue shared with us a number of photographs from her collection, which we would like to present to the Board. Not only do these photographs confirm that the old boathouse that existed on the property for many decades was of significant volume, they also confirm that current appearance of the boathouse is much more in line with the historical camp architecture than the version of the boathouse that existed since 1986. This information, not previously available, is something we would like the Board to have the opportunity to review.

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Walworth County Board of Adjustment
March 12, 2013
Page 4



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...the... ..

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Walworth County Board of Adjustment
March 12, 2013
Page 5

4. Past Variances Granted by the Board

The Board was particularly concerned about what it perceived as the unprecedented magnitude of the variance requested. The Board characterized the requested relief as a "huge" departure from its past practice. Following the Board's oral ruling, we had an opportunity to review a number of the Board's decisions, which suggest a different conclusion – the relief requested by Mrs. Litowitz is relatively modest in comparison to the relief the Board has granted to other property owners.

For example, in June of last year, the Board granted a property owner on Mill Lake a variance to expand an existing boathouse beyond its original building envelope (see decision attached as Exhibit B). Mrs. Litowitz is asking for a variance from the exact same provision of the zoning code. In the case last July, the owners were granted permission to replace a flat roof with a roof that had a 4/12 pitch, increasing the overall height of the boathouse from approximately 15.3 feet to a total of 20 feet. The volume of the structure went from approximately 10,200 cubic feet to a total of approximately 14,300 cubic feet – a 40% increase. In contrast, the variance for the Camp Delavan boathouse would result in only an 8.3% increase, with no increase in overall building height. Additionally, the Camp Delavan boathouse is situated on a much large site (approximately 20 acres vs. half an acre) and is much further away from the nearest neighbor (approximately 300 feet vs. 20 feet).



Boathouse at N9576 Mill Site Road, Town of East Troy

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Walworth County Board of Adjustment
March 12, 2013
Page 6

5. *Subdivision Plat for Westward Star Woods*

Understandably, the Board is concerned with the overall volume of structures located within the shoreyard. However, one issue that did not receive any consideration by the Board is the fact that the conditional use approval for Camp Delavan limits the entire 20-acre property to a single boathouse whereas, before Mrs. Litowitz acquired the property, the camp had been subdivided into seven lots (see Plat of Westward Star Woods) where each lot was permitted to have its own boathouse. The overall development plan for Camp Delavan went through a rigorous County approval process. As a result of that process, the boathouse that is the subject of the variance request is the only boathouse that is now permitted on the entire 20-acre parcel.

The County's shoreland zoning ordinance permits a maximum building volume for a boathouse of 5,600 cubic feet on each lot (maximum 400 sq. ft. area, maximum 14 ft. height). As such, the previous subdivision plat would have allowed up to 39,200 cubic feet of boathouse development in the shoreyard (7 lots x 5,600 cubic feet per lot) – considerably more than the volume of the current boathouse. Because of the overall development plan that Mrs. Litowitz put in place in 2009, the total permissible building volume in the shoreyard has been permanently limited. We believe this is an important consideration the Board should take into account.

6. *Existing substandard structures*

The county zoning officer has classified the existing boathouse as a substandard structure because its size does not conform to modern day shoreland zoning code requirements. Section 74-219(1) of the Walworth County Code of Ordinances, titled "Existing substandard structures," recognizes that certain enlargements or alterations to substandard structures are allowable:

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

(Emphasis added.) There is some tension between this provision—which recognizes that enlargement of a substandard structure is sometimes permissible—and the zoning officer's interpretation of subparagraph (3) of the same section, which indicates that existing substandard structures can only be reconstructed to their "original design (building envelope)." Indeed, there is even some internal conflict in subparagraph (3) between the requirement that an existing structure be rebuilt to its original design and the provision that states "*proposed additions and enlargements shall conform to the required shoreyard, height, traffic, parking, and access provision of this ordinance.*" Clearly the shoreland ordinance recognizes that it is sometimes permissible for a substandard structure to be enlarged beyond its original building envelope. We believe that the Board should take this into consideration when evaluating the owner's request in this case and we would like the opportunity to present additional information to the Board on this point.

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Walworth County Board of Adjustment
March 12, 2013
Page 7

7. Variance Criteria

When granting variances for structures located in the shoreyard, the Board has historically relied on the following factors:²

- Whether the variance is in keeping with the purpose and intent of the zoning ordinance.
- Whether the property features a steep slope to the lake that presents a unique property limitation.
- Whether there were any safety concerns that necessitated the variance.
- Whether years of erosion had left the property in need of repair.
- Whether approval of the variance would result in harm to public interests.
- Whether the owner had made compromises and concessions before seeking a variance.
- Whether approval of the variance will increase impervious surface within the shoreyard.
- Whether approval of the variance will otherwise increase runoff into the lake.
- Whether approval of the variance will have an adverse impact on adjoining property owners.
- Whether approval of the variance will have a harmful visual impact on the lake.
- Whether the owner has taken steps to improve shoreland vegetation.
- Whether any citizens have objected to the variance.
- Whether the town has recommended approval of the variance.

We believe the written materials submitted with the petition, the testimony presented at the public hearing and the new information outlined in this reconsideration request demonstrates that all of these criteria have been satisfied. Following is a brief summary:

² Presented here is a summary of factors cited in the Board's minutes over the past several years.

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Walworth County Board of Adjustment
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UNIQUE PROPERTY LIMITATIONS

- The property's history as a scout camp is truly unique.
- The survey, building plans and photos the owner filed with the application highlight the unique physical limitations of the property that result from steep slopes, which make it impractical to move the boathouse back out of the shoreland setback. In addition, the alterations were undertaken to correct a safety concern (*i.e.* years of soil erosion had made it possible for children to literally walk onto the old, low-slung roof).
- There is a large 30-foot DLSD sanitary sewer main (shown on the survey) located immediately north of the boathouse, which further limits the owner's ability to relocate the existing structure to a position on the property that conforms to the modern day requirements under the County's shoreland zoning ordinance.
- The variance the owner is seeking arises from these unique property features.
- The owner has taken extraordinary care to improve the environmental quality of the property, including a complete woodland restoration project and an extensive shoreland restoration project. These are two other unique aspects of the property.

UNNECESSARY HARDSHIP

- The owner seeks a variance from the strict application of a dimensional standard contained in the ordinance, the strict application of which would unreasonably prevent the property from being used for its permitted purpose.
- One of the owner's goals with this project has been to honor the property's unique heritage as a Boy Scout camp and strict application of the ordinance would also unreasonably prevent the owner from restoring the architectural character of the preexisting boathouse, which was significantly modified in 1986.
- The Board is required to evaluate the hardship in light of the purpose of the zoning restriction at issue, which, in this case, is to place reasonable limitations on the size of any alteration/reconstruction of an existing boathouse.
- The owner acknowledges that purpose and has respected it by not increasing the overall height of the structure and has proposed only a small increase in overall volume.
- The owner will use the boathouse only for its permitted purpose: storage of boats and marine related equipment.

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Walworth County Board of Adjustment
March 12, 2013
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- These conditions, which relate to the property's history and legacy, are not self-created.
- Finally, the physical structure of the old roof itself, as is evident from the aerial photos submitted for the record, indicate the old roof was made up of numerous peaks and valleys coming together at all sorts of odd angles, which worked a hardship both in terms of the impracticality of the interior space and proper maintenance – the roof design resulted in serious maintenance problems.

NO HARM TO PUBLIC INTERESTS

- The final criteria is "no harm to public interests" – or "absence of detriment" as it's sometimes expressed in the law. This criteria has the Board examine whether there will be any harm to the public interests if you approve the variance.
- For all of the reasons noted above, a variance will not create substantial detriment to adjacent property or to the general public.
- In fact, because of the property's sloping topography, the boathouse isn't readily visible from any adjacent property and has a relatively low profile along the shoreline, as demonstrated in the photos submitted for the record.
- The requested variance has met with the Approval of both the Town of Delavan Plan Commission and the Town Board. The proposal was presented during January's plan commission meeting, where it received a number of very positive comments.

8. Input from the Town of Delavan

During its deliberations, one of the Board members inquired about the Town of Delavan's specific rationale for its recommendation to the Board that the variance be granted. Since this was not an issue that was raised during the public hearing, Mrs. Litowitz did not have an opportunity to respond. The Board's approval of this rehearing request would allow that information to be presented for the Board's consideration, along with all of the other information discussed above.

Conclusion

Based on the information summarized above, we respectfully request that the Board reopen the matter. We believe there is sufficient new information to justify a further hearing and we look forward to the Board's decision.

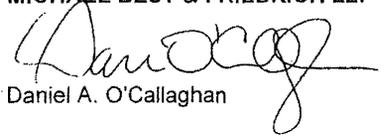
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Walworth County Board of Adjustment
March 12, 2013
Page 10

Respectfully submitted,

MICHAEL BEST & FRIEDRICH LLP


Daniel A. O'Callaghan

cc: Jennifer Litowitz
Deborah Grube

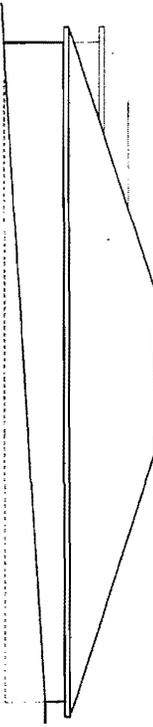
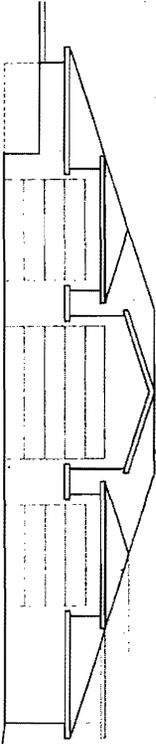
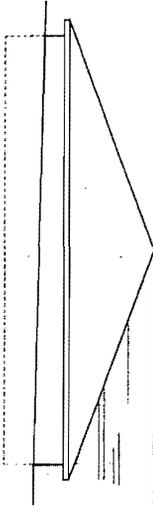
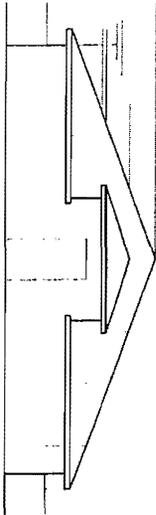
029727-0002112633614.3

Michael Best & Friedrich LLP, 300 North LaSalle Street, Suite 2000, Chicago, IL 60601-3902. Telephone: (312) 361-1000. Fax: (312) 361-1001. Website: www.michaelbest.com

MICHAEL BEST

EXHIBIT A

Cabin 2

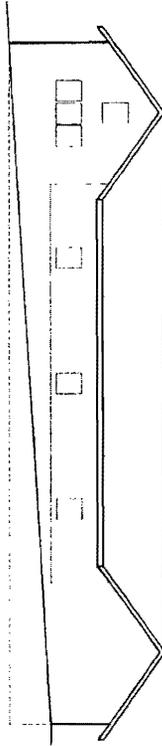
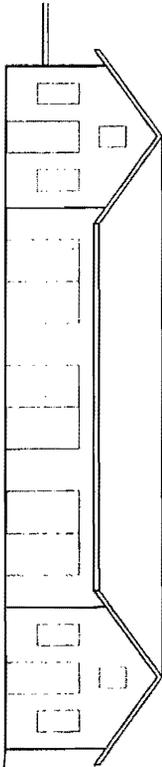
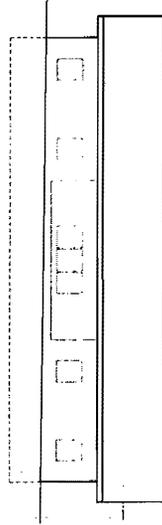
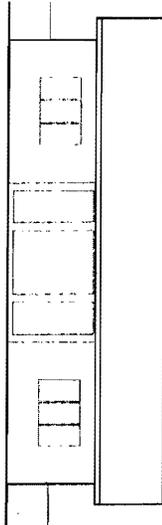


1246.875 cu. ft. - main dormer
1216.875 cu. ft. - main gable
8.0325 cu. ft. - hip roof
16.380 cu. ft. - main volume
319 cu. ft. - hip roof truss
11.5 cu. ft. - hip truss truss
Total: 26915 cu. ft.

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Cabin 3



1228 sq. ft. - side volume - pine 2
23,308 cu. ft. - main volume
1,458 cu. ft. - center volume
Total: 24,775 cu. ft.

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RECONSIDERATIONS WALWORTH COUNTY BOARD OF ADJUSTMENT

Wisconsin law permits the Board of Adjustment to reconsider and reverse its decisions.

In Wisconsin the decision of an administrative body is not res adjudicata (a matter already settled in court), therefore the board may reconsider and rescind its previous action as long as the petitioner's vested rights are not violated. Undoubtedly, the Board would not be allowed to circumvent a petitioner's right of appeal to the circuit court by reopening an appeal and setting aside its decision after certiorari proceedings have been instituted.

The Walworth County Board of Adjustment, in an effort to facilitate Reconsiderations, has established the following procedure:

1. A Reconsideration may be considered in cases if:
 - a. Applicant feels important information was not provided to Board during the hearing
 - b. Applicant feels the Board misunderstood information provided at the hearing
 - c. Applicant feels the Board misunderstood information gathered at the site
2. **The time period for reconsiderations is within 30 days of the filing date of the Board of Adjustment decision. The reconsideration letter (as noted below) shall be received by the Land Use and Resource Management Office within 30 days of the filing date of the Board of Adjustments decision. (4-10-08)**
3. A Reconsideration is initiated by letter to the Board of Adjustment. A letter received by the Land Use and Resource Management Department requesting the reconsideration of the Board's decision is scheduled (meeting applicable deadlines) on the Board's Thursday agenda as a discussion item. Copies of the letter will be mailed to the Board as soon as possible. The applicant will be notified via mail as to the date the letter is agenda'd. The applicant is not permitted to discuss the matter with the Board. The Board will review the letter and the applicable file to determine if there is any merit to the written Reconsideration request.
4. If the Board determines there is merit to the Reconsideration request, the Board may:
 - a. Request to have the applicant re-apply (fee and application) for the next available public hearing
 - b. Request to have the applicant scheduled as a discussion item on the next available agenda
 - c. Have the office inform the applicant that the Reconsideration request is denied.

Exhibit E



NOTICE OF BOARD OF ADJUSTMENT DECISION AND FINDINGS

NAME OF APPLICANT (S): Jennifer Leischner Litowitz Trust, owner
Attorney Daniel A. O'Callaghan, Michael Best & Friedrich LLP, applicant

TOWN: Town of Delavan

TAX PARCEL NUMBER: FCAMP 00001
through FCAMP 00006

**Land Use and Resource
Management Department**

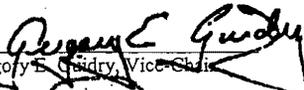
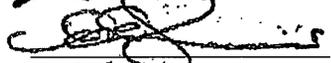
REQUIRED BY ORDINANCE: The Ordinance requires an existing substandard structure to be reconstructed to their original design (building envelope) and location (footprint).

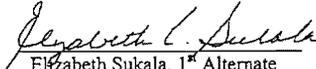
VARIANCE REQUEST: The applicants are requesting a RECONSIDERATION of a February 13 & 14, 2013, Board of Adjustment decision to permit changes to the roofline (exceed envelope) of a boathouse. The request is a variance from Section(s) 74-167 / 764-219 of Walworth County's Code of Ordinances – Shoreland Zoning to permit a boathouse to exceed the envelope of a substandard structure.

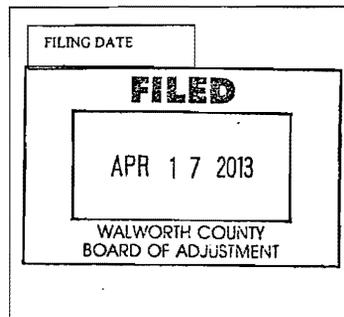
BOARD OF ADJUSTMENT DECISION: The Walworth County Board of Adjustment, during the meeting of April 10 & 11, 2013, reconsidered the petition of Jennifer Leischner Litowitz Trust, owner / Attorney Daniel A. O'Callaghan, Michael Best & Friedrich LLP, applicant. The Board voted to DENY the reconsideration request.

BOARD OF ADJUSTMENT FINDINGS: The Board found no additional information presented in the submittal to justify a change of the decision made by the Board on February 14, 2013. The Board found past variances granted is not a legitimate reason to reconsider as each case is looked upon individually.

BOARD MEMBER'S SIGNATURES:


Gregory E. Gaudry, Vice-Chair

Ann Seaver, Secretary


Elizabeth C. Sukala, 1st Alternate



This decision may be appealed by filing an action in certiorari in the Walworth County Circuit Court within thirty (30) days from the date the decision is filed in the offices of the Land Use and Resource Management Department. Approvals by the Board of Adjustment shall expire within twelve (12) months unless substantial work has commenced pursuant to such approvals. Non-compliance with the Boards decision may result in citations being issued at \$663.00 per day.

100 West Walworth Street
P.O. Box 1001
Room 222
Elkhorn, WI 53121
Planning/Zoning/Sanitation/
Conservation Divisions
262.741.4972 tel
262.741.4974 fax
262.741.4973 fax

EXHIBIT F

6-14-13
2:15


Attention county clerk;

Enclosed you will find an itemized statement for \$250.17 from Safelight Auto Glass from replacement costs incurred from my broken driver's window on my 2006 Prius.

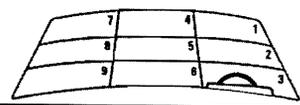
This breakage occurred on June 11, 2013 around 1:45 PM on Hwy 120 as I was headed south just north of Springfield. A county worker (Dave) was mowing grass northbound along the side of the road and kicked up a rock with the mower which struck and shattered my driver's window. I immediately got his county contact information and spoke with Janet in the Public Works Department. She instructed me to file this claim after getting my window repaired and assured me that it would be covered by the county's insurance policy.

I would appreciate it if you could send payment to me in the amount of \$250.17 as soon as possible. Feel free to contact me with any questions.

Thank you for your attention to this matter,

Missy Frautschy
4012 So. 104th St.
Greenfield, Wi. 53228
414-541-8474

RECEIVED
WALWORTH COUNTY CLERK
2013 JUN 19 AM 9:10



9

Location Information

Safelite
10708 W ORCHARD ST
WEST ALLIS, WI 53214
414-475-1700

Account Information

MISC COMMERCIAL CASH
348079 - 000799 - 89950 -

367

Service Information

WO# 995538
Service Location: InShop Date/Time: 6/12/2013 9:00 AM
Available Time: 9:00 AM Needed By: 10:00 AM
Address: MISC COMMERCIAL CASH - Mr./Mrs. FRAUTCHY
414-617-8474 CWD
Primary: 414-541-8474 Policy #:
Alternate: 414-541-8474 Claim #:
PO#/Ref: Ath/Ver:
Loss Loc:
Loss Date/Cause:

Prop off
Needs done
by noon

Year	Make	Model	Body Style	Mileage	License	State	Stock #
2006	TOYOTA	PRIUS	4 DOOR HATCHBACK	0.00	40FLDY	WI	WF

Vehicle ID: STP RB 200462518212 Technician ID: 8 8 8
Verified By: MARK

Qty	Part #	List	Selling	Labor	Kit	Material	Extension
1	FD22245 GTY	\$197.68	\$178.95	\$50.00	\$0.00	\$0.00	\$228.95
Replace with new - SOLAR-LEFT-FRONT PO#: 115642 INSTALLED PART DOT# <u>509</u> URETHANE LOT#							
1	DISPOSAL FEE	\$4.95	\$0.00	\$7.95	\$0.00	\$0.00	\$7.95
Replace with new - DISPOSAL FEE INSTALLED PART DOT# _____ URETHANE LOT# _____							

Work Order

01867-995538
Org Date: 6/11/2013 CTU WO: 995538
6/12/2013 6:24 AM 221-01867-888-995538-W
MISC COMMERCIAL CASH - MARK FRAUTCHY

Initial here if replaced parts should be saved for inspection or returned:

Part Sub Total: \$178.95
Labor Sub Total: \$57.95
Sub Total: \$236.90
Sales Tax: \$13.27

Windshield Repair

Cust. Initials: Yes _____ No _____
Accepted _____ Declined _____

Total \$250.17

Comment:

Original Estimate: \$250.17 I authorize Safelite AutoGlass to provide the above-referenced goods and services and to install glass and related parts that are manufactured by Safelite AutoGlass or another aftermarket manufacturer. Subject to completion of the work, I assign Safelite AutoGlass any claim that I have under my insurance policy to recover, and authorize my insurance company to pay to Safelite AutoGlass, the balance due. If said amount is not paid in full by my insurance company, I agree to pay any unpaid balance.

Customer's Signature: Amiey R. Frautchy Date 6-12-13

If your check is unpaid for insufficient or uncollected funds, we may electronically debit your account for the principle check amount and a service fee as allowable by law. You have the right to select the repair facility of your choice.

Revised Estimate: _____ Reason: _____ Additional Cost: _____
Authorized by: _____ Phone: _____ Date: _____ Time: _____
Amount to collect from Customer: \$250.17 Tender: _____
Adhesive Brand: _____ Part #: _____ Lot #: _____ Safe to drive after: _____ AM PM

Subject: accident
From: howard thiel (howard8050@att.net)
To: howard8050@att.net;
Date: Saturday, June 22, 2013 12:05 PM

RECEIVED
WALWORTH COUNTY CLERK
2013 JUN 25 AM 8:48

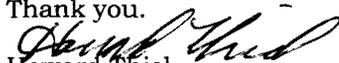
Walworth County Clerk
100 W Walworth St
Elkhorn, Wi 53121

On May 23, 2013 I was involved in an auto accident with your insured, Lieutenant John Ennis of the Walworth County Sheriff's Department. His policy number is WI LP19A. Report of this accident was made to Wisconsin state patrol officer, J Grindl.

I was driving south on E Market St in Elkhorn and prepared to turn right into a side street. I pulled over into the right lane, slowed down and turned on my right turn flashing light. As I turned I was hit in the back end by your insured, John Ennis. It was in the late afternoon that this occurred.

You will find my estimate for repair from Pesicek Auto Body Shop for \$1578.88. My name and address is Howard Thiel, 538 Greenland Ave, Oconomowoc, Wi 53066, phone 262 560 9534. I would appreciate full reimbursement ASAP as this has been open for over a month already.

Thank you.


Howard Thiel

PESICEK COLLISION CENTER
1399 W. WISCONSIN AVENUE
OCONOMOWOC, WI 53066
PHONE: (262) 567-9232 FAX: (262) 567-4939
ASA # 929-143

*** PRELIMINARY ESTIMATE ***

06/17/2013 02:27 PM

Owner

Owner: Howard Thiel
Address: 538 Greenland Ave
City State Zip: Oconomowoc, WI 53066
Home/Day: (262)560-9534
FAX:

Inspection

Inspection Date: 06/17/2013 02:16 PM
Primary Impact: Rear
Inspection Type:
Secondary Impact:
Appraiser Name: Jeff Chipman
Email: Jamie@pesicekcollision.com
Appraiser License # :

Repairer

Repairer: Pesicek Collision Center
Address: 1399 W. Wisconsin Avenue
City State Zip: Oconomowoc, WI 53066-2666
Contact:
Work/Day: (262)567-9232
FAX: (262)567-4939

Remarks

PRELIMINARY VISIBLE DAMAGE QUOTATION
Hidden damage at time of estimate Supplements possible

Vehicle

2011 Buick LaCrosse CXL 4 DR Sedan
6 Cyl Gasoline 3.6 DI
6-Speed Automatic

Lic. Plate: 669-NUP
Lic Expire:
Veh Insp# :
Condition: Good
Ext. Color: MAGNA STEEL MET
Ext. Refinish: Two-Stage
Ext. Paint Code: GHA,706S
Lic State: WI
VIN: 1G4GC5ED9BF239492
Mileage Type: Actual
Code: S3413B
Int. Color:
Int. Refinish: Two-Stage
Int. Trim Code:

Options

2nd Row Head Airbags	5 Passenger Seating	AM/FM CD Player
Air Conditioning	Alarm System	Anti-Lock Brakes
Auto Headlamp Control	Automatic Dimming Mirror	Bucket Seats
Cargo/Trunk Net	Center Console	Chrome Grille
Cruise Control	Daytime Running Lights	Driver Information Sys
Dual Airbags	Dual Power Seats	Dual Zone Auto A/C
Emergency S.O.S. System	Floor Mats	Fog Lights
Garage Door Opener	Halogen Headlights	Head Airbags

06/17/2013 02:18 PM

Page 1 of 3

Heated Front Seats	Heated Power Mirrors	Illuminated Visor Mirror
Intermittent Wipers	Keyless Entry System	LED Brakelights
Leather Seats	Leather Steering Wheel	Lighted Entry System
MP3 Player	Metallic Paint	OnStar System
Polished Alloy Wheels	Power Brakes	Power Door Locks
Power Steering	Power Windows	Pwr Driver Lumbar Supp
Rear Spoiler	Rear Window Defroster	Rem Trunk-L/Gate Release
Remote Starter	Reverse Sensing System	Side Airbags
Split Folding Rear Seat	Stability Cntrl Suspensn	Strg Wheel Radio Control
Tachometer	Theft Deterrent System	Tilt & Telescopic Steer
Tinted Glass	Tire Pressure Monitor	Traction Control System
Trip Computer	Wood Interior Trim	XM Satellite Radio

Damages

Line	Op	Guide	MC	Description	MFR.Part No.	Price	ADJ% B%	Hours	R
Rear Bumper									
1	UC	518		Cover,Rear Bumper	Replace Reconditioned	\$479.00*		1.3	SM
2	L	518	13	Cover,Rear Bumper	Refinish			3.7	RF
					2.6 Surface				
					0.6 Two-stage setup				
					0.5 Two-stage				
3	E	565		Reinf,Rear Bumper	12768289 GM Part	\$205.78		1.3	SM
4	L	565		Reinf,Rear Bumper	Refinish			0.7	RF
					0.6 Surface				
					0.1 Two-stage				
5	E	567		Absorber,Rear Bumper	20939066 GM Part	\$208.07		INC	SM
6	E	570		Brkt,Rear Bumper Mtg	20904555 GM Part	\$16.82		0.2	SM
Manual Entries									
7	SB			HAZARD. WSTE. REM.	Sublet Repair	\$3.00*			SM
8	N			Adjust Decklid to Fit	Additional Labor			0.5*	SM*
				>> rt side forward a bit, get flush to rear of 1/4					
8	Items								
			MC	Message					
			13	INCLUDES 0.6 HOURS FIRST PANEL TWO-STAGE ALLOWANCE					

Estimate Total & Entries

Gross Parts	\$430.67		
Other Parts	\$479.00		
Paint Materials	\$158.40		
Parts & Material Total		\$1,068.07	
Tax on Parts & Material	@ 5.100%	\$54.47	
Labor	Rate	Replace Hrs	Repair Hrs
			Total Hrs
Sheet Metal (SM)	\$56.00	2.8	0.5
Mech/Elec (ME)	\$56.00		
Frame (FR)	\$56.00		
Refinish (RF)	\$56.00	4.4	
Paint Materials	\$36.00		
Labor Total			7.7 Hours
Tax on Labor	@ 5.100%		\$21.99
			\$431.20

Sublet Repairs		\$3.00	
Tax on Sublet	@ 5.100%	\$0.15	
Gross Total			\$1,578.88
Net Total			\$1,578.88

Audatex Estimating 7.0.019 ES 06/17/2013 02:18 PM REL 7.0.019 DT 06/01/2013 DB 06/15/2013
Copyright (C) 2013 Audatex North America, Inc.

1.2 HRS WERE ADDED TO THIS ESTIMATE BASED ON AUDATEX'S TWO-STAGE REFINISH FORMULA.

THIS ESTIMATE HAS BEEN PREPARED BASED ON THE USE OF ONE OR MORE REPLACEMENT PARTS SUPPLIED BY A SOURCE OTHER THAN THE MANUFACTURER OF YOUR MOTOR VEHICLE. WARRANTIES APPLICABLE TO THESE REPLACEMENT PARTS ARE PROVIDED BY THE MANUFACTURER OR DISTRIBUTOR OF THE REPLACEMENT PARTS RATHER THAN BY THE MANUFACTURER OF YOUR MOTOR VEHICLE.

Op Codes

* = User-Entered Value	E = Replace OEM	NG = Replace NAGS
EC = Replace Economy	OE = Replace PXN OE Srpls	UE = Replace OE Surplus
ET = Partial Replace Labor	EP = Replace PXN	EU = Replace Recycled
TE = Partial Replace Price	PM = Replace PXN Reman/Rebtl	UM = Replace Reman/Rebuilt
L = Refinish	PC = Replace PXN Reconditioned	UC = Replace Reconditioned
TT = Two-Tone	SB = Sublet Repair	N = Additional Labor
BR = Blend Refinish	I = Repair	IT = Partial Repair
CG = Chipguard	RI = R & I Assembly	P = Check
AA = Appearance Allowance	RP = Related Prior Damage	

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Page 1
WALWORTH COUNTY SHERIFF'S DEPARTMENT
Supplemental Officer's Report

Case:
Date: 6/26/2013 Officer: 1370

On 06/25/13 around 06:45 I Sandra Walter parked my vehicle in the Walworth County Sheriff's employee parking lot. I'm employed as a Correctional Officer for the Sheriff's Department. At 13:40 I went out to the parking lot. As I approached my vehicle I noticed that a Walworth County trailer was sideways up against the back. I looked at the back of my vehicle and noticed that the trailer had damaged the back bumper of my vehicle. I went back inside and reported the incident. Deputy Lagle came outside and took pictures of the damage and filed the report. I am requesting that the county pay for the damages since they are liable. The trailer is owned by the county and it was not secured in the parking lot. I am submitting an estimate of \$944.33 from Miller Motors to repair the damages. The vehicle was purchased at Miller Motors and we have our service work done there.

Sandra Walter
N6384 Bowers Road
Elkhorn, Wi.
53121

(262) 723-7615

Sandra Walter

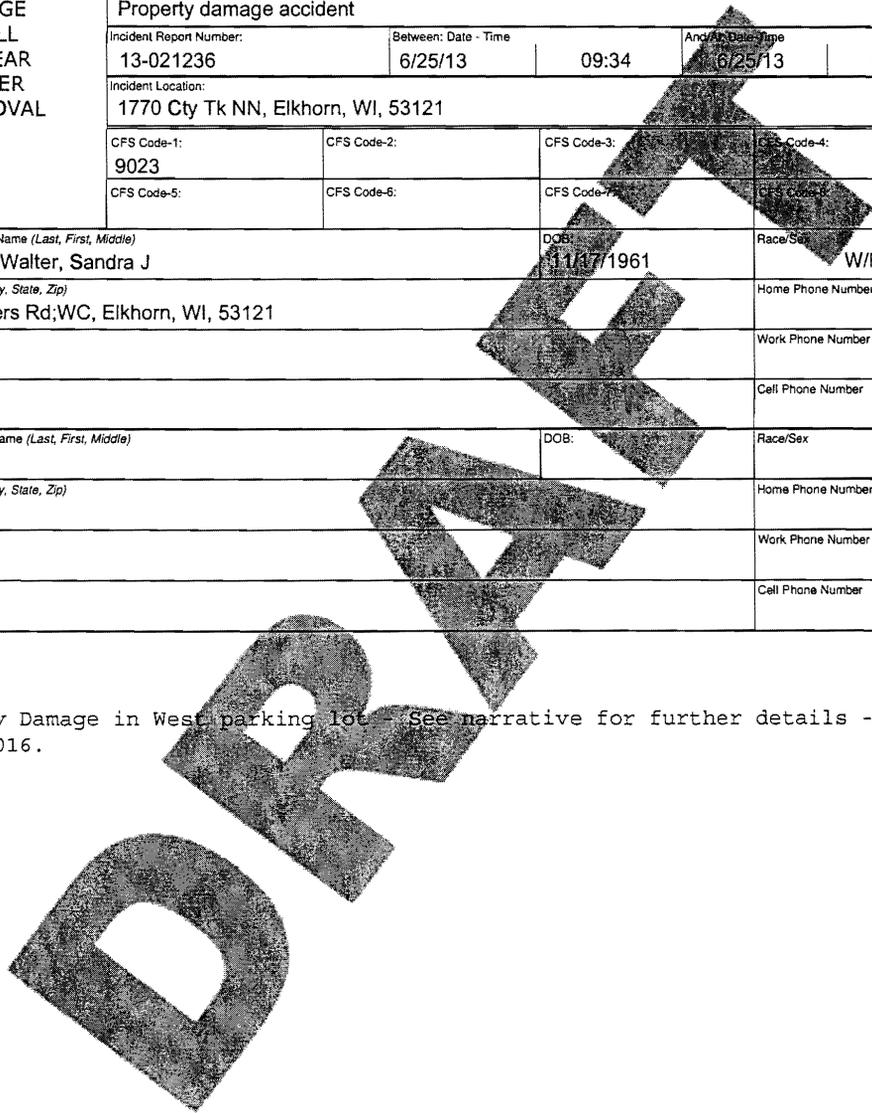
RECEIVED
WALWORTH COUNTY CLERK
2013 JUN 28 PM 3: 12

IMAGE WILL APPEAR AFTER APPROVAL		Walworth County Sheriff's Office			Incident Report		
		Incident: Property damage accident					
		Incident Report Number: 13-021236		Between: Date - Time 6/25/13		And At: Date - Time 09:34 6/25/13 09:36	
		Incident Location: 1770 Cty Tk NN, Elkhorn, WI, 53121					
		CFS Code-1: 9023		CFS Code-2:		CFS Code-3:	
CFS Code-5:		CFS Code-6:		CFS Code-7:			
V		Name (Last, First, Middle) Walter, Sandra J			DOB: 11/17/1961		
		Address: (Address, City, State, Zip) N6384 Bowers Rd;WC, Elkhorn, WI, 53121			Race/Sex W/F		
		Employer			Home Phone Number		
		Employer Address			Work Phone Number		
					Cell Phone Number		
		Name (Last, First, Middle)			DOB:		
		Address: (Address, City, State, Zip)			Race/Sex		
		Employer			Home Phone Number		
		Employer Address			Work Phone Number		
					Cell Phone Number		
SUMMARY Property Damage in West parking lot - See narrative for further details - RDL # 7016.							
Owner		Vehicle Information: (Year, Make, Model, Style, Color) 2010, Dodge, Black/Black					
License Number: 563LUC		State: WI	Expiration Year: 2014	Vin: 3D4PH9FV2AT237353		Insurance Company:	
Other Vehicle Information: Parked in employee lot.					NCIC#		
Reporting Officer(s): Lagle, Richard D.			Payroll Number: 7016	Payroll Number:	Report Date: 06/26/2013		
Time Received: 14:03:57	Time Cleared: 14:09:55	Unit(s) Assigned: 535		Pages: 1 Of 2			
Reviewed by:			Payroll Number	Copy To			

Date: 06/26/2013

CFS Code-1: 9023

Incident Report Number: 13-021236



Walworth County Sheriff's Office

Continuation

Incident Report Number 13-021236	Incident Location: 1770 Cty Tk NN, Elkhorn, WI, 53121	Incident Date: 06/25/2013
-------------------------------------	--	------------------------------

OTHER NAMES

Walworth, County Offices of 1770 Cty Tk NN;WC, Elkhorn, WI 53121
Work Phone:(262) 741-4200

PROPERTY LIST

Seq#	Reason	Make/Model	Description/Serial#	Quan/Value
13-001220	1 SAF		Photos and Video of incident	1.000 \$0.00 [Recovered]

NARRATIVE

On Tuesday, June 25th, 2013, I Deputy Sheriff Rich Lagle - badge number (7016), was working full duty uniform patrol for the Walworth County Sheriff's Office. I was acting in my official capacity as a law enforcement officer when the following incident occurred

At approximately 2:00 PM on said date, I was made aware of an incident that had occurred at the Walworth County Sheriff's Office in the West Parking lot. The Sheriff's Office is located at: 1770 CR NN, Elkhorn, Wisconsin.

Corrections Officer Sandra J. WALTER, F/V 11/17/1961 (herein referred to as Sandra) reported that her personal vehicle had been struck by a county owned trailer. I observed Sandra's vehicle in the lot with a white utility trailer resting against it's rear bumper. The damage to Sandra's vehicle was consistent with being struck by the utility trailer. Sandra's vehicle is new, and is otherwise in excellent condition. The utility trailer was designated by the Sheriff's Office as a Dive Trailer. The Dive Trailer was filled with surplus goods at the time of the incident.

The recording shows what appears to be a strong gust of wind push the Dive Trailer into Sandra's vehicle. The incident occurred at 9:34 AM. Copies of the photos and video were placed into property for safe keeping.

Nothing further to report at this time.

EOR.

Deputy Rich Lagle #7016

Reporting Officer(s): Lagle, Richard D.	ID Number 7016	ID Number	Pages: 2 Of 2
--	-------------------	-----------	------------------

MILLER MOTOR SALES
 1196 MILWAUKEE AVE, BURLINGTON, WI 53105
 Phone: (262) 763-2466 x237
 FAX: (262) 763-5459

Workfile ID: 03fe3241
 Federal ID: 390473914

Preliminary Estimate

Customer: WALTER, GERALD

Job Number:

Written By: LARRY HACKER

Insured: WALTER, GERALD
 Type of Loss:
 Point of Impact:

Policy #:
 Date of Loss:

Claim #:
 Days to Repair: 0

Owner:
 WALTER, GERALD
 N6384 Bowers Rd
 Elkhorn, WI 53121
 (262) 723-7615 Business

Inspection Location:
 MILLER MOTOR SALES
 1196 MILWAUKEE AVE
 BURLINGTON, WI 53105
 Repair Facility
 (262) 763-2466 x237 Business

Insurance Company:

VEHICLE

Year: 2010
 Make: DODG
 Model: JOURNEY 4X4 R/T
 Color: black/metallic Int:

Body Style: 4D UTV
 Engine: 6-3.5L-FI
 Production Date:
 Condition:

VIN: 3D4PH9FV2AT237353
 License:
 State:
 Job #:

Mileage In:
 Mileage Out:
 Vehicle Out:

TRANSMISSION

Automatic Transmission
 4 Wheel Drive

POWER

Power Steering
 Power Brakes
 Power Windows
 Power Locks
 Power Driver Seat
 Power Mirrors
 Heated Mirrors

DECOR

Tinted Glass
 Dual Mirrors
 Console/Storage

Overhead Console

CONVENIENCE

Air Conditioning
 Rear Defogger
 Tilt Wheel
 Cruise Control
 Telescopic Wheel
 Intermittent Wipers
 Climate Control
 Keyless Entry
 Alarm
 Rear Window Wiper
 Steering Wheel Controls
 Remote Starter

RADIO

AM Radio

FM Radio

Stereo

Search/Seek

CD Changer/Stacker

Auxiliary Audio Connection

Satellite Radio

SAFETY

Anti-Lock Brakes (4)
 Driver Air Bag
 Passenger Air Bag
 Head/Curtain Air Bags
 Front Side Impact Air Bags
 4 Wheel Disc Brakes
 Traction Control

Stability Control

ROOF

Luggage/Roof Rack

SEATS

Leather Seats
 Bucket Seats
 Heated Seats

WHEELS

Aluminum/Alloy Wheels

PAINT

Clear Coat Paint

OTHER

Fog Lamps

Preliminary Estimate

Customer: WALTER, GERALD

Job Number:

Vehicle: 2010 DODG JOURNEY 4X4 R/T 4D UTV 6-3.5L-FI black/metallic

Line	Oper	Description	Part Number	Qty	Extended Price \$	Labor	Paint
1		REAR BUMPER					
2		O/H rear bumper				1.7	
3	Repl	Bumper cover w/bright exhaust tips	68034223AH	1	340.00	Incl.	3.2
4		Add for Clear Coat					1.3
5	#	Tint Color To Match		1	T		0.5
6	#	Repl FLEX ADDITIVE		1	12.00 T		
7	#	HAZARD MATERIAL DISPOSAL		1	3.00 T		
SUBTOTALS					355.00	1.7	5.0

ESTIMATE TOTALS

Category	Basis	Rate	Cost \$
Parts			340.00
Body Labor	1.7 hrs @	\$ 55.00 /hr	93.50
Paint Labor	5.0 hrs @	\$ 55.00 /hr	275.00
Paint Supplies	5.0 hrs @	\$ 35.00 /hr	175.00
Miscellaneous			15.00
Subtotal			898.50
Sales Tax	\$ 898.50 @	5.0000 %	44.93
County Tax	\$ 898.50 @	0.1000 %	0.90
Grand Total			944.33
Deductible			0.00
CUSTOMER PAY			0.00
INSURANCE PAY			944.33

MOTOR VEHICLE REPAIR PRACTICES ARE REGULATED BY CHAPTER ATCP 132, WIS. ADM. CODE, ADMINISTERED BY THE BUREAU OF CONSUMER PROTECTION, WISCONSIN DEPT. OF AGRICULTURE, TRADE AND CONSUMER PROTECTION, P.O. BOX 8911, MADISON, WISCONSIN 53708-8911.

Preliminary Estimate

Customer: WALTER, GERALD

Job Number:

Vehicle: 2010 DODG JOURNEY 4X4 R/T 4D UTV 6-3.5L-FI black/metallic

Estimate based on MOTOR CRASH ESTIMATING GUIDE. Unless otherwise noted all items are derived from the Guide DR3TK09, CCC Data Date 6/14/2013, and the parts selected are OEM-parts manufactured by the vehicles Original Equipment Manufacturer. OEM parts are available at OE/Vehicle dealerships. OPT OEM (Optional OEM) or ALT OEM (Alternative OEM) parts are OEM parts that may be provided by or through alternate sources other than the OEM vehicle dealerships. OPT OEM or ALT OEM parts may reflect some specific, special, or unique pricing or discount. OPT OEM or ALT OEM parts may include "Blemished" parts provided by OEM's through OEM vehicle dealerships. Asterisk (*) or Double Asterisk (**) indicates that the parts and/or labor information provided by MOTOR may have been modified or may have come from an alternate data source. Tilde sign (~) items indicate MOTOR Not-Included Labor operations. The symbol (<>) indicates the refinish operation WILL NOT be performed as a separate procedure from the other panels in the estimate. Non-Original Equipment Manufacturer aftermarket parts are described as Non OEM or A/M. Used parts are described as LKQ, RCY, or USED. Reconditioned parts are described as Recond. Recored parts are described as Recore. NAGS Part Numbers and Benchmark Prices are provided by National Auto Glass Specifications. Labor operation times listed on the line with the NAGS information are MOTOR suggested labor operation times. NAGS labor operation times are not included. Pound sign (#) items indicate manual entries.

Some 2012 vehicles contain minor changes from the previous year. For those vehicles, prior to receiving updated data from the vehicle manufacturer, labor and parts data from the previous year may be used. The CCC ONE estimator has a complete list of applicable vehicles. Parts numbers and prices should be confirmed with the local dealership.

The following is a list of additional abbreviations or symbols that may be used to describe work to be done or parts to be repaired or replaced:

SYMBOLS FOLLOWING PART PRICE:

m=MOTOR Mechanical component. s=MOTOR Structural component. T=Miscellaneous Taxed charge category. X=Miscellaneous Non-Taxed charge category.

SYMBOLS FOLLOWING LABOR:

D=Diagnostic labor category. E=Electrical labor category. F=Frame labor category. G=Glass labor category. M=Mechanical labor category. S=Structural labor category. (numbers) 1 through 4=User Defined Labor Categories.

OTHER SYMBOLS AND ABBREVIATIONS:

Adj.=Adjacent. Algn.=Align. ALU=Aluminum. A/M=Aftermarket part. Blnd=Blend. BOR=Boron steel. CAPA=Certified Automotive Parts Association. D&R=Disconnect and Reconnect. HSS=High Strength Steel. HYD=Hydroformed Steel. Incl.=Included. LKQ=Like Kind and Quality. LT=Left. MAG=Magnesium. Non-Adj.=Non Adjacent. NSF=NSF International Certified Part. O/H=Overhaul. Qty=Quantity. Refn=Refinish. Repl=Replace. R&I=Remove and Install. R&R=Remove and Replace. Rpr=Repair. RT=Right. SAS=Sandwiched Steel. Sect=Section. Subl=Sublet. UHS=Ultra High Strength Steel. N=Note(s) associated with the estimate line.

CCC ONE Estimating - A product of CCC Information Services Inc.

The following is a list of abbreviations that may be used in CCC ONE Estimating that are not part of the MOTOR CRASH ESTIMATING GUIDE:

BAR=Bureau of Automotive Repair. EPA=Environmental Protection Agency. NHTSA= National Highway Transportation and Safety Administration. PDR=Paintless Dent Repair. VIN=Vehicle Identification Number.

















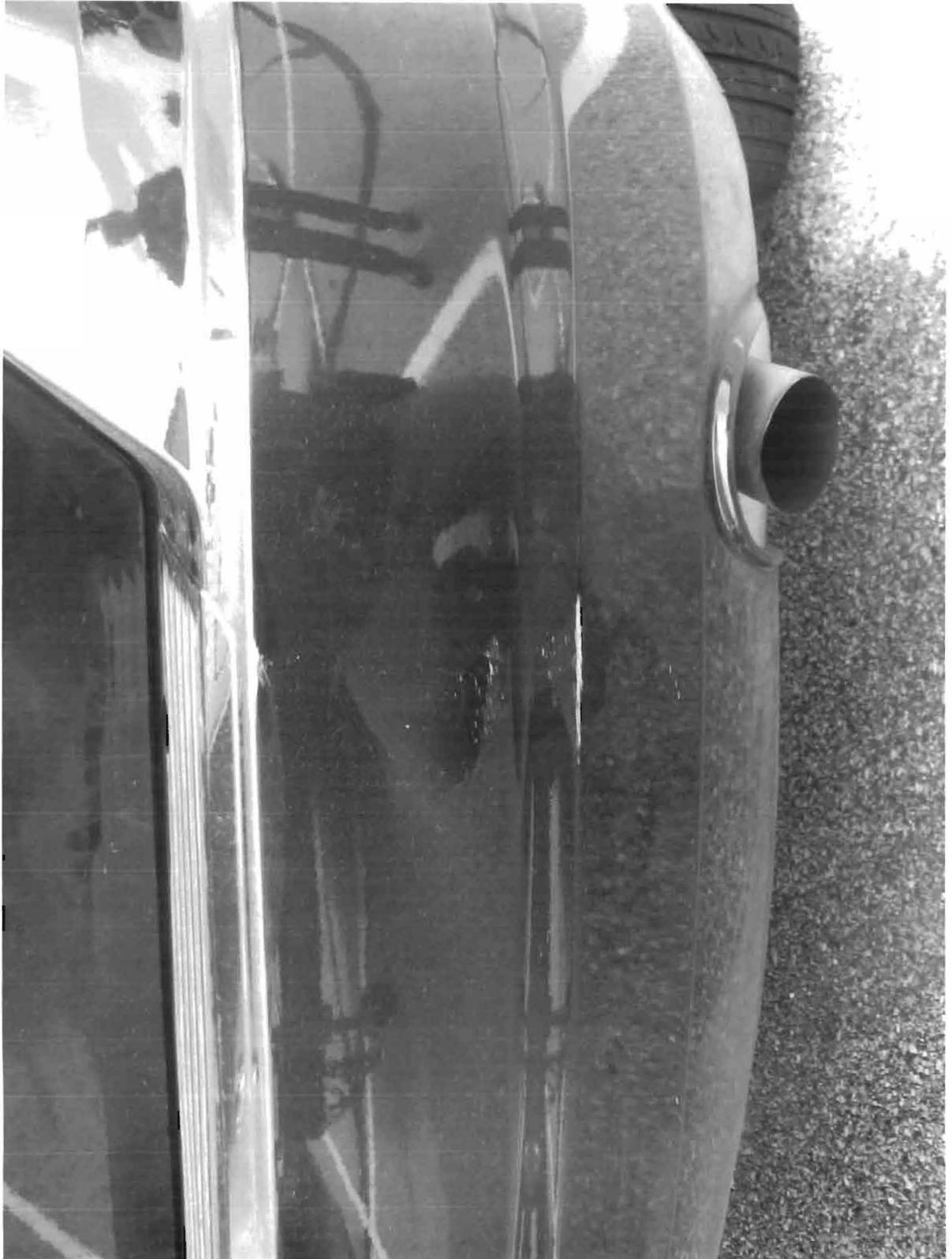




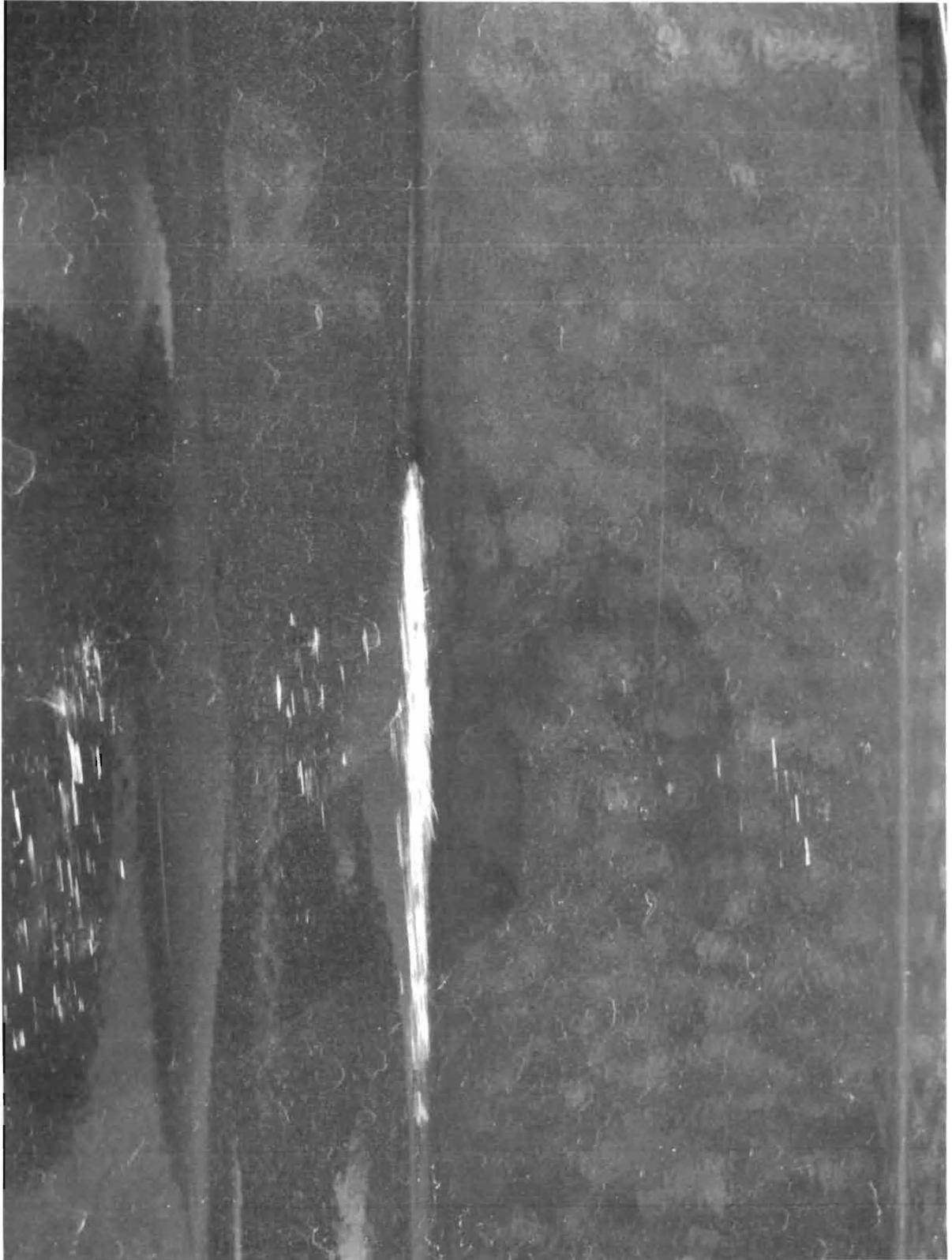
















RECEIVED
WALWORTH COUNTY CLERK
2013 JUN 26 PM 4:07

Request for a Public Hearing

Land Use and Resource
Management Department

June 26, 2013

Kim Bushey
Walworth County Clerk
100 West Walworth Street
Elkhorn, WI 53121

Re: Petitioning the Walworth County Board for a public hearing;
Willow Run Condominium Association, Units 11 and 174

Dear Ms. Bushey:

The Walworth County Land Use Resource Management Department is petitioning the Walworth County Board for a public hearing before the County Zoning Agency with regards to the potential revocation of conditional use permit approvals for units 11 and 174 of the Willow Run Condominium Association for continued violation of the non-permanent residency requirements.

Attached please find an excerpt of the June, 2013 minutes of the Motion made by the County Zoning Agency, and correspondence from Willow Run Condominium Association concerning the same.

Please contact my office with any questions you may have.

Matthew Weidensee,
Land Use Management Planner

MW:so

Enclosures: Excerpt of June 20, 2013 minutes
June 20, 2013 CZA Packet attachments #42 and #43

100 West Walworth Street
P.O. Box 1001
Room 222
Elkhorn, WI 53121
Planning/Zoning/Sanitation/
Conservation Divisions
262.741.4972 tel
262.741.4974 fax
262.741.4973 fax

County Zoning Agency
MINUTES
June 20, 2013 – 4:30 p.m.
100 West Walworth Street
Elkhorn, Wisconsin

Chair Rick Stacey called the meeting to order at 4:30 p.m.

...

New Business – Discussion Items

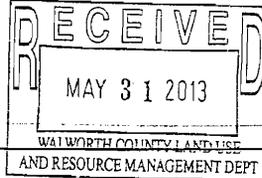
...

5. Discussion / Possible Action re: Permission to proceed with the conditional use permit revocation process for two individual camp units at Willow Run Resort at the request of the Willow Run Condominium Association for continued violation of the non-permanent residency requirements. The properties of concern affect the conditional use approvals for Unit 11, Frances Ciamprone and Unit 174, Veronica Prazza.

Disc Count# 4:54:00 – 4:58:56

Jim Van Dreser motioned to approve permission to send Notice to the County Board to hold a hearing. Seconded by Dave Weber. Motion carried. 7-favor 0-oppose

...



W4945 County Road ES
 Elkhorn, WI 53121-3969
 262-723-6030 Office
 262-723-7869 Fax
 willowrunrv@elknet.net
 www.willowrunrv.com

RV Condominium Association

June 30th, 2013

LURM
 ATTN: Debora L. Grube
 P.O. Box 1001
 Elkhorn, WI 53121

Dear Ms. Grube:

Please be advised that Willow Run Condominium Association has completed its annual update of occupancy data. All residents with the exception of the two listed below are in compliance. These unit owners have been identified as being in violation of the permanent residency requirements of the County and Willow Run for the year 2012-2013.

These unit owners have been continuous violators. As these unit owners have violated the requirements of the Conditional Use Permit and have been served notice of possible loss of such Permit by the County. We ask that you proceed with further action to rescind their Conditional Use Permit. Each of these unit owners has been fined \$10,000.00 by the Association for this current violation. Please keep the Board informed as you proceed.

These unit owners have lived in or had someone else living on a permanent basis, as defined, in their units during the 2012-2013 year:

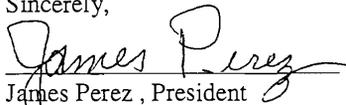
Unit 11 Frances Ciamprone
 468 N Artesian Ave.
 Chicago, IL 60612

Unit 174 Veronica Prazza
 N5890 Voss Rd.
 Elkhorn, WI 53121

cc: Elena Maraviglia
 2312 N 77 Court
 Elmwood Park, IL 60707

Should you require additional information please do not hesitate to contact me.

Sincerely,


 James Perez, President

Willow Run RV Condominium Board of Directors

42



An R.V. Condominium Association

JUN - 6 2012

W4945 County Road ES
Elkhorn, WI 53121-3559
262-723-6030 phone
262-723-7859 fax

June 4th, 2012

LURM
ATT: Debora L. Grube
P.O. Box 1001
Elkhorn, WI 53121

Dear Ms. Grube:

Please be advised that Willow Run Condominium Association has completed its annual update of occupancy data. All residents with the exception of the two listed below are in compliance. These unit owners have been identified as being in violation of the permanent residency requirements of the County and Willow Run for the year 2011-2012.

These unit owners have been continuous violators. As these unit owners have violated the requirements of the Conditional Use Permit and have been served notice of possible loss of such Permit by the County, we ask that you proceed with further action to rescind their Conditional Use Permit. Each of these unit owners has been fined \$10,000.00 by the Association for this current violation. Please keep the Board informed as you proceed.

These unit owners have lived in or had someone else living on a permanent basis, as defined, in their units during the 2011-2012 year:

Unit 11 Frances Ciamprone
458 N Artesian Ave.
Chicago, IL 60612

Unit 174 Veronica Prazza
N5890 Voss Rd.
Elkhorn, WI 53121

cc: Elena Maraviglia
2312 N. 77 Court
Elmwood Park, IL 60707

Should you require additional information please do not hesitate to contact me.

Sincerely,

Patricia A. Triggs, President
Willow Run Condominium Board of Directors

43



Re: Fairest of the Fair
Susan Pruessing to: nhill, Abigail Jensen

06/18/2013 11:59 AM

To The Walworth County Board,

We would like to request that our 2013 Fairest of the Fair Abigail Jensen have a few minutes to speak with the county board on July 9th at 6 p.m. She will be giving a small speech on our 2013 Fair Thank you so much for allowing her to speak. Please confirm that we have been placed on the agenda. Thank you

On Tue, Jun 18, 2013 at 11:28 AM, <nhill@co.walworth.wi.us> wrote:
Hi, Susan -

In the past, you have had the Fairest of the Fair come speak to the Walworth County Board of Supervisors at their August meeting. I am writing to notify you that the County Board will not be holding a meeting in August this year. They will be holding a meeting on Tuesday, July 9, 2013 at 6 p.m. If you would like the Fairest of the Fair to speak to the County Board at this meeting, please submit a request in writing to me by Wednesday, June 26, 2013.

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

Thank You!

Nicole Hill
Walworth County Clerk's Office
[262-741-4244](tel:262-741-4244)
[262-741-4287](tel:262-741-4287) (fax)
nhill@co.walworth.wi.us

--

Susan Pruessing Walworth Co Fair Manager Marketing/Public Relations Sponsorship P.O. Box
286 411 E Court St Elkhorn, WI 53121
262 723 3228
262 949 1545 cell

-SUPPORT OF CLEAN ENERGY CHOICE FOR WISCONSIN-

WHEREAS, Eau Claire County has pursued the goal of becoming more sustainable in its planning, operation, management and policymaking by implementing numerous projects, initiative and policies that save energy, reduce waste and conserve natural resources while supporting a healthy economy; and

WHEREAS, the county has formally adopted sustainability principles including a commitment to reduce and eventually eliminate our community's contribution to fossil fuel dependence and the wasteful use of scarce metals and minerals; and

WHEREAS, Clean Energy Choice will expand market opportunities for Eau Claire County and Wisconsin companies and their employees who are part of the state's vast renewable energy supply chain by integrating locally available renewable energy into our economy and be engaging local manufacturers, distributors and installs, farmers, builders, entrepreneurs and related professional workers; and

WHEREAS, Eau Claire County urges the State of Wisconsin to adopt a policy expressly allowing customers to enter into contracts with third parties who install, own, and operate a renewable energy system at the customer's premises by supporting Clean Energy Choice which will help households and businesses overcome the diminishing supply of renewable energy incentive dollars available from Wisconsin's Focus on Energy program and utilities at no extra cost to ratepayers and taxpayers; and

WHEREAS, current ambiguities in state law make it difficult for customers to access directly clean renewable energy produced on their premises from systems owned by third parties, and more than 20 states have adopted policies expressly authorizing these types of arrangements with third parties; and

WHEREAS, the businesses, residents, schools and local governments in Eau Claire County desire to exercise responsibility over their long-term energy choices and integrate clean energy into their daily lives.

NOW, THEREFORE, BE IT RESOLVED that the Eau Claire County Board of Supervisors joins other Wisconsin citizens, businesses and local governments to endorse Clean Energy Choice as a policy for Wisconsin residents.

BE IT FURTHER RESOLVED that the Eau Claire County Board of Supervisors directs the county clerk to forward this resolution to the governor, representatives for the state legislators, the Wisconsin Counties Association and all Wisconsin counties.

ADOPTED: June 18, 2013

Janet K. Loomis
County Clerk

June 19, 2013

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

Ladies and Gentlemen:

**RESOLUTION IN FAVOR OF FREEZING RENEWABLE ENERGY
REQUIREMENTS AT THE 2011 LEVEL**

WHEREAS, under current law, a retail electric utility or cooperative (electric provider) is subject to certain requirements for ensuring that, in a given year, a specified percentage of the electricity that the electric provider sells to retail customers or members is derived from renewable energy; and

WHEREAS, the utilities and cooperatives were given a baseline percentage with which to comply; and

WHEREAS, in 2010, an electric provider was required to increase its percentage of renewable energy sold to two percentage points above its baseline renewable percentage; and

WHEREAS, in 2011 to 2014, an electric provider is required to ensure that its percentage of renewable energy sold does not decrease below the percentage required in 2010; and

WHEREAS, in 2015, an electric provider is required to increase its percentage of renewable energy sold to six percentage points above its baseline renewable percentage; and

10K

WHEREAS, in 2016, and each year thereafter, an electric provider is required to ensure that its percentage of renewable energy sold does not decrease below the percentage required in 2015; and

WHEREAS, a proposal has been submitted which will freeze the renewable energy requirements at the 2011 levels, and this resolution favors such a freeze.

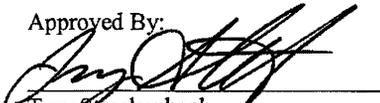
NOW, THEREFORE, BE IT RESOLVED that the Brown County Board of Supervisors favors freezing the renewable energy requirements at the 2011 levels.

BE IT FURTHER RESOLVED, that Brown County Clerk be directed to forward a copy of this resolution to all Wisconsin Counties and the Wisconsin Legislature.

Respectfully submitted,

PLANNING, DEVELOPMENT AND
TRANSPORTATION COMMITTEE

Approved By:


Troy Streckenbach,
COUNTY EXECUTIVE

Date Signed:

6/24/13

Authored by Corporation Counsel

Final Draft Approved by Corporation Counsel

Fiscal Note: This resolution does not have a fiscal impact; and therefore does not require an appropriation from the General Fund.

BOARD OF SUPERVISORS ROLL CALL # 10K(1)

Motion made by Supervisor ERICKSON
 Seconded by Supervisor VANDER LEEST

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

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

Total Votes Cast 26
 Motion: Adopted Defeated Tabled

SOUTHEASTERN WISCONSIN REGIONAL PLANNING COMMISSION

W239 N1812 ROCKWOOD DRIVE • PO BOX 1607 • WAUKESHA, WI 53187-1607 • TELEPHONE (262) 547-6721
FAX (262) 547-1103

Serving the Counties of:

KENOSHA
MILWAUKEE
OZAUKEE
RACINE
WALWORTH
WASHINGTON
WAUKESHA



June 27, 2013

Ms. Kimberly S. Bushey
Walworth County Clerk
Walworth County Government Center
100 West Walworth Street
P.O. Box 1001
Elkhorn, WI 53121-1001

Dear Ms. Bushey:

The Southeastern Wisconsin Regional Planning Commission has been providing planning services for our seven county area for 53 years, and this is the eighth straight year that we have been able to maintain level total budget for the seven counties. The only adjustments made are the relative amount that each County pays based upon the comparative equalized valuation among the seven counties.

In accordance with Section 66.0309(14)(b) of the *Wisconsin Statutes*, the Southeastern Wisconsin Regional Planning Commission hereby certifies to you the property tax levy required in partial support of regional planning in Southeastern Wisconsin in calendar year 2014. That tax levy is set forth in Table 14 of the Commission's calendar year 2014 budget adopted by the Commission on June 19, 2013. A copy of that budget is enclosed.

We trust that this letter and the attached budget document provide all of the information required for Walworth County to make the appropriate budgetary provisions for the continuing support of the Regional Planning Commission.

Should you have any questions concerning this statutory certification, please do not hesitate to write or call.

Very truly yours,

David L. Stroik
Chairman

DLS/EAL/dad
#145581 v5 - TaxLevyWalLtr

Attachment: 2014 SEWRPC Budget

cc: (w/enclosure)
Ms. Nancy Russell, SEWRPC Commissioner
Ms. Nicole Andersen, Deputy County Administrator-Finance
Mr. David Bretl, County Administrator, Walworth County

RECEIVED
WALWORTH COUNTY CLERK
2013 JUN 28 AM 9:02

CALENDAR YEAR 2014 BUDGET

SOUTHEASTERN WISCONSIN
REGIONAL PLANNING COMMISSION

P.O. Box 1607
W239 N1812 Rockwood Drive
Waukesha, Wisconsin
53187-1607

Telephone: (262) 547-6721

Adopted by the Commission on
June 19, 2013

#21387 v2 - BUDGETTITLPG

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#21401 v1 - BUDGETTBLOFCONTENTS

Table 1

SUMMARY OF EXPENDITURES BY PROGRAM

Program	2013 Adopted Budget	Adopted 2014 Budget	Change 2013-2014	
			Amount	Percent
Land Use.....	\$1,564,602	\$1,472,632	-\$91,970	-5.88
Transportation.....	2,594,393	2,451,324	-143,069	-5.51
Water Quality.....	918,135	893,351	-24,784	-2.70
Floodland Management.....	835,364	791,566	-43,798	-5.24
Planning Research.....	486,079	492,129	6,050	1.24
Community Assistance.....	698,535	826,907	128,372	18.38
Economic Development.....	185,855	119,009	-66,846	-35.97
Coastal Management.....	41,257	40,890	-367	-0.89
Total	\$7,324,220	\$7,087,808	-\$236,412	-3.23

Table 2

SUMMARY OF REVENUES BY SOURCE

Program	2013 Adopted Budget	Adopted 2014 Budget	Change 2013-2014	
			Amount	Percent
Federal Grants.....	\$2,750,000	\$3,037,844	\$287,844	10.47
State Grants.....	412,246	402,901	-9,345	-2.27
Service Agreements.....	1,791,729	1,276,818	-514,911	-28.74
Regional Tax Levy*.....	2,370,245	2,370,245	0	0.00
Total	\$7,324,220	\$7,087,808	-\$236,412	-3.23

* See Table 14 for allocation of regional tax levy to counties

Table 3

DETAIL OF EXPENDITURES BY CATEGORY

Category		2013 Adopted Budget	Adopted 2014 Budget	Change 2013-2014	
Type	Item			Amount	Percent
Salaries and Related	Salaries and Wages.....	\$4,026,410	\$3,969,570	-\$56,840	-1.41
	Social Security.....	296,270	292,165	-4,105	-1.39
	Retirement.....	237,965	275,435	37,470	15.75
	Health insurance.....	1,008,585	1,008,612	27	0.00
	Disability/Life insurance.....	20,880	19,686	-1,194	-5.72
	Part-time/overtime pay.....	193,670	235,910	42,240	21.81
	Commissioner meeting fees.....	15,000	15,000	0	0.00
	Subtotal	\$5,798,780	\$5,816,378	\$17,598	0.30
Expenses	Consultant fees.....	\$319,680	\$130,000	-\$189,680	-59.33
	Library acquisition.....	41,500	35,000	-6,500	-15.66
	Office supplies.....	60,000	60,000	0	0.00
	Printing and graphics supplies.....	55,000	40,000	-15,000	-27.27
	Travel.....	36,500	35,000	-1,500	-4.11
	Building usage.....	172,260	172,260	0	0.00
	Building maintenance.....	160,000	170,500	10,500	6.56
	Telephone.....	30,000	30,000	0	0.00
	Postage.....	30,000	30,000	0	0.00
	Insurance, audit, legal fees.....	124,500	109,670	-14,830	-11.91
	Unemployment compensation.....	6,000	5,000	-1,000	-16.67
	Software & equipment maintenance.....	161,500	162,000	500	0.31
	Capital outlay.....	283,500	247,000	-36,500	-12.87
	Rent.....	15,000	15,000	0	N/A
	Other.....	30,000	30,000	0	0.00
Subtotal	\$1,525,440	\$1,271,430	-\$254,010	-16.65	
Total	\$7,324,220	\$7,087,808	-\$236,412	-3.23	

Table 4

DETAIL OF REVENUES BY SOURCE

Type	Source Program	2013 Adopted Budget	Adopted 2014 Budget	Change 2013-2014	
				Amount	Percent
Federal Grants	USDOT Transit (WisDOT).....	\$600,000	\$0	-\$600,000	-100.00
	USDOT Transit (MilwCo).....	150,000	0	-150,000	-100.00
	USDOT Highway (PL).....	1,300,000	3,037,844	1,737,844	133.68
	USDOT Highway (PL-D).....	200,000	0	-200,000	-100.00
	USDOT Highway (STP).....	500,000	0	-500,000	-100.00
	Subtotal	\$2,750,000	\$3,037,844	\$287,844	10.47
State Grants	WISDOT (Normal 3C).....	\$212,246	\$202,901	-\$9,345	-4.40
	WISDNR (Water Quality).....	180,000	180,000	0	0.00
	WISDOA (Coastal Zone).....	20,000	20,000	0	0.00
	Subtotal	\$412,246	\$402,901	-\$9,345	-2.27
Service Agreements	Park and Land Use.....	\$50,000	\$25,000	-\$25,000	-50.00
	Economic Development.....	65,000	52,000	-13,000	-20.00
	Transportation.....	200,000	200,000	0	0.00
	Origin & Destination Study.....	165,679	0	-165,679	-100.00
	Washington County TDP.....	80,000	40,190	-39,810	-49.76
	Re-Monumentation Assistance.....	0	75,000	75,000	N/A
	Wetland Delineation.....	0	100,000	100,000	N/A
	Community Assistance.....	22,311	20,000	-2,311	-10.36
	Water Quality.....	346,890	76,810	-270,080	-77.86
	Stormwater Management.....	478,260	271,360	-206,900	-43.26
	County Surveyor.....	307,071	344,940	37,869	12.33
	Land Information.....	5,000	0	-5,000	-100.00
	Rent.....	71,518	71,518	0	0.00
	Subtotal	\$1,791,729	\$1,276,818	-\$514,911	-28.74
Tax Levy	Regional Support.....	\$2,370,245	\$2,370,245	\$0	0.00
	Total	\$7,324,220	\$7,087,808	-\$236,412	-3.23

Table 5

BUDGET SUMMARY: LAND USE PLANNING PROGRAM

Expenditures

Program	2013 Adopted Budget	Adopted 2014 Budget	Change 2013-2014	
			Amount	Percent
Salaries and Related.....	\$1,285,980	\$1,219,151	-\$66,829	-5.20
Consultant Fees.....	0	0	0	0.00
Other Expenses.....	278,622	253,481	-25,141	-9.02
Total	\$1,564,602	\$1,472,632	-\$91,970	-5.88

Revenues

Program	2013 Adopted Budget	Adopted 2014 Budget	Change 2013-2014	
			Amount	Percent
USDOT Transit (WisDOT).....	\$177,435	\$0	-\$177,435	-100.00
USDOT Transit (Milw Co).....	44,360	0	-44,360	-100.00
USDOT Highway (PL).....	384,450	820,218	435,768	113.35
USDOT Highway (PL-D).....	100,000	0	-100,000	N/A
USDOT Highway (STP).....	147,865	0	-147,865	-100.00
WISDOT (Normal 3C).....	62,767	54,783	-7,984	-12.72
Service Agreements.....	50,000	25,000	-25,000	-50.00
Tax Levy.....	597,725	572,631	-25,094	-4.20
Total	\$1,564,602	\$1,472,632	-\$91,970	-5.88

Table 6

BUDGET SUMMARY: TRANSPORTATION PLANNING PROGRAM

Expenditures

Program	2013 Adopted Budget	Adopted 2014 Budget	Change 2013-2014	
			Amount	Percent
Salaries and Related.....	\$1,976,485	\$2,029,384	\$52,899	2.68
Consultant Fees.....	189,679	0	-189,679	-100.00
Other Expenses.....	428,229	421,940	-6,289	-1.47
Total	\$2,594,393	\$2,451,324	-\$143,069	-5.51

Revenues

Program	2013 Adopted Budget	Adopted 2014 Budget	Change 2013-2014	
			Amount	Percent
USDOT Transit (WisDOT).....	\$344,010	\$0	-\$344,010	-100.00
USDOT Transit (Milw Co).....	86,000	0	-86,000	-100.00
USDOT Highway (PL).....	745,355	1,883,463	1,138,108	152.69
USDOT Highway (PL-D).....	100,000	0	-100,000	N/A
USDOT Highway (STP).....	286,675	0	-286,675	-100.00
WISDOT (Normal 3C).....	121,692	125,799	4,107	3.37
WISDOT (Wash Co TDP).....	80,000	40,190	-39,810	N/A
WISDOT (Origin & Destination)...	159,993	0	-159,993	-100.00
Service Agreements.....	205,686	200,000	-5,686	100.00
Tax Levy.....	464,982	201,872	-263,110	-56.58
Total	\$2,594,393	\$2,451,324	-\$143,069	-5.51

Table 7

BUDGET SUMMARY: WATER QUALITY PLANNING PROGRAM

Expenditures

Program	2013 Adopted Budget	Adopted 2014 Budget	Change 2013-2014	
			Amount	Percent
Salaries and Related.....	\$754,635	\$739,581	-\$15,054	-1.99
Consultant Fees.....	0	0	0	N/A
Other Expenses.....	163,500	153,770	-9,730	-5.95
Total	\$918,135	\$893,351	-\$24,784	-2.70

Revenues

Program	2013 Adopted Budget	Adopted 2014 Budget	Change 2013-2014	
			Amount	Percent
WISDNR (Water Quality).....	\$180,000	\$180,000	\$0	0.00
Service Agreements.....	346,890	76,810	-270,080	-77.86
Tax Levy.....	391,245	636,541	245,296	62.70
Total	\$918,135	\$893,351	-\$24,784	-2.70

Table 8

BUDGET SUMMARY: FLOODLAND MANAGEMENT PLANNING PROGRAM

Expenditures

Program	2013 Adopted Budget	Adopted 2014 Budget	Change 2013-2014	
			Amount	Percent
Salaries and Related.....	\$686,603	\$655,316	-\$31,287	-4.56
Consultant Fees.....	0	0	0	0.00
Other Expenses.....	148,761	136,250	-12,511	-8.41
Total	\$835,364	\$791,566	-\$43,798	-5.24

Revenues

Program	2013 Adopted Budget	Adopted 2014 Budget	Change 2013-2014	
			Amount	Percent
Service Agreements.....	\$478,260	\$271,360	-\$206,900	-43.26
Tax Levy.....	357,104	520,206	163,102	45.67
Total	\$835,364	\$791,566	-\$43,798	-5.24

Table 9

BUDGET SUMMARY: PLANNING RESEARCH PROGRAM

Expenditures

Program	2013 Adopted Budget	Adopted 2014 Budget	Change 2013-2014	
			Amount	Percent
Salaries and Related.....	\$399,519	\$390,863	-\$8,656	-2.17
Consultant Fees.....	0	20,000	20,000	0.00
Other Expenses.....	86,560	81,266	-5,294	-6.12
Total	\$486,079	\$492,129	\$6,050	1.24

Revenues

Program	2013 Adopted Budget	Adopted 2014 Budget	Change 2013-2014	
			Amount	Percent
USDOT Transit (WisDOT).....	\$78,555	\$0	-\$78,555	-100.00
USDOT Transit (Milw Co).....	19,640	0	-19,640	-100.00
USDOT Highway (PL).....	170,195	334,163	163,968	96.34
USDOT Highway (STP).....	65,460	0	-65,460	-100.00
WISDOT (Normal 3C).....	27,787	22,319	-5,468	-19.68
Service Agreements.....	0	100,000	100,000	0.00
Tax Levy.....	124,442	35,647	-88,795	-71.35
Total	\$486,079	\$492,129	\$6,050	1.24

Table 10

BUDGET SUMMARY: COMMUNITY ASSISTANCE PLANNING PROGRAM

Expenditures

Program	2013 Adopted Budget	Adopted 2014 Budget	Change 2013-2014	
			Amount	Percent
Salaries and Related.....	\$508,387	\$634,901	\$126,514	24.89
Consultant Fees.....	80,000	60,000	-20,000	-25.00
Other Expenses.....	110,148	132,006	21,858	19.84
Total	\$698,535	\$826,907	\$128,372	18.38

Revenues

Program	2013 Adopted Budget	Adopted 2014 Budget	Change 2013-2014	
			Amount	Percent
Service Agreements.....	\$405,900	\$511,458	\$105,558	26.01
Tax Levy.....	292,635	315,449	22,814	7.80
Total	\$698,535	\$826,907	\$128,372	18.38

Table 11

BUDGET SUMMARY: ECONOMIC DEVELOPMENT ASSISTANCE PROGRAM

Expenditures

Program	2013 Adopted Budget	Adopted 2014 Budget	Change 2013-2014	
			Amount	Percent
Salaries and Related.....	\$152,758	\$98,524	-\$54,234	-35.50
Consultant Fees.....	0	0	0	0.00
Other Expenses.....	33,097	20,485	-12,612	-38.11
Total	\$185,855	\$119,009	-\$66,846	-35.97

Revenues

Program	2013 Adopted Budget	Adopted 2014 Budget	Change 2013-2014	
			Amount	Percent
Service Agreements.....	\$65,000	\$52,000	-\$13,000	-20.00
Tax Levy.....	120,855	67,009	-53,846	-44.55
Total	\$185,855	\$119,009	-\$66,846	-35.97

Table 12

BUDGET SUMMARY: COASTAL MANAGEMENT PROGRAM

Expenditures

Program	2013 Adopted Budget	Adopted 2014 Budget	Change 2013-2014	
			Amount	Percent
Salaries and Related.....	\$33,910	\$33,852	-\$58	-0.17
Consultant Fees.....	0	0	0	0.00
Other Expenses.....	7,347	7,038	-309	-4.21
Total	\$41,257	\$40,890	-\$367	-0.89

Revenues

Program	2013 Adopted Budget	Adopted 2014 Budget	Change 2013-2014	
			Amount	Percent
WISDOA (Coastal Zone).....	\$20,000	\$20,000	\$0	0.00
Tax Levy.....	21,257	20,890	-367	-1.73
Total	\$41,257	\$40,890	-\$367	-0.89

Table 13

BUDGET SUMMARY: STREAM GAGING PROGRAM*

Expenditures

Program	2013 Adopted Budget	Adopted 2014 Budget	Change 2013-2014	
			Amount	Percent
Contract with U.S. Geological Survey to Operate 15 Stream Gaging Stations and Publish Data.....	\$187,500	\$174,000	-\$13,500	-7.20
Total	\$187,500	\$174,000	-\$13,500	-7.20

Revenues

Program	2013 Adopted Budget	Adopted 2014 Budget	Change 2013-2014	
			Amount	Percent
Kenosha Sewer and Water Utility.....	\$6,250	\$6,100	-\$150	-2.40
Racine Sewer and Water Utility.....	6,250	6,100	-150	-2.40
City of Delafield	6,250	3,050	-3,200	-51.20
Upper Nemahbin Lake Management District.....	0	3,050	3,050	N/A
Milwaukee Metropolitan Sewerage District.....	50,000	48,800	-1,200	-2.40
Waukesha County.....	25,000	24,400	-600	-2.40
U.S. Geological Survey.....	93,750	82,500	-11,250	-12.00
Total	\$187,500	\$174,000	-\$13,500	-7.20

* This Program is administered by SEWRPC outside of the normal SEWRPC budget.

Table 14

ALLOCATION OF REGIONAL TAX LEVY TO COUNTIES

County	2013 Adopted Budget	Adopted 2014 Budget	Change 2013-2014	
			Amount	Percent
Kenosha.....	\$182,405	\$177,145	-\$5,260	-2.88
Milwaukee.....	812,460	808,715	-3,745	-0.46
Ozaukee.....	142,370	144,795	2,425	1.70
Racine.....	200,010	197,580	-2,430	-1.21
Walworth.....	194,975	192,030	-2,945	-1.51
Washington.....	179,105	181,820	2,715	1.52
Waukesha.....	658,920	668,160	9,240	1.40
Total	\$2,370,245	\$2,370,245	\$0	0.00

NOTES:

1. The allocation for 2014 is based on the distribution of the 2012 equalized valuation of the Region by county, the most recent such data available at the time of the preparation of the SEWRPC budget.
2. The Commission is permitted by law to levy up to 0.00300 percent of the equalized value of the Region. The 2007 rate was 0.00147; the 2008 rate was 0.00133; the 2009 rate was 0.00125; the 2010 rate was 0.00123; the 2011 rate was 0.00124; the 2012 rate was 0.00130; the 2013 rate was 0.00133; the 2014 rate is 0.00140.
3. The Commission budget represents the eighth straight year of a no change or decrease in the tax levy assessed to the Region.

Table 15

BUDGET SUMMARY BY REVENUE

Revenues	2013 Adopted Budget	Adopted 2014 Budget
Continuing Program		
Federal Grants.....	\$2,750,000	\$3,037,844
State Grants.....	\$492,246	\$402,901
Regional Support.....	\$2,370,245	\$2,370,245
Subtotal	\$5,612,491	\$5,810,990
Service Agreement Revenues.....	\$1,546,050	\$1,276,818
Origin & Destination Travel Study.....	\$165,679	\$0
Total	\$7,324,220	\$7,087,808

RECEIVED
WALWORTH COUNTY CLERK

2013 JUN 26 AM 8:50



WISCONSIN
HISTORICAL
SOCIETY

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

Name of property: Whitewater Passenger Depot

Location: 301 W. Whitewater Street, Whitewater, Walworth County, Wisconsin

Date of Entry: June 12, 2013

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

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

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

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

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

Collecting, Preserving and Sharing Stories Since 1846

816 State Street Madison, Wisconsin 53706

wisconsinhistory.org

RECEIVED
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JUN 27 AM 8:46
STATE REPRESENTATIVE
ANDY JORGENSEN

43rd ASSEMBLY DISTRICT • ASSEMBLY DEMOCRATIC CAUCUS CHAIR

June 24, 2013

Walworth County Board of Supervisors
c/o Kimberly S. Bushey
100 West Walworth
P.O. Box 1001
Elkhorn, WI 53121

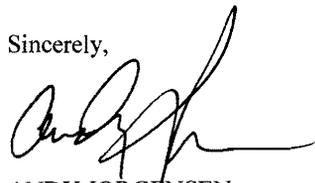
Dear Kimberly:

Thank you for providing my office with the Walworth County Board's resolutions regarding bail bondsmen and absentee ballots. It is a privilege serving in the Wisconsin State Assembly and I appreciate hearing the board's thoughts on these matters.

I share the board's concerns with bail bondsmen in Wisconsin, as well as setting regulations for issues controlled by local municipalities. The resolutions you presented me offer good insight as to what local opinions are on both the bail bondsman and the setting of hours for obtaining absentee ballots. 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 this resolution, Kimberly. I truly appreciate the time the Walworth County Board of Supervisors took to adopt resolutions relating to bail bondsman and absentee ballots. 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





County Clerk

Kimberly S. Bushey
County Clerk

July 9, 2013 – Walworth County Board Meeting

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

- There was none.

100 W. Walworth
PO Box 1001
Elkhorn, WI 53121
262.741.4241 tel
262.741.4287 fax

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
Citizens Bank of Mukwonago, Douglas R. Bruins, President	Lafayette Township Tax Parcel KA2300-1	Rezone 3.07 acres of B-5 Planned Commercial Recreational Business District to A-5 Agricultural Rural Residential District.	July 9 th , 2013
William M. & Lorraine A. Norem	Lafayette Township Tax Parcel K LF-18-1C & part of Tax Parcel KA1640-2	Rezone 10.5 acres of R-5 Planned Residential Development District and A-2 Agricultural District to A-5 Agricultural Rural Residential District.	July 9 th , 2013
Mark & Kathy Gorecki	Sugar Creek Township Part of Tax Parcel GA3561-1	Rezone 1.48 acres of A-1 Prime Agricultural District and A-5 Agricultural Rural Residential District to A-4 Agricultural Related Manufacturing, Warehousing and Marketing District.	July 9 th , 2013
J&J Fabricating Real Estate LLC, Jeff Reed Owner/Applicant	Linn Township Part of Tax Parcel I L-21-10	Rezone .65 acres of R-1 Single Family Residential District to M-1 Industrial District.	July 9 th , 2013
Eugene & Donna Frodl	Whitewater Township Part of Tax Parcel D W-32-1	Rezone 40.33 acres of M-3 Mineral Extraction District to 34.90 acres of A-1 Prime Agricultural District and 5.43 acres of A-5 Agricultural Rural Residential District.	July 9 th , 2013

Said petition/s is hereby referred to the County Zoning Agency as the Zoning Agency of this County, which is hereby directed to hold one or more public hearings on the changes proposed in said petition/s, pursuant to Section 59.69(5) (e) Wisconsin Statutes. Copies

of said petitions are available for review on the Walworth County Website at
(www.co.walworth.wi.us).

Dated this _____ day of _____, 2013.

County Clerk

Cc: County Supervisor Joe Schaefer
County Supervisor Tim Schiefelbein
County Supervisor Richard Brandl
County Supervisor Tim Brellenthin

June 20, 2013
June 20, 2013 - expanded

Please include the following County Zoning Agency items on the July 9, 2013, County Board agenda:

Rezones:

1. David A Hernandez and Tereasa Surratt – Anthony Colletti applicant, Section 2, Sugar Creek Township. Rezone 3.12 acres of R-1 Single Family Residential District to P-1 Recreational Park District to allow for conditional use approval. Tax Parcels GLW 00280, GLW 00381 and parts of Tax Parcels G SC 200001 and G SC 200007.

Approved 7 – 0 at the June 20, 2013, Zoning Agency public hearing.

Conformance with County Land Use Plan: The Walworth County 2035 Land Use Plan identifies this area as part Governmental and Institutional, part Urban Density Residential (less than 5 acres per dwelling) and part Primary Environmental land use categories. All of the property is within the shoreland of Wandawega Lake.

2. Adam Friemoth and Donald Barker, Section 12, Lafayette Township. Rezone 5.28 acres of A-2 Agricultural District to A-1 Prime Agricultural District and 5.28 acres of the A-1 District to the A-2 district. Parts of Tax Parcels K LF-1200002 and K LF1200002E.

Approved 7 – 0 at the June 20, 2013, Zoning Agency public hearing.

Conformance with County Land Use Plan: The County 2035 Land Use Plan identifies this area as the Prime Agricultural land use category. The rezone is a transfer of farmlands. The A-1 rezone is being replaced with non-A-1 land with similar soils resulting in no net loss of A-1 zoned lands.

Resolution No. 38-07/13
Supporting Efforts To Maintain the Tax-exempt Status of Municipal Bonds

1 Moved/Sponsored by: Executive Committee

2
3 **WHEREAS**, on April 10, 2013, the White House sent Congress a \$3.78 trillion 2014 budget
4 proposal, which included a proposed revenue increase to come from a reduction in the value of
5 certain tax benefits, including tax-exempt interest on municipal bonds; and,

6
7 **WHEREAS**, the tax-exempt status of municipal bonds is nearly a century old and is vital to
8 funding local infrastructure and economic development; and,

9
10 **WHEREAS**, any move to change the current tax treatment of local government bonds would
11 lead to higher borrowing costs for local governments; and,

12
13 **WHEREAS**, without tax-exempt financing, much needed infrastructure improvements would
14 likely be delayed; and,

15
16 **WHEREAS**, tax-exempt bonds are a critical tool for Wisconsin counties that facilitates the
17 budgeting and financing of long-term investments in the infrastructure and facilities necessary to
18 meet public demand for government services; and,

19
20 **WHEREAS**, at a time when infrastructure demands are great, increasing the cost of local
21 government borrowing could have serious impacts on the national, state and local economies;
22 and,

23
24 **WHEREAS**, without the tax exemption, the effectiveness of the bond market would be
25 significantly dampened, creating higher borrowing costs for county governments, less investment
26 in infrastructure and fewer jobs; and,

27
28 **WHEREAS**, the Government Finance Officers of the United States and Canada officially
29 opposes any limitations on municipal bond tax exemption provisions in the federal tax code
30 because of their potential costs to state and local governments.

31
32 **NOW, THEREFORE, BE IT RESOLVED** that the Walworth County Board of Supervisors
33 hereby supports maintaining the current tax-exempt status of municipal bonds.

34
35 **BE IT FURTHER RESOLVED** that the County Clerk send a copy of this resolution to United
36 States 1st Congressional District Representative Paul Ryan and Senators Tammy Baldwin and
37 Ron Johnson.

38
39
40
41 _____
42 Nancy Russell
43 County Board Chair

Kimberly S. Bushey
County Clerk

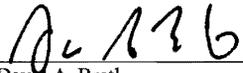
1 County Board Meeting Date: July 9, 2013

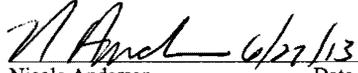
2

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:

 6/27/13
Date
David A. Bretl
County Administrator/Corporation Counsel

 6/27/13
Date
Nicole Andersen
Deputy County Administrator - Finance

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

Policy and Fiscal Note
Resolution No. 38-07/03

- I. **Title:** Supporting Efforts To Maintain the Tax-exempt Status of Municipal Bonds

- II. **Purpose and Policy Impact Statement:** The purpose of this advisory resolution is to support efforts to maintain the tax-exempt status of municipal bonds and to oppose any change by the United States Congress to that status.

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

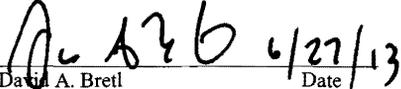
- IV. **Referred to the following standing committees for consideration and date of referral:**

Committee: Executive Meeting Date: June 17, 2013

Vote: 5 - 0

County Board Meeting Date: July 9, 2013

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

 _____ David A. Bretl County Administrator/Corporation Counsel	 _____ Nicole Andersen Deputy County Administrator – Finance
--	---

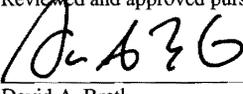
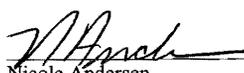
If unsigned, exceptions shall be so noted by the County Administrator.

Resolution No. 39-07/13
Recognizing Marilyn Putz for Her Service to Walworth County

1 Moved/Sponsored by: Executive Committee
2
3 **WHEREAS**, Marilyn Putz, Walworth County Job Center Manager and a Vice-President of the
4 Kaiser Group, is retiring after 30 years of dedicated service; and,
5
6 **WHEREAS**, Ms. Putz served on the planning and development team for the Walworth County
7 Job Center prior to its opening in 1990; and,
8
9 **WHEREAS**, throughout her tenure with the Kaiser Group and the Job Center, Ms. Putz has
10 administered State Workforce Investment Act (WIA) employment and training programs for the
11 county, and currently serves as the Director of Operations for Kaiser programs in Walworth
12 County; and,
13
14 **WHEREAS**, Ms. Putz also manages the Children First and Food Stamp Employment Training
15 programs at the Job Center; and,
16
17 **WHEREAS**, Ms. Putz was a founding member of the Walworth County Literacy Council and
18 has served as president since its formation in 2005; and,
19
20 **WHEREAS**, she has served on the boards of directors of the Community Action and Head Start
21 agencies, and is active in other community and family-based organizations in the county.
22
23 **NOW, THEREFORE, BE IT RESOLVED** that the Walworth County Board hereby thanks
24 Marilyn Putz for many years of dedicated service to Walworth County and involvement in the
25 community service organizations in the county.
26
27 **BE IT FURTHER RESOLVED** that the Board congratulates Ms. Putz on her retirement and
28 wishes her the best of luck.
29
30
31
32 _____
33 Nancy Russell
34 County Board Chair
35
36 _____
37 Kimberly S. Bushey
County Clerk

County Board Meeting Date: July 9, 2013

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

Policy and Fiscal Note is attached. Reviewed and approved pursuant to Section 2-91 of the Walworth County Code of Ordinances:	
 _____ David A. Bretl County Administrator/Corporation Counsel	 _____ Nicole Andersen Deputy County Administrator - Finance
Date <u>6/27/13</u>	Date <u>6/27/13</u>
If unsigned, exceptions shall be so noted by the County Administrator.	

Policy and Fiscal Note
Resolution No. 39-07/13

- I. **Title:** Recognizing Marilyn Putz for Her Service to Walworth County

- II. **Purpose and Policy Impact Statement:** The purpose of this resolution is to recognize Marilyn Putz, a Vice-President and Director of Operations for State Workforce Investment Act (WIA) programs for the Kaiser Group at the Walworth County Job Center.

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

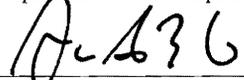
- IV. **Referred to the following standing committees for consideration and date of referral:**

Committee: Executive Meeting Date: June 17, 2013

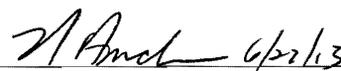
Vote: 5 - 0

County Board Meeting Date: July 9, 2013

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

 6/27/13

Date
David A. Bretl
County Administrator/Corporation Counsel

 6/27/13

Date
Nicole Andersen
Deputy County Administrator -- Finance

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

ORDINANCE NO. 787 – 07/13

AMENDING SECTION 15-17 OF THE WALWORTH COUNTY CODE OF
ORDINANCES RELATING TO THE ELIMINATION OF CONTRACTS AND THE
CREATION OF POSITIONS IN HEALTH & HUMAN SERVICES

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

3
4 PART I: That Section 15-17 in Division 2 of Article I of Chapter 15 of the Walworth
5 County Code of Ordinances is hereby amended to read as follows:

6
7 “Sec. 15-17. Authorized positions by department.

8
9 (j) *Health & Human Services*

10	CLASSIFICATION TITLE	FTE
11		
12		
13	Account Clerk III	2.00
14	Associate Nutrition Specialist	1.00
15	Behavior Analyst	1.00
16	Child Support Lead Worker	1.00
17	Clerk I	1.00
18	Clerk II	4.60
19	Clerk III	1.00
20	Clerk IV	15.00
21	Deputy Director – Health & Human Services	1.75
22	Director – Health & Human Services	1.00
23	Economic Support Lead Worker	1.00
24	Economic Support Specialist	16.00
25	Economic Support Specialist (Project Position)	6.00
26	Energy Assistance Coordinator	1.00
27	Environmental Health Specialist	1.00
28	HS Manager-Aging & Long Term Care	1.00
29	HS Manager- Behavioral Health Services	1.00
30	HS Manager-Community Support Services	1.00
31	HS Manager- Children’s Services	1.00
32	HS Manager-Public Health	1.00
33	HS Specialist I	54.25 54.88
34	HS Specialist I (AODA Grant)	2.00
35	HS Specialist II	1.00
36	HS Specialist III	9.00 10.00
37	HS Specialist IV	2.00
38	HS Supervisor-Administration	1.00
39	HS Supervisor-ADRC	1.00

1	HS Supervisor-Child Support	1.00
2	HS Supervisor-Community Support Case Management	1.00
3	HS Supervisor-Community Support Program	1.00
4	HS Supervisor-Crisis Intervention	1.00
5	HS Supervisor-Economic Support	2.00
6	HS Supervisor-Fiscal Support	1.00
7	HS Supervisor-Juvenile Court Intake/Child Abuse & Neglect	1.00
8	HS Supervisor-Nutrition	1.00
9	HS Supervisor-Ongoing Case Management	1.00
10	HS Supervisor-Public Health	1.00
11	HS Supervisor-Support Services	1.00
12	HS Supervisor-Transportation	1.00
13	HS Supervisor-WIC	1.00
14	HS Worker IV	2.00
15	<u>Medicare Specialist</u>	<u>0.20</u>
16	Nutrition Site Worker	1.87
17	Nutrition Specialist	1.00
18	Paternity Specialist	1.00
19	Physician Support Assistant	1.00
20	Public Health Nurse BSN	4.00
21	Receptionist/Clerk	4.04
22	Registered Occupational Therapist	1.00
23	RN (Mental Health)	1.00 <u>2.00</u>
24	Secretary – Confidential	1.00
25	Senior Accountant ¹	1.75
26	Support Specialist	5.00
27	Teacher	1.00
28	Van Driver	3.40
29	Total Health & Human Services FTEs	172.66 <u>175.49</u>
30	¹ Reports to Finance	
31		
32	(t) Grand Total – County FTEs	799.80 <u>802.63</u> ”
33		

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

35
36 **PASSED and ADOPTED** by the Walworth County Board of Supervisors this 9th day of July
37 2013.

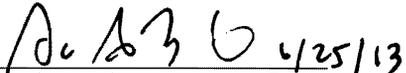
41 _____
42 Nancy Russell
43 County Board Chair

41 _____
42 Kimberly S. Bushey
43 Attest: County Clerk

County Board Meeting Date: July 9, 2013

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	Nicole Andersen
County Administrator/Corporation Counsel	Deputy County Administrator-Finance
Date 6/25/13	Date 6/27/13

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

ORDINANCE NO. 788 – 07/13

**AMENDING SECTION 15-359 OF THE WALWORTH COUNTY CODE OF
ORDINANCES RELATING TO SPECIAL PAY PREMIUMS FOR CERTAIN LHCC
EMPLOYEES**

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

1 **PART I: That Section 15-359 of the Walworth County Code of Ordinances is hereby**
 2 **amended to read as follows (additions shown by underline; deletions shown by strike-**
 3 **through):**
 4

5 **“Sec. 15-359. Special pay premiums.**

6 (b) Any premium listed below is paid on productive hours only.
 7
 8

Type of Premium	How Much	Who	Special Notes
Weekend Differential	\$2.00/hour	All LHCC employees scheduled to work weekends excluding RN's, and LPN's, <u>Maintenance Coordinator and Maintenance Technicians</u>	For an employee who works additional straight-time hours on weekends in excess of their normally scheduled weekend hours, as long as the extra hours are not a result of employee-initiated trade days. A weekend is defined as a period beginning with the 3rd shift on Friday through the 2nd shift on Sunday.

9
 10 **PART II: This ordinance shall become effective upon passage and publication.**
 11

12 **PASSED and ADOPTED** by the Walworth County Board of Supervisors this 9th day of July
 13 2013.
 14
 15

16
 17 _____
 18 Nancy Russell
 19 County Board Chair

 Kimberly S. Bushey
 Attest: County Clerk

20 County Board Meeting Date: July 9, 2013

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

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
Date 6/25/13	Date 6/25/13
If unsigned, exceptions shall be so noted by the County Administrator.	

ORDINANCE NO. 789 – 07/13

AMENDING SECTION 15-337 OF THE WALWORTH COUNTY CODE OF
ORDINANCES RELATING TO REINSTATEMENT OF PAY AND BENEFITS FOR
EMPLOYEES REINSTATED FROM LAYOFF

THE WALWORTH COUNTY BOARD OF SUPERVISORS DOES ORDAIN AS
FOLLOWS:

1 **PART I: That Section 15-337 of the Walworth County Code of Ordinances is hereby**
2 **amended to read as follows (additions shown by underline; deletions shown by strike-**
3 **through):**

4
5 **Sec. 15-337. Reinstatement of pay or benefits.**

6
7 Pay and benefits for an employee reinstated pursuant to section 15-92, shall be as
8 follows:

9
10 (1) The employee may be placed above the minimum rate with consideration given to
11 the pay level the employee previously attained as a county employee. The next
12 step review date shall be based on the reinstatement date.

13
14 (2) If reinstated into a regular position, the employee will be credited with county
15 service equal to that attained at the time of separation as well as the time spent on
16 layoff, resulting in more favorable vacation accrual.

17
18 (3) If reinstated into a health insurance eligible position (0.75 FTE or higher), the
19 employee's original date of hire with the county will determine which health
20 insurance plan they would be eligible to enroll in. In the case of a reinstated
21 employee who was enrolled in the tier 1 health plan at the time of their layoff, and
22 are reinstated to a non-health insurance eligible position (0.74 FTE or lower), they
23 will continue to hold "grandfathered" status for tier 1 coverage and for coverage
24 in a position of 0.50 to 0.74 FTE pursuant to 15-531 (a)(1)(c), as long as they
25 were enrolled in the tier 1 health plan on November 1, 2012.

26
27 ~~(3)~~ (4) For other benefit purposes the reinstated employee shall be considered a new
28 hire."

29
30 **PART II: The ordinance shall be effective upon passage and publication.**

31
32 **PASSED and ADOPTED** by the Walworth County Board of Supervisors this 9th day of July
33 2013.

34
35
36 _____
37 Nancy Russell
County Board Chair

35
36 _____
37 Kimberly S. Bushey
Attest: County Clerk

1 County Board Meeting Date: July 9, 2013

2 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:

 6/25/13
David A. Bretl Date
County Administrator/Corporation Counsel

 6/25/13
Nicole Andersen Date
Deputy County Administrator - Finance

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

ORDINANCE NO. 790 – 07/13

AMENDING SECTION 15-17 OF THE WALWORTH COUNTY CODE OF ORDINANCES RELATING TO THE RECLASSIFICATION OF A PROPERTY TAX SPECIALIST TO AN ACCOUNT CLERK IV IN THE TREASURER’S OFFICE

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

3
4 PART I: That Section 15-17 in Division 2 of Article I of Chapter 15 of the Walworth
5 County Code of Ordinances is hereby amended to read as follows:

6
7 “Sec. 15-17. Authorized positions by department.

8
9 (q) Treasurer

CLASSIFICATION TITLE	FTE
Account Clerk I	0.05
Account Clerk II	2.00
Account Clerk IV	1.00
Accountant	1.00
Clerk III ¹	0.09
County Treasurer (elected)	1.00
Property Tax Specialist	1.00
Receptionist/Clerk ¹	0.19
Total Treasurer FTEs	5.33

¹Reports to Children with Disabilities Education Board

22
23
24 PART II: This ordinance shall become effective upon passage and publication.

25
26 PASSED and ADOPTED by the Walworth County Board of Supervisors this 9th day of July
27 2013.

28
29
30 _____
31 Nancy Russell
32 County Board Chair

Kimberly S. Bushey
Attest: County Clerk

33 County Board Meeting Date: July 9, 2013

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:

 6/25/13

David A. Bretl Date
County Administrator/Corporation Counsel

 6/27/13

Nicole Andersen Date
Deputy County Administrator-Finance

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

Ordinance No. 790-07/13
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 Property Tax Specialist to an Account Clerk IV in the Treasurer's Office
- II. Purpose and Policy Impact Statement:** The purpose of this ordinance amendment is to reclassify the vacant Property Tax Specialist position to an Account Clerk IV.
- III. Is this a budgeted item and what is its fiscal impact:** The Property Tax Specialist position is a budgeted item in 2013. The reclassification of this vacant position to an Account Clerk IV will result in an annual savings of \$10,045 and a savings in 2013 of \$12,909.
- IV. Referred to the following standing committee(s) for consideration and date of referral:**

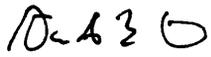
Committee: Human Resources Committee

Date: June 19, 2013

Vote: 5 – 0

County Board Meeting Date: July 9, 2013

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

 6/25/13
Date
David A. Bretl
County Administrator/Corporation Counsel

 6/27/13
Date
Nicole Andersen
Deputy County Administrator-Finance

ORDINANCE NO. 792 – 07/13

AMENDING SECTION 15-324 OF THE WALWORTH COUNTY CODE OF ORDINANCES RELATING TO THE FAMILY COURT COMMISSIONER SALARY

THE WALWORTH COUNTY BOARD OF SUPERVISORS DOES ORDAIN AS FOLLOWS:

1 PART I: That Section 15-324 of the Walworth County Code of Ordinances is hereby
2 amended to read as follows (additions shown by underline; deletions shown by strike-
3 through):

4
5 "Sec. 15-324. - Performance based compensation for certain employees.

6
7 (10) Notwithstanding (1), the following employees shall not be included in the
8 performance-based compensation plan:

9
10 a. ~~Family court commissioner. The salary of the family court commissioner shall be
11 established annually by resolution of the county board.~~

12
13 b a. The following classification titles of the Q pay plan"

14
15 PART II: The ordinance shall be effective upon passage and publication.

16
17 PASSED and ADOPTED by the Walworth County Board of Supervisors this 9th day of July
18 2013.

19
20
21
22
23 _____
24 Nancy Russell
25 County Board Chair

26 Kimberly S. Bushey
27 Attest: County Clerk

28 County Board Meeting Date: July 9, 2013

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

Policy and Fiscal Note is attached.
Reviewed and approved pursuant to Section 2-91 of the Walworth County Code of Ordinances:
David A. Bretl 6/27/13
Nicole Andersen 6/27/13
County Administrator/Corporation Counsel Deputy County Administrator - Finance
If unsigned, exceptions shall be so noted by the County Administrator.

