



**WALWORTH COUNTY BOARD OF SUPERVISORS  
MEETING**

**TUESDAY, FEBRUARY 9, 2016 AT 2:00 P.M.**

County Board Room  
Walworth County Government Center  
100 W. WALWORTH STREET  
ELKHORN, WI  
*Nancy Russell – Chair*  
*Richard Brandl – Vice-Chair*

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**A G E N D A – AMENDED FEBRUARY 1, 2016**

**Call to Order**

**Pledge of Allegiance**

**Invocation**

- **Richard Brandl, Walworth County Board Supervisor, District #9**

**Roll Call**

**Withdrawals from Agenda, if any**

**Approval of the Agenda**

**Approval of the Minutes**

**Pgs. 1-5**

- January 12, 2016 County Board Meeting

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

[Pursuant to Section 2-68 (7) of the Walworth County Code of Ordinances, "Public comment shall not be permitted with respect to any zoning item that has been the subject of a previously noticed public hearing."]

**Special Order of Business**

- Government Finance Officers Association (GFOA) Certificate of Achievement for Excellence in Financial Reporting for Fiscal Year Ended December 31, 2014

**Appointments/Elections**

**Pgs. 6-7**

1. Agriculture and Extension Education Committee
  - Rosalie Riewer – Two-year term to begin upon confirmation and end on December 31, 2017 (Recommended by the Executive Committee 5-0)

**Pgs. 8-9**

2. Civil Service Board
  - James Nerud – Five-year term to begin upon confirmation and end on December 31, 2020 (Recommended by the Executive Committee 5-0)

**Pgs. 10-11**

3. Veterans Service Commission
  - John W. Allen – Three-year term to begin upon confirmation and end on December 31, 2018 (Recommended by the Executive Committee 5-0)

- Pgs. 12-13
4. Walworth County Metropolitan Sewerage District (WalCoMet)
- Douglas Snyder – Five-year term to begin upon confirmation and end on February 28, 2021 (Recommended by the Executive Committee 5-0)
- Pgs. 14-16
- Ron Henriott – Term to begin upon confirmation and end on February 28, 2019 (Recommended by the Executive Committee 5-0)
- Page 17
- David Bourenske – Term to begin upon confirmation and end on April 30, 2016 (Recommended by the Land Conservation Committee 5-0)

#### **Communications and Matters to Be Referred**

- Pgs. 18-32
1. Claims Received After Agenda Mailing
  2. Claims: a) Claim for Damaged Property received from Kristi Herek; b) Summons and Complaint – Consuelo V. Valdes, as Special Administrator, et al. v. Kurt Picknell, Sheriff of Walworth County, et al. (To be referred to the Executive Committee)
- Pgs. 33-39
3. Outagamie County Resolution No. 117-2015-16 – Supporting proposed legislation to make the guidelines and fees for issuing a marriage license and a domestic partnership license the same and allows updates to information that is statutorily required to be distributed with any marriage license application as well as the way the information can be distributed (To be referred to Executive Committee)
- Pgs. 40-44
4. Outagamie County Resolution No. 118-2015-16 – Opposing proposed legislation relating to the referral of cases of suspected or threatened child abuse or neglect to the sheriff or police department, coordination of the investigation of those cases and referral of those cases to the district attorney for criminal prosecution (To be referred to the Executive Committee)
- Pgs. 45-52
5. Outagamie County Resolution No. 120-2015-16 – Opposing any legislation which would allow a dairy farmer to sell unpasteurized (raw) milk and raw milk products (To be referred to the Health and Human Services Board)
- Pgs. 53-56
6. Correspondence from Wisconsin Counties Association regarding Call for Applications/Nominations (To be placed on file)
- Pgs. 57-59
7. Report of the County Clerk Regarding Communications Received by the Board and Recommended to be Placed on File
  8. Report of the County Clerk Regarding Communications Received by the Board After the Agenda Mailing
- Page 60
9. Report of the County Clerk Regarding Zoning Petitions (To be referred to the County Zoning Agency)

#### **Unfinished Business**

#### **New Business**

#### **Reports of Standing Committees**

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

- Pgs. 61-62
1. Ord. No. 970-02/16 – Amending Section(s) 74-166(b) of the Walworth County Code of Ordinances Relating to the Shoreland Floodplain Ordinance – *Vote Required: Majority* (Recommended by the County Zoning Agency 5-0)  
Amendment to Section(s) 74-166(b) of the Walworth County Code of Ordinances – Shoreland Zoning – Approved 5-0 (January 21, 2016 Zoning Agency hearing)
- Page 63
2. Robert Bern – Owner, Section 9, East Troy Township. Rezone approximately .87 acres of C-4 to R-1 – Denied 5-0 (January 21, 2016 Zoning Agency hearing)

**Children With Disabilities Education Board**

Pgs. 64-70

1. Ord. No. 969-02/16 – Amending Chapter 9 of the Walworth County Code of Ordinances Regarding Special Needs Education – *Vote Required: Majority* (Recommended by the Children With Disabilities Education Board 4-0)

**Finance Committee**

Pgs. 71-73

1. Ord. No. 966-02/16 – Amending Section 30-286 of the Walworth County Code of Ordinances Relative to the Sheriff's Office Jail Inmate Deposit Fees – *Vote Required: Majority* (Recommended by the Finance Committee 4-0)

Pgs. 74-75

2. Res. No. 68-02/16 – Authorizing the Public Works Automated Radio Frequency ID (RFID) Scale System to be Declared Surplus and Authorizing Staff to Dispose of the Asset – *Vote Required: Majority* (Recommended by the Finance Committee 4-0)

Pgs. 76-78

3. Res. No. 69-02/16 – Authorizing the Addition of the Department of Natural Resources (DNR) Transient Non-Community Water Systems Grant to Previously Established Pre-Approved Recurring Grants List – *Vote Required: Majority* (Recommended by the Finance Committee 4-0)

**Human Resources Committee**

Pgs. 79-82

1. Ord. No. 967-02/16 – Amending Section 15-17 of the Walworth County Code of Ordinances Relating to Receptionist/Clerk Positions at Health and Human Services – *Vote Required: Two-thirds* (Recommended by the Human Resources Committee 3-0)

Pgs. 83-87

2. Ord. No. 968-02/16 – Amending Sections of Chapter 15 of the Walworth County Code of Ordinances Relating to the LHCC Pilot Program Involving 12-Hour Shifts – *Vote Required: Majority* (Recommended by the Human Resources Committee 3-0)

Pgs. 88-90

3. Res. No. 70-02/16 – Setting Salaries for Register of Deeds, County Treasurer and County Clerk for 2017-2020 – *Vote Required: Majority* (Recommended by the Human Resources Committee 3-0)
4. Res. No. 71-02/16 – Approving a Contract Settlement Agreement by and between Walworth County and the Deputy Sheriffs Association for the Period of January 1, 2016 to December 31, 2018 – *Vote Required: Majority* (Recommended by the Human Resources Committee 3-0)

**Reports of Special Committees**

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

**Chairperson's Report**

**Adjournment**

**Kimberly S. Bushey  
Walworth County Clerk**

\*Supervisors and Committees: Please submit titles for the Tuesday, March 8, 2016 agenda on or before Tuesday, February 24, 2016

\*\*Please note: Additions are underlined; deletions are ~~struck through~~.

**January 12, 2016**  
**WALWORTH COUNTY BOARD OF SUPERVISORS**  
**MEETING**

The Walworth County Board of Supervisors meeting was called to order by Chair Russell at 2:00 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, Daniel G. Kilkenny, Kenneth H. Monroe, Joe Schaefer, Charlene Staples, David A. Weber, Paul Yvarra, and Chair Nancy Russell. Kathy Ingersoll was excused. District #1-Vacant. A quorum was established.

Paul Yvarra, Walworth County Board Supervisor, District #4, delivered the invocation.

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

On motion by Supervisor Weber, second by Supervisor Brandl, the agenda was approved by voice vote with no withdrawals.

**Approval of the Minutes**

On motion by Supervisor Weber, second by Supervisor Brandl, the December 8, 2015 Committee of the Whole minutes and December 8, 2015 County Board Meeting minutes were approved by voice vote.

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

There was none.

**Appointments/Elections**

1. Election of County Board Vice-Chairperson
2. Health and Human Services Board
  - William Wucherer – Three-year term to begin upon confirmation and end on November 13, 2018 (Recommended by the Executive Committee 5-0)
3. Lake Geneva Public Library Board
  - Larry Kundert – Three-year term to begin upon confirmation and end on January 8, 2019 (Recommended by the Executive Committee 5-0)
4. Wisconsin River Rail Transit Commission (WRRTC)
  - Eric Nitschke – Term to begin upon confirmation and end on April 30, 2016 (Recommended by the Executive Committee 5-0)
5. CDBG Southern Housing Consortium Board
  - David Betl (Recommended by the Executive Committee 5-0)

Chair Russell turned the election process over to Clerk Bushey.

Clerk Bushey outlined the process of elections as they have been conducted in the past.

There were no changes to the procedure. Clerk Bushey announced that nominations for County Board Vice-Chairperson were open.

On motion by Supervisor Kilkenny, second by Supervisor Monroe, Supervisor Brandl was nominated for County Board Vice-Chairperson. On motion by Supervisor Staples, second by Supervisor Schaefer, Supervisor Weber was nominated for County Board Vice-Chairperson. The Clerk asked if there were any other

nominations three times. On motion by Supervisor Weber, second by Supervisor Yvarra, nominations were closed. Bretl noted that if Supervisor Weber were to be elected as County Board Vice-Chairperson, he would have to immediately vacate the Executive Committee Chair position and it would have to be put on the next County Board of Supervisors meeting in February for a vote. Supervisor Brandl did not wish to address the Board. Supervisor Weber addressed the Board and stated, as the Executive Committee Chair, he did not wish to take the position of County Board Vice-Chairperson due to the chain of events that would be created by that process. There were no other comments to the Board. Supervisor Brandl was unanimously elected as County Board Vice-Chairperson by ballot vote.

Chair Russell announced Supervisor Brandl as the new County Board Vice-Chairperson. Brandl accepted the position.

On motion by Supervisor Brandl, second by Supervisor Brellenthin, the appointments to the Health and Human Services Board, Lake Geneva Public Library Board, Wisconsin River Rail Transit Commission, and CDBG Southern Housing Consortium Board were approved by voice vote.

### **Communications and Matters to be Referred**

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

1. Claims Received After Agenda Mailing
2. Claims: a) Amended Claim for Surplus – LSCG Fund 17, LLC vs Mann Bros, Inc, et al; b) Notice of Hearing – Michael P. Scholl & Christine L. Scholl vs Walworth County (To be referred to the Executive Committee)
3. Iron County Resolution No. 2888 – Resolution to repeal the requirements of Act 55 related to Shoreland Zoning (To be referred to the County Zoning Agency)
4. Correspondence from Nancy Russell regarding resignation as Chair of Land Conservation Committee (To be referred to the Land Conservation Committee)
5. Report of the County Clerk Regarding Communications Received by the Board and Recommended to be Placed on File
  - Shawano County Resolution No. 67-15 – To urge amending the law concerning county payment for library services (To be placed on file)
  - Kewaunee County Resolution No. 22-12-15 – Resolution in support of a national marine sanctuary in Wisconsin’s mid-lake region and inclusion of Kewaunee County’s coastal areas (To be placed on file)
6. Report of the County Clerk Regarding Communications Received by the Board After the Agenda Mailing
  - Answer to First Amended Complaint – LSCG Fund 17, LLC vs Central States, Southeast and Southwest Areas Pension Fund, Central States, Southeast and Southwest Areas Health and Welfare Fund, et al (To be referred to the Executive Committee)
  - Answer of Defendant, City of Elkhorn, to Plaintiff’s Second Amended Complaint and Counterclaim for Surplus – LSCG Fund 17, LLC vs Mann Bros, Inc., et al (To be referred to the Executive Committee)
  - Claim for Damaged Property received from Chuck Nass (To be referred to the Executive Committee)
  - Correspondence from State Representative David Craig acknowledging receipt of Walworth County Resolution No. 58-12/15 – Urging the State Legislature to Pass Legislation to Transfer Jurisdiction of 17-Year-Old Delinquent Offenders Back into the Juvenile Justice System from the Adult Corrections System (To be placed on file)
  - Correspondence from Supervisor David A. Weber, District 7, requesting an amendment to the Walworth County Zoning Ordinances relative to Special Event Campgrounds (To be referred to the County Zoning Agency)
  - *Walworth County Aging & Disability Resource Center News*, January 2016 (To be placed on file)

7. Report of the County Clerk Regarding Zoning Petitions (To be referred to the County Zoning Agency)
  - Robert C. and Gail A. Hansen Trust, Owners, Robert C. Hansen, Applicant, Town of Darien. Rezone 5.39 acres of A-1 Prime Agricultural to B-2 General Business District and a small portion of M-1 Industrial District
  - Walworth County Zoning Agency (CZA), All Townships. Amendment to Section(s) 74-62(7) of the Zoning Ordinance and Section(s) 74-189(7) of the Shoreland Zoning Ordinance regarding Planned Campground Developments and tent gazebos, storage sheds, structures and fencing

**Unfinished Business**

**New Business**

**Reports of Standing Committees**

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

1. Ord. No. 964-01/16 – Amending Chapter 58 of the Walworth County Code of Ordinances Relating to Subdivisions – *Vote Required: Majority* (Recommended by the County Zoning Agency 5-0) Amendment to Chapter 58 – Subdivisions, Section 58-11.6. - Lots (4); of the Walworth County Code of Ordinances – Approved 5-0 (December 17, 2015 Zoning Agency hearing)
2. Zoning Ordinance for Town of Bloomfield. Town of Bloomfield Ordinance 2015-O-1114 and Resolution 2015-R-12 for a rezone from A-2 to B-2, tax parcel MB 3600009 – Approved 5-0 (December 17, 2015 Zoning Agency hearing)
3. Jeffrey and Margaret Keller – Owners, Section 26, Spring Prairie Township. Rezone approximately .21 acres of C-4 and C-2 to C-4 and C-2 – Approved 5-0 (December 17, 2015 Zoning Agency hearing)
4. Stonebeigh Real Estate, LLC – Owner, Donald S. Huml – Applicant, Section 23, Lyons Township. Rezone approximately 3.43 acres of A-2 to C-2 – Approved 5-0 (December 17, 2015 Zoning Agency hearing)

On motion by Supervisor Schaefer, second by Supervisor Brandl, Items #1 thru #4 of the County Zoning Agency Report of Proposed Zoning Amendments were approved as recommended by the County Zoning Agency by voice vote.

**Executive Committee**

1. Res. No. 63-01/16 – Opposing Expansion to the Subpoena Process as Proposed in Wisconsin Assembly Bill 90 – *Vote Required: Majority* (Recommended by the Executive Committee 5-0)
2. Res. No. 64-01/16 – Establishing a Committee of the Whole Meeting Date for a Report on the County’s Treatment Courts – *Vote Required: Majority* (Recommended by the Executive Committee 5-0)
3. Res. No. 65-01/16 – Urging the State Legislature to Include Fourth Time OWI Offenders in 2009 Wisconsin Act 100 Funding – *Vote Required: Majority* (Recommended by the Executive Committee 5-0)
4. Res. No. 66-01/16 – Supporting the Implementation of the Achieving a Better Life Experience (ABLE) Act to Reform the SSI Asset Limits in Wisconsin – *Vote Required: Majority* (Recommended by the Executive Committee 5-0)

On motion by Supervisor Weber, second by Supervisor Staples, Item #1, Res. No. 63-01/16; Item 2, Res. No. 64-01/16; and Item #3, Res. No. 65-01/16 were approved by voice vote.

County Administrator David Bretl recommended Item #4, Res. No. 66-01/16, be referred back to the Executive Committee, as it was authorized by the State of Wisconsin on July 12, 2015 and signed by the Governor.

On motion by Supervisor Weber, second by Supervisor Kilkenny, Item #4, Res. No. 66-01/16, was referred back to the Executive Committee.

### **Finance Committee**

1. Ord. No. 963-01/16 – Amending Section 30-286 of the Walworth County Code of Ordinances Relative to the Lakeland Health Care Center Medical Records Fee – *Vote Required: Majority* (Recommend by the Finance Committee 3-0)
2. Res. No. 62-01/16 – Authorizing the Sheriff's Office to Accept Community Oriented Policing Services (COPS) Anti-Heroin Task Force Grant Funds in the amount of \$30,000 Over Two Years and Appropriate the Funds to Monitor and Enforce Anti-heroin Laws – *Vote Required: Majority* (Recommended by the Finance Committee 3-0)

On motion by Supervisor Staples, second by Supervisor Brandl, Item #1, **Ord. No. 963-01/16**; and Item #2, **Res. No. 62-01/16** were approved by voice vote.

### **Human Resources Committee**

1. Ord. No. 962-01/16 – Amending Section 15-17 of the Walworth County Code of Ordinances Relating to Changes to LPN and RN Positions at the Lakeland Health Care Center – *Vote Required: Majority* (Recommended by the Human Resources Committee 4-0)
2. Ord. No. 965-01/16 – Amending Sections of Chapter 15 of the Walworth County Code of Ordinances Relating to Overtime Threshold Changes and Weekend Premium Changes for Certain Employees at Lakeland Health Care Center – *Vote Required: Majority* (Recommended by the Human Resources Committee 3-0 and the Lakeland Health Care Center Board of Trustees 4-1)

On motion by Supervisor Brandl, second by Supervisor Weber, Item #1, **Ord. No. 962-01/16** was approved by voice vote.

Human Resources Director, Dale Wilson, distributed a revised copy of Ord. No. 965-01/16 to the County Board Supervisors.

Supervisor Schaefer made a motion, second by Supervisor Monroe, to amend the title of Ord. No. 965-01/16 to – Amending Section 15-359 of the Walworth County Code of Ordinances Relating to Weekend Premium Changes for Certain Employees at Lakeland Health Care Center. The amendment was approved by voice vote. On motion by Supervisor Monroe, second by Supervisor Schaefer, Item #2, **Ord. No. 965-01/16 as amended** was approved by voice vote.

### **Park Committee**

1. Res. No. 67-01/16 – Permitting the Friends of the White River County Park to Conduct an Architectural Study of the Barn at the White River County Park and Naming the Restored Barn In Honor of County Board Chair Nancy Russell – *Vote Required: Majority* (Recommended by the Park Committee 4-0 with 1 abstention and the Public Works Committee 2-0 with 1 abstention)

On motion by Supervisor Weber, second by Supervisor Brandl, Item #1, **Res. No. 67-01/16** was approved by voice vote. Chair Russell abstained.

### **Report of Special Committees**

There was none.

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

There was none.

**Chairperson's Report**

There was none.

**Adjournment**

On motion by Supervisor Weber, second by Supervisor Schaefer, the meeting was adjourned at 2:23 p.m.

STATE OF WISCONSIN    )  
                                  ) SS  
COUNTY OF WALWORTH)

I, Kimberly S. Bushey, County Clerk in and for the County aforesaid, do hereby certify that the foregoing is a true and correct copy of the proceedings of the County Board of Supervisors for the January 12, 2016 meeting.

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

**Nomination for Committee/Board/Commission Appointment**

**Committee:** Agriculture and Extension Education Committee

**Nominee:** Rosalie Riewer

**Address:** 455 E. Emily Ave.

Elkhorn, WI 53121

**Submitted by:** David Bretl, County Administrator

**Authority:** Section 59.18, Wisconsin Statutes

**Who will the nominee replace?** Kathleen Papcke

**When did/does the incumbent's current term expire?** December 31, 2015

**Was this vacancy advertised?** Yes

**Comment** Upon County Board confirmation, Ms. Riewer would be appointed for a  
two-year term, which will expire on December 31, 2017.

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

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

**For incumbents, committee attendance, if known:**

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

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

Name: Rosalie Riewer

Date: 10-8-15

Mailing Address: 455 E. Emily Ave.  
Elkhorn, WI 53121

Phone: 262 579-0482

I reside in:  the Town of \_\_\_\_\_

the Village of \_\_\_\_\_

the City of Elkhorn

Please consider me for appointment to: Walworth County AEE com-  
mittee

I am interested in serving as a citizen representative because: I see the  
benefits to extension programs and would  
like to see information spread to more  
people.

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

Life-long teacher and learner, grew up on a  
farm in Sharon Twp., share responsibility for  
elderly parents

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.

Rosalie C. Riewer      10-12-15  
Signature of Applicant                      Date

*Feel free to attach any additional documentation to this form.*

**Nomination for Committee/Board/Commission Appointment**

**Committee:** Civil Service Board

**Nominee:** James Nerud

**Address:** W5359 Plantation Rd

Elkhorn, WI 53121

**Submitted by:** David Bretl, County Administrator

**Authority:** Section 59.18, Wisconsin Statutes

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

**When did/does the incumbent's current term expire?** December 31, 2015

**Was this vacancy advertised?** No

**Comment** Mr. Nerud would be reappointed for an additional five-year term to begin upon

County Board confirmation and end on December 31, 2020.

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

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

**For incumbents, committee attendance, if known:**

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

WALWORTH COUNTY  
NOTICE OF INTEREST TO SERVE AS A CITIZEN REPRESENTATIVE

Name: JAMES O. NERUD

Date: 01-14-2016

Mailing Address: W5359  
PLANTATION RD.  
ELKHORN, WI. 53121

Phone: 262-742-2739

**RECEIVED**

JAN 14 2016

I reside in:  the Town of SUGAR CREEK  
 the Village of \_\_\_\_\_  
 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: TO GIVE  
BACK TO THE COMMUNITY.

Special skills, experience or qualifications I possess related to this appointment are:  
I HAVE BEEN ON THE BOARD FOR MANY  
YEARS

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.

James O. Nerud 01-14-2016  
Signature of Applicant Date

Feel free to attach any additional documentation to this form.

**Nomination for Committee/Board/Commission Appointment**

**Committee:** Veterans Service Commission

**Nominee:** John W. Allen

**Address:** 313 N. 6<sup>th</sup> St.

Delavan, WI 53115

**Submitted by:** David Bretl, County Administrator

**Authority:** Section 59.18, Wisconsin Statutes

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

**When did/does the incumbent's current term expire?** December 31, 2015

**Was this vacancy advertised?** No

**Comment** Upon County Board confirmation, Mr. Allen would be reappointed to an additional three-year term, which will expire on December 31, 2018.

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

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

**For incumbents, committee attendance, if known:**

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

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

Name: John W. Allen

Date: 1/10/2016

Mailing Address: 313 N. 6th St.  
Delavan, WI 53115

Phone: 262-949-9341

**RECEIVED**

JAN 11 2016

WALWORTH COUNTY ADMINISTRATION

I reside in:  the Town of \_\_\_\_\_  
 the Village of \_\_\_\_\_  
 the City of Delavan

Please consider me for appointment to: Veterans Service Commission

I am interested in serving as a citizen representative because: I still am committed to helping Veterans. We need to do all that we can to help, not only vets, but their families.

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

Member American Legion Vietnam, and the DAV. Still active in all of these organizations, "Doing my part"

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

1/11/2016

Date

Feel free to attach any additional documentation to this form.

**Nomination for Committee/Board/Commission Appointment**

**Committee:** Walworth County Metropolitan Sewerage District (WalCoMet)

**Nominee:** Douglas Snyder

**Address:** 134 Potawatomi Rd  
Williams Bay, WI 53191

**Submitted by:** David Bretl, County Administrator

**Authority:** Section 59.18, Wisconsin Statutes

**Who will the nominee replace?** Ron Henriott

**When did/does the incumbent's current term expire?** February 28, 2016

**Was this vacancy advertised?** No

**Comment** Upon County Board confirmation, Mr. Snyder would be appointed for a  
five-year term, which would expire on February 28, 2021.

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

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

**For incumbents, committee attendance, if known:**

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

WALWORTH COUNTY  
NOTICE OF INTEREST TO SERVE AS A CITIZEN REPRESENTATIVE

Name: Douglas Snyder

Date: 4/22/15

Mailing Address: 134 Potawatomi Rd  
Williams Bay, WI 53191

Phone: 262-492-1462

I reside in:  the Town of \_\_\_\_\_  
 the Village of Williams Bay  
 the City of \_\_\_\_\_

Please consider me for appointment to: Wal Co Met

I am interested in serving as a citizen representative because: it is my area of technical expertise and it is a way for me to serve those entities that Wal Co Met serves. I was selected by the Walworth County Executive Committee for this position (see the 5/16/09 meeting minutes) and needed to withdraw my name due to conflicts that developed within the company I work for when I made them aware of the appointment. These internal conflicts no longer exist. I wish to support the actions of the Wal Co Met administrator.

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

- Professional engineer familiar with the Wal Co Met facilities and the water and wastewater systems of the contributing entities.
- Certified Wisconsin Water Supply and Wastewater Treatment Operator.

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.

Douglas R. Snyder      4/22/15  
Signature of Applicant      Date

*Feel free to attach any additional documentation to this form.*

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**Nomination for Committee/Board/Commission Appointment**

**Committee:** Walworth County Metropolitan Sewerage District (WalCoMet)

**Nominee:** Ron Henriott

**Address:** 950 S. 2<sup>nd</sup> Street

Delavan, WI 53115

**Submitted by:** David Bretl, County Administrator

**Authority:** Section 59.18, Wisconsin Statutes

**Who will the nominee replace?** Harold Shortenhaus

**When did/does the incumbent's current term expire?** February 28, 2019

**Was this vacancy advertised?** No

**Comment** Upon County Board confirmation, Mr. Henriott would be reappointed to fill the  
unexpired term of Harold Shortenhaus, which would expire on February 28, 2019.

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

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

**For incumbents, committee attendance, if known:**

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

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

Name: Ron Henriott

Date: 12-14-10

Mailing Address: 950 South Second Street, Delavan, WI 53115

Phone: 262-728-5543

- I reside in:     the Town of  
                   The Village of:  
                   The City of Delavan

Please consider me for appointment to: Walworth County Metropolitan Sewerage District Board of Commissioners

I am interested in serving as a citizen representative because: Please Note

Attached Document!  
\_\_\_\_\_  
\_\_\_\_\_

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

Walworth County Metropolitan Sewerage District Commissioner 2006 - Present  
City of Delavan water & Sewer Commission Member 1994 - 2002

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

12/10/2010  
Date

Feel free to attach any additional documentation to this form.

I believe that I have the knowledge and experience of working within the Walcomet system. I have been happy to have served as a Walcomet commissioner for the past five years, and feel that those years have given me a great understanding of the operations and maintenance of the system.

I feel that with the completion of the total redesign and construction of the physical plant at the Walcomet facility, there is the strong possibility that some internal changes may be needed. I would like to remain as a member of this board if those changes are to be made.

I would be happy to serve again as a representative to help continue the high level of service to the systems customers.

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

**Name:** David Bourenske

**Date:** 12/3/15

**Mailing Address:** N9158 Hickory St.  
East Troy, Wi. 53120

**Phone:** 414-416-4461

**E-Mail:** david.bourenske@milwaukceetool.com

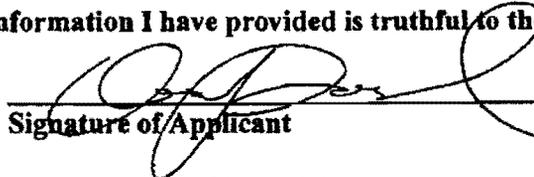
- I reside in:**  the Town of East Troy  
 the Village of \_\_\_\_\_  
 the City of \_\_\_\_\_

**Please consider me for appointment to:** Pabst Lake District Board

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

I am an avid hunter, fisherman and all around outdoorsman and also live in a lake community. (Potter Lake) I would like the opportunity to work with local government to help the new Pabst Lake District accomplish its goals of repairing the Pabst Lake dam and rehabilitating the area.

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

  
Signature of Applicant

12-3-15  
Date

*Feel free to attach any additional documentation to this form.*

1/9/2016

RECEIVED  
WALWORTH COUNTY CLERK  
2016 JAN 14 AM 9:14

Walworth County Clerk Office  
Post office Box 1001  
Room 101, County Government Center  
Elkhorn, WI 53121

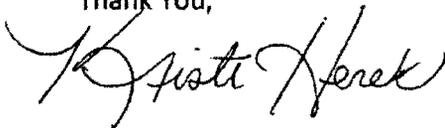
To whom this concerns:

On Monday 12/28/15 I was stuck in the snow on my way home from work in Lake Geneva on 120 in Elkhorn. After trying to get myself out a Sheriff luckily came along to assist me. She (sorry I don't have the Sheriff's name) stated that she could try to push me out with her vehicle, I agreed that we could try. After a couple attempts my car didn't move much. The Sheriff then informed me that there was some damage to my bumper asked for my insurance information and stated that she would be sending a report to my insurance company regarding the incident. She also mentioned that she would have to call for a tow truck, because my car was too far in the road and couldn't be left. This was mentioned after the damaged occurred. Now I understand that things can help and I definitely appreciated the help. That being said if she would've stated I can try to push you out, but if damage occurs we are not liable for any damages. I would've of asked if a tow truck to could be called instead especially considering this is a leased vehicle. It was my understanding that she wanted my insurance information not only to verify that I had insurance but to also get this resolved.

After waiting for a tow, that unfortunately was delayed due to the snow. A plow truck driver after a couple attempts to clear the road assisted the sheriff on pushing me into the clear lane and I was sent on my way. The next morning I spoke with my insurance company, they stated they hadn't received anything yet regarding the incident, which I wasn't surprised given how crazy that night probably was. It later turned out that my insurance ended up having to track the report down themselves.

I do greatly appreciate all the help that she did give me that night and the fact that she stayed with me until she knew I was safe, but I don't feel I'm responsible for the damage to my car.

Thank You,



Kristi Herek  
1020 Eastern Trail Apt 106  
Mukwonago, WI 53149  
262-812-6828

RECEIVED  
WALWORTH COUNTY CLERK

UNITED STATES DISTRICT COURT

for the

Eastern District of Wisconsin

2016 JAN 28 PM 1:30

Consuelo V. Valdes, as Special Administrator, et al.

Plaintiff

v.

Kurt Picknell, Sheriff of Walworth County, et al.

Defendant

Civil Action No. 16-CV-69

SUMMONS IN A CIVIL ACTION

To: (Defendant's name and address) Walworth County, Wisconsin  
100 W. Walworth  
Elkhorn WI 53121

A lawsuit has been filed against you.

Within 21 days after service of this summons on you (not counting the day you received it) — or 60 days if you are the United States or a United States agency, or an officer or employee of the United States described in Fed. R. Civ. P. 12 (a)(2) or (3) — you must serve on the plaintiff an answer to the attached complaint or a motion under Rule 12 of the Federal Rules of Civil Procedure. The answer or motion must be served on the plaintiff or plaintiff's attorney, whose name and address are:

Romanucci & Blandin LLC  
321 N. Clark Street, Suite 900  
Chicago IL, 60654

If you fail to respond, judgment by default will be entered against you for the relief demanded in the complaint. You also must file your answer or motion with the court.

Date: 01/20/2016

JON W. KENNEDY  
CLERK OF COURT



s/ V. K. [Signature] Deputy Clerk

Civil Action No. 16-CV-69

**PROOF OF SERVICE**

*(This section should not be filed with the court unless required by Fed. R. Civ. P. 4 (l))*

This summons for *(name of individual and title, if any)* \_\_\_\_\_  
was received by me on *(date)* \_\_\_\_\_.

I personally served the summons on the individual at *(place)* \_\_\_\_\_  
\_\_\_\_\_ on *(date)* \_\_\_\_\_ ; or

I left the summons at the individual's residence or usual place of abode with *(name)* \_\_\_\_\_  
\_\_\_\_\_, a person of suitable age and discretion who resides there,  
on *(date)* \_\_\_\_\_, and mailed a copy to the individual's last known address; or

I served the summons on *(name of individual)* \_\_\_\_\_, who is  
designated by law to accept service of process on behalf of *(name of organization)* \_\_\_\_\_  
\_\_\_\_\_ on *(date)* \_\_\_\_\_ ; or

I returned the summons unexecuted because \_\_\_\_\_ ; or

Other *(specify)*:

My fees are \$ \_\_\_\_\_ for travel and \$ \_\_\_\_\_ for services, for a total of \$ \_\_\_\_\_ 0.00.

I declare under penalty of perjury that this information is true.

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

\_\_\_\_\_  
*Server's signature*

\_\_\_\_\_  
*Printed name and title*

\_\_\_\_\_  
*Server's address*

Additional information regarding attempted service, etc:

**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF WISCONSIN  
MILWAUKEE DIVISION**

CONSUELO V. VALDES, Individually and as	)	
Special Administrator for the Estate of	)	
ALFREDO EMILIO VILLARREAL, Deceased,	)	
	)	
Plaintiff,	)	
	)	
WISCONSIN DEPARTMENT OF HEALTH	)	
SERVICES, a division of the State of Wisconsin,	)	
And a Wisconsin group medical benefit program	)	
Representative of the Estate of ALFREDO,	)	
EMILIO VILLARREAL Deceased,	)	
	)	No.
Involuntary Plaintiff,	)	
	)	
v.	)	
	)	
KURT PICKNELL; SHERIFF OF	)	
WALWORTH COUNTY; WALWORTH	)	
COUNTY, WISCONSIN, and RICHARD	)	
LAGLE, in his individual capacity,	)	
Defendants.	)	

**COMPLAINT AT LAW**

NOW COMES Plaintiff, CONSUELO V. VALDES, Individually and as Special Administrator of the Estate of ALFREDO EMILIO VILLARREAL, deceased, (“Plaintiff”), by and through his attorneys, ROMANUCCI & BLANDIN LLC and in complaining against Defendants, RICHARD LAGLE, in his individual capacity, and WALWORTH COUNTY, WISCONSIN, pleading hypothetically and in the alternative, states as follows:

**NATURE OF ACTION**

1. This cause of action arises out of the shooting death of Plaintiff’s decedent, ALFREDO EMILIO VILLARREAL, caused by defendant deputy RICHARD LAGLE on January 21, 2013, at

approximately 12:17 a.m., at Aurora Lakeland Medical Center located at W3985 County NN, Town of Elkhorn, County of Walworth, Wisconsin.

2. This cause of action is brought pursuant to 42 U.S.C. § 1983 to redress the deprivation under color of state law of ALFREDO EMILIO VILLARREAL's rights as secured by the United States Constitution.

3. This cause of action is for money damages brought pursuant to 42 U.S.C. § 1983, the Fourth and Fourteenth Amendments to the United States Constitution, against the Defendants, RICHARD LAGLE, in his individual capacity, and WALWORTH COUNTY, WISCONSIN.

#### **JURISDICTION AND VENUE**

4. This Court has original jurisdiction pursuant to 28 U.S.C. § 1331 over Plaintiff's § 1983 claim.

5. Venue is proper herein under 28 U.S.C. § 1391(b) since the parties reside, or, at the time the events took place formerly resided, in this judicial district, and the events giving rise to the claims asserted herein occurred in this judicial district as well.

#### **THE PARTIES**

6. At all times relevant hereto and until the time of his death on January 21, 2013, decedent ALFREDO EMILIO VILLARREAL (hereinafter "decedent VILLARREAL") was a citizen of the State of Wisconsin, residing in the Town of Elkhorn, County of Walworth. Decedent VILLARREAL had two daughters and was not married.

7. At all times relevant hereto and until the time of Decedent VILLARREAL's death on January 21, 2013, Plaintiff CONSUELO V. VALDES was the biological mother of Decedent

VILLARREAL and a citizen of the State of Wisconsin, residing in the Town of Delavan, County of Walworth, State of Wisconsin.

8. On October 28, 2014, the Circuit Court of Walworth County, Wisconsin, Probate Division, appointed CONSUELO V. VALDES as Special Administrator for the Estate of ALFREDO EMILIO VILLARREAL, deceased. (Court No.: 2014PR000171).

9. Involuntary Plaintiff, WISCONSIN DEPARTMENT OF HEALTH SERVICES, is a division of the State of Wisconsin and a Wisconsin group medical benefit program, with its principal offices located at 1 West Wilson Street, Madison, WI 53701 with its registered agent for service of process being Office of Legal Counsel, 1, West Wilson Street, Madison WI 53707; further the Wisconsin Department of Health Services may have made payment of medical bills incurred by the Plaintiff, the Estate of Alfredo Emilio Villarreal, for his medical care and treatment resulting from the incident as hereinafter alleged; further, the Wisconsin Department of Health Services has rights of reimbursement and/or subrogation for any payments made on behalf of Plaintiff, the Estate of Alfredo Emilio Villarreal, and therefore, pursuant to the appropriate Wisconsin statutes, it is named as an Involuntary Plaintiff; further in the event the Wisconsin Department of Health Services enters a timely and proper appearance in this action, then a determination should be made as to the rights and interests of the Wisconsin Department of Health Services as against the Defendants, RICHARD LAGLE, in his individual capacity, and WALWORTH COUNTY, WISCONSIN; further, in the event the Wisconsin Department of Health Services does not enter a timely and proper appearance in this action, then the Court should find that the Wisconsin Department of Health Services has waived its right to participate in this litigation and has waived any potential claims for reimbursement and/or subrogation.

10. At all times relevant hereto, Defendant WALWORTH COUNTY, WISCONSIN (hereinafter referred to as "WALWORTH COUNTY") was a political subdivision of the State of Wisconsin, organized and existing under and by virtue of the laws of Wisconsin.

11. At all times relevant hereto, the Walworth County Sheriff's Office was an agency of Defendant Walworth County, Wisconsin, providing the vehicle through which the County fulfills its policing functions.

12. At all times relevant hereto, Defendant RICHARD LAGLE (hereinafter referred to as "Deputy LAGLE") was employed by the Walworth County Sheriff's Department as a duly appointed and sworn Sheriff's Deputy and was acting under color of law and within the scope of his employment.

#### FACTS

13. On January 20, 2013, at approximately 8:37PM, Decedent VILLARREAL was taken into custody by the WALWORTH COUNTY Sheriff's Office.

14. Upon information and belief, Decedent VILLARREAL was responsive to commands and placed into cell #333 at WALWORTH COUNTY Jail.

15. Upon information and belief, at approximately 3:27 A.M. on January 21, 2013, WALWORTH COUNTY officers reportedly found Decedent VILLARREAL face down on the ground with blood near his head, having had some sort of neurological event.

16. Upon information and belief, WALWORTH COUNTY officer sdetermined that Decedent VILLARREAL should be transferred to the hospital.

17. Upon information and belief, Decedent VILLARREAL was transferred to the Aurora Lakeland Medical Center.

18. Upon information and belief, Decedent VILLARREAL received medical treatment at Aurora Lakeland Medical Center and was placed in a hospital room under the surveillance of the Walworth County officers.

19. During such time, Decedent VILLARREAL's left leg was kept shackled to the hospital bed.

20. Upon information and belief, at or around 6:00PM Deputy LAGLE began his shift watching Decedent VILLARREAL, by introducing himself to the Decedent VILLARREAL and seating himself outside the door of the hospital room.

21. Upon information and belief, after some time, Decedent VILLARREAL politely requested to use the restroom, was unshackled by Deputy LAGLE, used the restroom, and peacefully was reshackled to the hospital bed.

22. Upon information and belief, an Aurora Lakeland Medical Center nurse entered the Decedent VILLARREAL's hospital room and provided him with food without event.

23. Upon information and belief, Decedent VILLARREAL requested that Deputy LAGLE allow him to use the restroom and Deputy LAGLE acquiesced.

24. Upon information and belief, Decedent VILLARREAL used the restroom, with the door ajar, and returned to the hospital bed.

25. Upon information and belief, Decedent VILLARREAL responded to Deputy LAGLE's command to lie back on the bed.

26. Upon information and belief, a struggle ensued as Deputy LAGLE attempted to reshackle Decedent VILLARREAL.

27. Upon information and belief, Decedent VILLARREAL was unarmed during this struggle.

28. Upon information and belief, Decedent VILLARREAL and Deputy LAGLE struggled into the hallway.

29. Upon information and belief, Decedent VILLARREAL backed into the hospital room and closed the door behind him when Deputy LAGLE brandished his Taser.

30. Upon information and belief, Deputy LAGLE waited for a few moments and proceeded to kick the hospital room door with enough force to cause it to open with his gun drawn.

31. Upon information and belief, Decedent VILLARREAL was standing inside the hospital room, near the foot of the hospital bed, holding a plastic chair with thin metal legs.

32. Upon information and belief, Deputy LAGLE then aimed his service weapon at the person of Decedent VILLARREAL.

33. Upon information and belief, Deputy LAGLE ordered Decedent VILLARREAL to put the chair down.

34. Upon information and belief, Decedent VILLARREAL began to place the chair down stating "You're not gonna shoot me."

35. Upon information and belief, Decedent VILLARREAL raised the chair off the ground slightly.

36. Upon information and belief, Deputy LAGLE fired five bullets from his service weapon at the person of Decedent VILLARREAL.

37. Decedent VILLARREAL was struck by five bullets, three in his torso, one near the top of his head, and one grazing his fingers.

38. Upon information and belief, upon being struck by the bullets, Decedent VILLARREAL immediately fell to the floor.

39. Upon information and belief, Deputy LAGLE awaited back-up before moving any objects, assisting Decedent VILLARREAL, or allowing medical staff to assist himself or the Decedent VILLARREAL.

40. Upon information and belief, Decedent VILLARREAL was not armed and there were no weapons in the hospital room.

41. The hospital room was attached to a bathroom, had a single window, and a single door out to the hallway.

42. Shortly afterwards, emergency medical personnel arrived and evaluated and attempted to treat Decedent VILLARREAL.

43. On January 21, 2013, at approximately 7:05PM, while in his hospital room at Aurora Lakeland Medical Center, Decedent VILLARREAL died from multiple gunshot wounds.

44. Upon information and belief, Deputy LAGLE, used inappropriate, unwarranted, and unjustifiable force against Decedent VILLARREAL when he fired multiple shots at Decedent VILLARREAL, at close range, striking Decedent VILLARREAL repeatedly.

45. Upon information and belief, at the time shots were fired by Deputy LAGLE, Decedent VILLARREAL, was alone, inside a hospital room, without a weapon, and posed no threat of harm to Deputy LAGLE, or to the public.

**46. COUNT I – 42 U.S.C. §1983—Excessive Force**

**47. Plaintiff v. Walworth County**

48. Plaintiff incorporates and re-alleges all preceding paragraphs as though fully plead herein.

49. That at all times relevant hereto, Defendant, WALWORTH COUNTY, acting by and through its duly authorized officers, agents, representatives and/or employees, including but

not limited to Deputy LAGLE, owed a duty of care to plaintiff to refrain from using excessive force against others, including Decedent VILLARREAL.

50. That at all times relevant hereto, it was the duty of Deputy LAGLE, individually and as an officer, agent and/or employee of WALWORTH COUNTY, to refrain from using excessive force against others, including Decedent VILLARREAL.

51. That at all times relevant hereto, Deputy LAGLE, was an authorized officer, agent, and employee of WALWORTH COUNTY, was acting in the course of his employment and under color of state law.

52. That at all times relevant hereto, the aforementioned conduct of Deputy LAGLE, constituted excessive force in violation of the United States Constitution.

53. That at all times relevant hereto, the aforementioned conduct of Deputy LAGLE, constituted unreasonable excessive force in violation of the United States Constitution.

54. That at all times relevant hereto, the actions of Deputy LAGLE, were objectively unreasonable and were undertaken intentionally with willful indifference to Decedent VILLARREAL's constitutional rights.

55. That at all times relevant hereto, the actions of Deputy LAGLE, would not be considered reasonable by a reasonably competent police officer in the circumstances presented at the exact time that Deputy LAGLE, used such force.

56. That at all times relevant hereto, the actions of Deputy LAGLE, were undertaken with malice, willfulness, and reckless indifference to the rights of Decedent VILLARREAL.

57. That as a proximate cause of Deputy LAGLE's unreasonable and excessive use of force, Decedent VILLARREAL experienced conscious pain and suffering.

58. That as a further proximate cause of Deputy LAGLE's unjustified and excessive use of force, Decedent VILLARREAL ultimately expired.

59. At the time of his death, Decedent VILLARREAL, deceased, left surviving him two daughters, his mother, father, and siblings, all who were dependent upon the decedent for their support.

60. As a proximate cause of Deputy LAGLE's unjustified and excessive use of force, Decedent VILLARREAL's two daughters have been and will be deprived of benefits of the decedent's services, income, support, society, companionship, love and affection during and for the remainder of their lives.

61. As a further proximate cause of Deputy LAGLE's unjustified and excessive use of force, Decedent VILLARREAL's mother, father, and siblings, have been and will be deprived of benefits of the decedent's services, income, support, society, companionship, love and affection during and for the remainder of their lives.

WHEREFORE, Plaintiff, CONSUELO V. VALDES as Special Administrator of the Estate of ALFREDO EMILIO VILLARREAL, deceased, respectfully requests that this Court enter judgment against Defendants, WALWORTH COUNTY, a municipal corporation, awarding compensatory damages, including medical and funeral expenses, attorneys' fees, and punitive damages, for a determination of the subrogation interests of the Wisconsin Department of Health Services, if any, and for any further relief that this Court deems fair and just.

**COUNT II – 42 U.S.C. §1983—Excessive Force**

***Plaintiff v. Defendant, Richard Lagle***

62. Plaintiff incorporates and re-alleges all preceding paragraphs as though fully plead herein.

63. That at all times relevant hereto, Defendant, WALWORTH COUNTY, acting by and through its duly authorized officers, agents, representatives and/or employees, including but not limited to Deputy LAGLE, owed a duty of care to plaintiff to refrain from using excessive force against others, including Decedent VILLARREAL.

64. That at all times relevant hereto, it was the duty of Deputy LAGLE, individually and as an officer, agent and/or employee of WALWORTH COUNTY, to refrain from using excessive force against others, including Decedent VILLARREAL.

65. That at all times relevant hereto, Deputy LAGLE, was an authorized officer, agent, and employee of WALWORTH COUNTY, was acting in the course of his employment and under color of state law.

66. That at all times relevant hereto, the aforementioned conduct of Deputy LAGLE, constituted excessive force in violation of the United States Constitution.

67. That at all times relevant hereto, the aforementioned conduct of Deputy LAGLE, constituted unreasonable excessive force in violation of the United States Constitution.

68. That at all times relevant hereto, the actions of Deputy LAGLE, were objectively unreasonable and were undertaken intentionally with willful indifference to Decedent VILLARREAL's constitutional rights.

69. That at all times relevant hereto, the actions of Deputy LAGLE, would not be considered reasonable by a reasonably competent police officer in the circumstances presented at the exact time that Deputy LAGLE, used such force.

70. That at all times relevant hereto, the actions of Deputy LAGLE, were undertaken with malice, willfulness, and reckless indifference to the rights of Decedent VILLARREAL.

71. That as a proximate cause of Deputy LAGLE's unreasonable and excessive use of force, Decedent VILLARREAL experienced conscious pain and suffering.

72. That as a further proximate cause of Deputy LAGLE's unjustified and excessive use of force, Decedent VILLARREAL ultimately expired.

73. At the time of his death, Decedent VILLARREAL, deceased, left surviving him two daughters, his mother, father, and siblings, all who were dependent upon the decedent for their support.

74. As a proximate cause of Deputy LAGLE's unjustified and excessive use of force, Decedent VILLARREAL's two daughters have been and will be deprived of benefits of the decedent's services, income, support, society, companionship, love and affection during and for the remainder of their lives.

75. As a further proximate cause of Deputy LAGLE's unjustified and excessive use of force, Decedent VILLARREAL's mother, father, and siblings, have been and will be deprived of benefits of the decedent's services, income, support, society, companionship, love and affection during and for the remainder of their lives.

WHEREFORE, Plaintiff, CONSUELO V. VALDES as Special Administrator of the Estate of ALFREDO EMILIO VILLARREAL, deceased, respectfully requests that this Court enter judgment against Defendant, RICHARD LAGLE, awarding compensatory damages, including medical and funeral expenses, attorneys' fees, and punitive damages, for a

determination of the subrogation interests of the Wisconsin Department of Health Services, if any, and for any further relief that this Court deems fair and just.

**DEMAND FOR A JURY TRIAL**

Pursuant to Rule 38(b) of the Federal Rules of Civil Procedure, Plaintiff demands a trial by jury on all issues triable as of right by jury.

Respectfully Submitted,  
ROMANUCCI & BLANDIN, LLC

By: /s/ Martin Gould  
Attorney for Plaintiff

Antonio M. Romanucci  
Martin A. Gould  
Bhavani Raveendran  
**ROMANUCCI & BLANDIN, LLC**  
321 N. Clark St.  
Suite 900  
Chicago, IL 60654  
Tel: (312) 458-1000  
Fax: (312) 458-1004  
ARDC No.: 6190290 (Romanucci)  
ARDC No.: 6318050 (Gould)  
ARDC No.: 6309968 (Raveendran)

**OUTAGAMIE COUNTY BOARD MEETING  
DECEMBER 8, 2015**

**RESOLUTION NO. 117—2015-16**

Supervisor Stueck moved, seconded by Supervisor Thyssen, for adoption.

**RESOLUTION NO. 117—2015-16 IS ADOPTED.**

1. RABED	YES	14. VAN ASTEN	YES	25. WOODEN	YES
2. NAGLE	YES	15. DE GROOT	YES	26. DUNCAN	YES
3. GRADY	YES	VANDENHEUVEL	YES	27. CULBERTSON	YES
4. PATIENCE	YES	16. LEMANSKI	YES	28. STURN	YES
5. IVERSON	YES	17. GROAD	YES	29. BUCHMAN	YES
6. STRENN	Absent	18. SPEARE	YES	30. BRIEBACH	YES
7. HAMMEN	YES	19. STUECK	YES	31. THERN	NO
8. KRUEGER	YES	20. THOMAS	YES	VANDERHEIDEN	YES
9. TRENTLAGE	YES	21. THYSSEN	YES	33. AUSTIN	Absent
10. BEHNKE	Absent	22. HAGEN	YES	34. RETTLER	YES
11. MEYER	YES	23. KLEMP	YES	35. MELCHERT	YES
12. Mc DANIEL	YES	24. REISCH	YES	36. SUPRISE	YES
<b>Item 12</b>	<b>Passed (32 Y - 1 N - 0 A - 3 Absent)</b>			<b>Majority Vote</b>	<b>&gt;</b>

**RESOLUTION NO.: 117—2015-16**

TO THE HONORABLE, THE OUTAGAMIE COUNTY BOARD OF SUPERVISORS

LADIES AND GENTLEMEN:

**MAJORITY**

1 Under current law, there is a discrepancy in how marriage licenses and domestic  
2 partnership licenses are administered. Legislation has been proposed that will make  
3 changes so that both licenses can be issued following the same guidelines and fees. The  
4 proposal also addresses information that is statutorily required to be distributed with any  
5 marriage license application. The current pamphlet has not been updated in many years  
6 and does not contain newer issues of concern.  
7

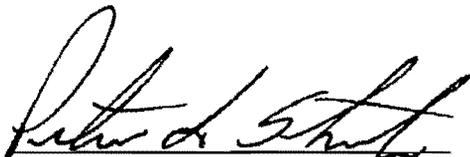
8 NOW THEREFORE, the undersigned members of the Finance Committee recommend adoption  
9 of the following resolution.

10 BE IT RESOLVED, that the Outagamie County Board of Supervisors does support proposed  
11 legislation to make the guidelines and fees for issuing a marriage license and a domestic partnership  
12 license the same and allows updates to information that is statutorily required to be distributed with any  
13 marriage license application as well as the way the information can be distributed, and

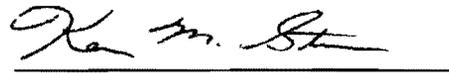
14 BE IT FINALLY RESOLVED, that the Outagamie County Clerk be directed to forward a copy  
15 of this resolution to all Wisconsin counties, and the Outagamie County Lobbyist for distribution to the  
16 Legislature and Governor.

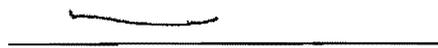
17 Dated this 9<sup>th</sup> day of December, 2015

18 Respectfully Submitted,  
19 FINANCE COMMITTEE

20  
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22  
23   
24 Peter Stueck

25  
26  
27   
28 Kathy Great

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30 Kevin Sturn

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32 Norman Austin

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Jeff Nooyer  
Jeff Nooyer

Duly and officially adopted by the County Board on: December 8, 2015

Signed: Kelan Nagler  
Board Chairperson

Scott O'Keefe  
County Clerk

Approved: 12 10 15

Vetoed: \_\_\_\_\_

Signed: [Signature]  
County Executive



State of Wisconsin  
2015 - 2016 LEGISLATURE

LRB-3288/1  
SWBjld

2015 BILL

1 **AN ACT to amend** 46.03 (34), 765.12 (1) (a), 770.07 (1) (b) 2., 770.07 (2) and 770.10  
2 of the statutes; **relating to:** declarations of domestic partnership and marriage  
3 licenses.

---

*Analysis by the Legislative Reference Bureau*

This bill increases the maximum fee a county clerk may charge for issuing a declaration of domestic partnership less than five days after receiving an application; requires that individuals who apply for a declaration of domestic partnership complete and file the declaration within 30 days after the clerk issues the declaration; and requires that a clerk, when issuing a marriage license or declaration of domestic partnership, provide information, instead of a pamphlet, describing the causes and effects of fetal alcohol syndrome and the dangers to a fetus from the mother's use of drugs during pregnancy.

Under current law, a county clerk generally may not issue a declaration of domestic partnership until at least five days after the clerk receives the application for the declaration of domestic partnership. However, at his or her discretion, the clerk may issue a declaration of domestic partnership less than five days after the application if the applicant pays an additional fee of not more than \$10 to cover any increased processing cost incurred by the county. This bill increases the maximum additional fee allowed for this discretionary service from \$10 to \$25.

In order to form the legal status of domestic partners, under current law, individuals are required to complete the declaration of domestic partnership, sign the declaration, have the signatures acknowledged before a notary, and submit the

2015 - 2016 Legislature

- 2 -

LRB-3288/1  
SWB:jld

**BILL**

declaration to the register of deeds. The bill requires that these steps be taken within 30 days after the clerk issues the declaration of domestic partnership.

Finally, when a county clerk issues either a marriage license or a declaration of domestic partnership under current law, he or she must provide a pamphlet describing the causes and effects of fetal alcohol syndrome and the dangers to a fetus from the mother's use of drugs during pregnancy. This bill requires the clerk to provide information describing the causes and effects of fetal alcohol syndrome and the dangers to a fetus from the mother's use of drugs during pregnancy rather than specifying that the clerk provide a physical pamphlet with that information.

For further information see the *state and local* fiscal estimate, which will be printed as an appendix to this bill.

---

*The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:*

1           SECTION 1. 46.03 (34) of the statutes is amended to read:

2           46.03 (34) FETAL ALCOHOL SYNDROME AND DRUG DANGER PAMPHLETS ~~INFORMATION~~.

3           The department shall acquire, without cost if possible, ~~pamphlets information~~ that  
4           ~~describe~~ describes the causes and effects of fetal alcohol syndrome and the dangers  
5           to a fetus of ~~from~~ the mother's use of cocaine or other drugs during pregnancy and  
6           shall distribute the ~~pamphlets information~~ free of charge to each county clerk in  
7           sufficient quantities so that each county clerk may provide ~~pamphlets information~~  
8           to marriage license applicants under s. 765.12 (1) (a) ~~and domestic partnership~~  
9           ~~applicants under s. 770.07 (2)~~.

10          SECTION 2. 765.12 (1) (a) of the statutes is amended to read:

11          765.12 (1) (a) If ss. 765.02, 765.05, 765.08, and 765.09 are complied with, and  
12          if there is no prohibition against or legal objection to the marriage, the county clerk  
13          shall issue a marriage license. With each marriage license the county clerk shall  
14          provide ~~a pamphlet information~~ describing the causes and effects of fetal alcohol  
15          syndrome ~~and the dangers to a fetus from the mother's use of cocaine or other drugs~~  
16          ~~during pregnancy~~.

2015 - 2016 Legislature

- 3 -

LRB-3288/1

SWB:jld

SECTION 3

**BILL**

1           **SECTION 3.** 770.07 (1) (b) 2. of the statutes is amended to read:

2           770.07 (1) (b) 2. The county clerk may, at his or her discretion, issue a  
3 declaration of domestic partnership less than 5 days after application if the applicant  
4 pays an additional fee of not more than \$10 ~~\$25~~ to cover any increased processing cost  
5 incurred by the county. The county clerk shall pay this fee into the county treasury.

6           **SECTION 4.** 770.07 (2) of the statutes is amended to read:

7           770.07 (2) If sub. (1) and s. 770.05 are complied with, the county clerk shall  
8 issue a declaration of domestic partnership. With each declaration of domestic  
9 partnership the county clerk shall provide ~~a pamphlet~~ information describing the  
10 causes and effects of fetal alcohol syndrome and the dangers to a fetus from the  
11 mother's use of cocaine or other drugs during pregnancy. After the application for  
12 the declaration of domestic partnership is filed, the clerk shall, upon the sworn  
13 statement of either of the applicants, correct any erroneous, false, or insufficient  
14 statement in the application that comes to the clerk's attention and shall notify the  
15 other applicant of the correction, as soon as reasonably possible.

16           **SECTION 5.** 770.10 of the statutes is amended to read:

17           **770.10 Completion and filing of declaration.** In order to form the legal  
18 status of domestic partners, the individuals shall, within 30 days after the clerk  
19 issues a declaration of domestic partnership under s. 770.07 (2), complete the  
20 declaration of domestic partnership, sign the declaration, having their signatures  
21 acknowledged before a notary, and submit the declaration to the register of deeds of  
22 the county in which they reside. The register of deeds shall record the declaration  
23 and forward the original to the state registrar of vital statistics.

24           **SECTION 6. Initial applicability.**



**OUTAGAMIE COUNTY BOARD MEETING  
DECEMBER 8, 2015**

**RESOLUTION NO. 118—2015-16**

Supervisor Iverson moved, seconded by Supervisor Trentlage, for adoption.

**RESOLUTION NO. 118—2015-16 IS ADOPTED.**

1. RADEK	YES	13. VAN ASTEN	YES	25. MOYER	YES
2. KAGLER	YES	14. DE GROOT	YES	26. DUNCAN	YES
3. GRADY	YES	VANDENHEUVEL	YES	27. GILBERTSON	YES
4. PATIENCE	YES	16. LEMANSKI	YES	28. STURN	YES
5. IVERSON	YES	17. GROAT	YES	29. BUCHMAN	YES
6. STRENN	Absent	18. SPRANG	YES	30. ORIEBACH	YES
7. HAMMEN	YES	19. STUECK	YES	31. THERR	YES
8. KRUEGER	YES	20. THOMAS	YES	VANDERHEIDEN	YES
9. TRENTLAGE	YES	21. THYSSEN	YES	33. AUSTIN	Absent
10. BEHNKE	Absent	22. HAGEN	YES	34. RITTLER	YES
11. MEYER	YES	23. KLEMP	YES	35. MELCHERT	YES
12. McDANIEL	YES	24. PLEUSE	YES	36. SUPRICE	YES
<b>Item 13</b>	<b>Passed (33 Y - 0 N - 0 A - 3 Absent)</b>			<b>Majority Vote</b>	<b>&gt;</b>

**RESOLUTION NO.: 118—2015-16**

TO THE HONORABLE, THE OUTAGAMIE COUNTY BOARD OF SUPERVISORS

LADIES AND GENTLEMEN:

**MAJORITY**

1 Legislation has been proposed which will compromise child welfare best practice. The most  
2 significant issue with the proposals is law enforcement involvement in all child welfare  
3 cases. The proposed legislation is in sharp contrast to evidence-based practice and creates  
4 issues with jurisdiction and confidentiality. The proposals could negatively impact  
5 alternative responses such as community and other voluntary services. Additionally, it does  
6 not take into consideration the philosophical differences between law enforcement and child  
7 welfare agencies.  
8

9 NOW THEREFORE, the undersigned members of the Health and Human Services Committee  
10 recommend adoption of the following resolution.

11 BE IT RESOLVED, that the Outagamie County Board of Supervisors does oppose proposed  
12 legislation relating to the referral of cases of suspected or threatened child abuse or neglect to the sheriff  
13 or police department, coordination of the investigation of those cases and referral of those cases to the  
14 district attorney for criminal prosecution, and

15 BE IT FINALLY RESOLVED, that the Outagamie County Clerk be directed to forward a copy  
16 of this resolution to the Outagamie County Health and Human Services Director, the Outagamie County  
17 Executive, all Wisconsin counties, and the Outagamie County Lobbyist who will distribute to the  
18 Legislature and Governor.

19 Dated this 8th day of December 2015

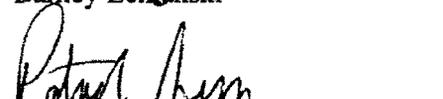
20 Respectfully Submitted,  
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22 HEALTH & HUMAN SERVICES COMMITTEE

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26 \_\_\_\_\_  
27 Jerry Iverson  
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31 Barney Lemanski

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Kevin Behnke

  
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Patrick Meyer

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Cathy Spjars  
Cathy Spjars

Duly and officially adopted by the County Board on: December 8, 2015

Signed: Wesley Taylor  
Board Chairperson

David O'Brien  
County Clerk

Approved: 12 10 15

Vetoed: \_\_\_\_\_

Signed: [Signature]  
County Executive

**OPPOSITION TO SENATE BILL 326/ASSEMBLY BILL 429 AFFECTING CHILD WELFARE PRACTICE**

**WHEREAS, Senate Bill 326/Assembly Bill 429 have been introduced by Senator Robert Cowles and Representative John Macco; and**

**WHEREAS, the bills relate to the referral of cases of suspected or threatened child abuse or neglect to the sheriff or police department, coordination of the investigation of those cases, and referral of those cases to the district attorney for criminal prosecution; and**

**WHEREAS, the bills, on their face, might seem favorable, the bills actually compromise child welfare best practice; and**

**WHEREAS, even though the legislation impacts child welfare practice, the state Department of Children and Families, Office of Children's Mental Health, county child welfare agencies, and child advocacy organizations were not consulted on the legislation; and**

**WHEREAS, issues with the legislation include the following:**

- **Law enforcement involvement in all child welfare cases negatively impacts alternative response, community response, and other voluntary services provided to families;**
- **The legislation is in sharp contrast to evidence-based practice, including trauma- informed care;**
- **The legislation requires child welfare agencies to "coordinate in the planning and execution of the investigation" in all cases, including screened out cases in which the child welfare agency lacks statutory authority to act;**
- **The bills require all reports to be referred to law enforcement within 12 hours, allowing for no prioritization of cases;**
- **The implementation of the legislation has not been thought through, especially when it comes to confidentiality, jurisdictional issues, and the philosophical differences between law enforcement and child welfare agencies; and**

**WHEREAS, counties and law enforcement in most jurisdictions have a positive working relationship and have entered into Memorandums of Understanding with regard to how local agencies will respond to reports of child abuse and neglect; and**

**WHEREAS, counties have requested that the proponents of the legislation bring all parties impacted by the legislation together so all gain an understanding of the others' needs; and**

**WHEREAS, counties believe a compromise on the legislation can be negotiated; however, such a meeting has yet to take place.**

NOW, THEREFORE, BE IT RESOLVED that the XXXXXX County Board of Supervisors does hereby oppose Senate Bill 326/Assembly Bill 429; and

BE IT FURTHER RESOLVED that XXXXXX County renews the request for a meeting of all interested parties to discuss the legislation in greater detail.

**OUTAGAMIE COUNTY BOARD MEETING  
JANUARY 12, 2016**

RESOLUTION NO. 120—2015-16

Supervisor Iverson moved, seconded by Supervisor Thyssen, for adoption.

RESOLUTION NO.120—2015-16 IS ADOPTED.

1. RABEC	NO	13. VAN ASTEN	YES	25. NOOYEN	YES	
2. NAGLER	YES	14. DE GROOT	NO	26. DUNCAN	NO	
3. GRADY	NO	VANDENHEUVEL	YES	27. CULBERTSON	YES	
4. PATIENCE	NO	16. LEMANSKI	Absent	28. STURN	NO	
5. IVERSON	YES	17. GROOT	YES	29. BUCHMAN	NO	
6. STRENN	NO	18. SPEARS	YES	30. GRIESBACH	NO	
7. HAMMEN	YES	19. STUECK	NO	31. THERN	YES	
8. KRUEGER	NO	20. THOMAS	YES	VANDERHEIDEN	YES	
9. TRENTLAGE	YES	21. THYSSEN	YES	33. AUSTIN	YES	
10. BEHNKE	Absent	22. HAGEN	NO	34. RETTLER	NO	
11. MEYER	YES	23. KLEMP	NO	35. MELCHERT	NO	
12. McDANIEL	YES	24. PLEUSS	Absent	36. SUPRISE	NO	
Item 3		Passed (17 Y - 16 N - 0 A - 3 Absent)			Majority Vote	>

**RESOLUTION NO.: 120—2015-16**

TO THE HONORABLE, THE OUTAGAMIE COUNTY BOARD OF SUPERVISORS

LADIES AND GENTLEMEN:

**MAJORITY**

1 Legislation has been proposed which will allow a dairy farmer to sell unpasteurized (raw)  
2 milk and raw milk products such as butter and cheese directly to consumers on the farm  
3 where the milk products are produced. Currently law generally prohibits the sale of raw  
4 milk and raw milk products. Raw milk can carry harmful bacteria and other germs that can  
5 cause serious sickness. This resolution opposes any legislation allowing the sale of  
6 unpasteurized milk and raw milk products.  
7

8 NOW THEREFORE, the undersigned members of the Health and Human Services Committee  
9 recommend adoption of the following resolution.

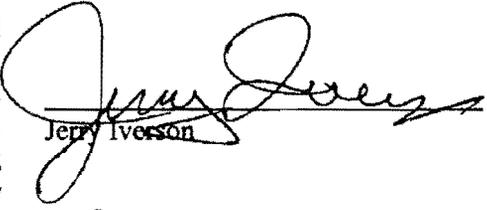
10 BE IT RESOLVED, that the Outagamie County Board of Supervisors does oppose any  
11 legislation which would allow a dairy farmer to sell unpasteurized (raw) milk and raw milk products,  
12 and

13 BE IT FINALLY RESOLVED, that the Outagamie County Clerk be directed to forward a copy  
14 of this resolution to the Outagamie County Health and Human Services Director, the Outagamie County  
15 Executive, all Wisconsin counties, and the Outagamie County Lobbyist who will distribute to the  
16 Legislature and Governor.

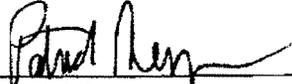
17 Dated this 12th day of January 2016

18 Respectfully Submitted,

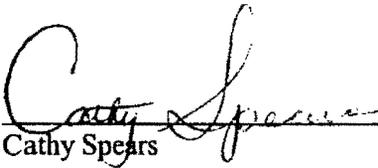
19 HEALTH & HUMAN SERVICES COMMITTEE

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30 Kevin Behnke  
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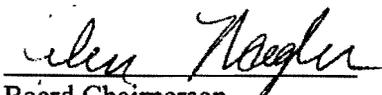
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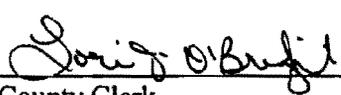
  
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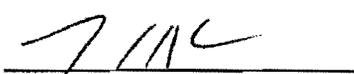
Duly and officially adopted by the County Board on: January 12, 2016

Signed:   
Board Chairperson

  
County Clerk

Approved: 1.13.16

Vetoed: \_\_\_\_\_

Signed:   
County Executive



State of Wisconsin  
2015 - 2016 LEGISLATURE

LRB-2821/1  
MCP:klm

**2015 BILL**

1 **AN ACT** to renumber 97.24 (3); to renumber and amend 97.22 (8); to amend  
2 97.20 (2) (e) 1., 97.22 (2) (a), 97.24 (2) (a) and 97.24 (2) (b); and to create 97.22  
3 (2) (d), 97.22 (8) (bm), 97.24 (2m), 97.24 (3) (b) and 97.29 (1) (g) 1m. of the  
4 statutes; relating to: the sale of unpasteurized milk and unpasteurized milk  
5 products and an exemption from requirements for certain dairy farms.

---

***Analysis by the Legislative Reference Bureau***

This bill allows a dairy farmer to sell unpasteurized (raw) milk and raw milk products such as butter and cheese directly to consumers on the farm where the milk and milk products are produced. Current law generally prohibits the sale of raw milk and raw milk products.

This bill also exempts certain dairy farmers from licensing requirements under current law. Current law requires a dairy farmer to have a milk producer license from the Department of Agriculture, Trade and Consumer Protection (DATCP) and requires a facility that processes or manufactures dairy products such as butter or cheese to have a dairy plant license from DATCP. Current law also requires a facility engaging in food processing to have a food processing license from DATCP, but provides an exception for dairy plants that have a dairy plant license. Under the bill, a dairy farmer does not need to have a milk producer license if the only milk sold by the dairy farmer is raw milk that is sold to consumers on the farm where the milk is produced. The bill also exempts dairy farmers from needing a dairy plant or food processing license if the only milk products that the dairy farmer processes or

2015 - 2016 Legislature

- 2 -

LRB-2821/1  
MCP:klm

**BILL**

manufactures are raw milk products for sale to consumers on the farm where the milk is produced.

In addition, this bill exempts certain dairy farmers from the grade A permitting requirements under current law. Current law prohibits the sale to consumers of milk or fluid milk products that are not grade A milk or fluid milk products. A dairy farmer or dairy plant operator selling grade A milk or grade A fluid milk products must have a grade A permit. The standards for producing grade A milk and milk products are more stringent than for non-grade A milk and milk products. Under the bill, a dairy farmer may sell non-grade A raw milk or raw milk products directly to consumers on the farm where the milk and milk products are produced.

Finally, this bill creates exemptions to DATCP rules relating to the operation of dairy farms and dairy plants and the testing and quality of milk and milk products. Under the bill, these DATCP rules do not apply to raw milk or raw milk products sold directly to consumers on the farm or to the operation of a dairy farm or dairy plant that does not sell or distribute milk or milk products other than raw milk or raw milk products.

For further information see the *state* fiscal estimate, which will be printed as an appendix to this bill.

---

*The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:*

- 1           **SECTION 1.** 97.20 (2) (c) 1. of the statutes is amended to read:
- 2           97.20 (2) (e) 1. A farm manufacturing or processing dairy products solely for
- 3 consumption by the owner or operator of the farm, or members of the household, or
- 4 nonpaying guests or employees, or sale as authorized under s. 97.24 (2m).
- 5           **SECTION 2.** 97.22 (2) (a) of the statutes is amended to read:
- 6           97.22 (2) (a) *License required.* No Except as provided in par. (d), no person may
- 7 operate a dairy farm as a milk producer without a valid license issued by the
- 8 department for that dairy farm. A license expires on April 30 annually and is not
- 9 transferable between persons or dairy farms. Every Except as provided in par. (d),
- 10 every milk producer shall comply with standards applicable to the production of milk
- 11 and fluid milk products under this chapter and rules promulgated under this
- 12 chapter.

2015 - 2016 Legislature

- 3 -

LRB-2821/1  
MCP:klm  
SECTION 3

**BILL**

1           **SECTION 3.** 97.22 (2) (d) of the statutes is created to read:

2           97.22 (2) (d) *Exemptions.* A milk producer license under this section is not  
3 required for a milk producer that does not sell or distribute milk or milk products  
4 other than unpasteurized milk or unpasteurized milk products as authorized under  
5 s. 97.24 (2m). The standards applicable to the production of milk and fluid milk  
6 products under this chapter and rules promulgated under this chapter do not apply  
7 to unpasteurized milk or unpasteurized milk products that are sold or distributed  
8 as authorized under s. 97.24 (2m), or to the operation of a dairy farm by a milk  
9 producer that does not sell or distribute milk or milk products other than  
10 unpasteurized milk or unpasteurized milk products as authorized under s. 97.24  
11 (2m).

12           **SECTION 4.** 97.22 (8) of the statutes is renumbered 97.22 (8) (am), and 97.22 (8)  
13 (am) (intro.), as renumbered, is amended to read:

14           97.22 (8) (am) (intro.) The department may promulgate rules to establish the  
15 fees required under sub. (2) (b) or (4) (a) or to govern the operation of dairy farms by  
16 milk producers, subject to par. (bm). The rules may include standards for any of the  
17 following:

18           **SECTION 5.** 97.22 (8) (bm) of the statutes is created to read:

19           97.22 (8) (bm) The rules promulgated under par. (am) do not apply to  
20 unpasteurized milk or unpasteurized milk products that are sold or distributed as  
21 authorized under s. 97.24 (2m) or to the operation of a dairy farm by a milk producer  
22 that does not sell or distribute milk or milk products other than unpasteurized milk  
23 or unpasteurized milk products as authorized under s. 97.24 (2m).

24           **SECTION 6.** 97.24 (2) (a) of the statutes is amended to read:

2015 - 2016 Legislature

- 4 -

LRB-2821/1

MCP:klm

**BILL**

**SECTION 6**

1           97.24 (2) (a) No person may sell or distribute any milk, other than  
2 unpasteurized milk as authorized under s. 97.24 (2m), unless that milk is produced,  
3 processed and distributed in compliance with standards established by the  
4 department by rule under this chapter.

5           **SECTION 7.** 97.24 (2) (b) of the statutes is amended to read:

6           97.24 (2) (b) No person may sell or distribute any milk or fluid milk products,  
7 other than unpasteurized milk or unpasteurized milk products as authorized under  
8 s. 97.24 (2m), which are not grade A milk or grade A milk products to consumers, or  
9 to any restaurant, institution or retailer for consumption or resale to consumers.  
10 Grade A milk and grade A milk products shall be effectively pasteurized, and shall  
11 be produced, processed and distributed in compliance with standards established by  
12 the department by rule under this chapter.

13           **SECTION 8.** 97.24 (2m) of the statutes is created to read:

14           97.24 (2m) SALE OF UNPASTEURIZED MILK AND UNPASTEURIZED MILK PRODUCTS. (a)  
15 In this subsection, "milk products" means cultured buttermilk, kefir, yogurt, whey,  
16 ice cream, butter, and cheese.

17           (b) A milk producer may sell unpasteurized milk and unpasteurized milk  
18 products directly to a consumer on the milk producer's dairy farm where the milk and  
19 milk products are produced.

20           **SECTION 9.** 97.24 (3) of the statutes is renumbered 97.24 (3) (a).

21           **SECTION 10.** 97.24 (3) (b) of the statutes is created to read:

22           97.24 (3) (b) The rules promulgated under par. (a) do not apply to  
23 unpasteurized milk or unpasteurized milk products that are sold or distributed as  
24 authorized under s. 97.24 (2m) or to the operation of a dairy farm by a milk producer

2015 - 2016 Legislature

- 5 -

LRB-2821/1  
MCP:klm  
SECTION 10

**BILL**

1 that does not sell or distribute milk or milk products other than unpasteurized milk  
2 or unpasteurized milk products as authorized under s. 97.24 (2m).

3 **SECTION 11.** 97.29 (1) (g) 1m. of the statutes is created to read:

4 97.29 (1) (g) 1m. Activities at a dairy farm that is not required to have a dairy  
5 plant license under s. 97.20 (2) (e) 1.

6 (END)

RECEIVED  
WALWORTH COUNTY CLERK

2016 JAN 13 AM 9:15

22 EAST MIFFLIN STREET, SUITE 900  
MADISON, WI 53703  
TOLL FREE: 1.866.404.2700  
PHONE: 608.663.7188  
FAX: 608.663.7189  
WWW.WICOUNTIES.ORG

**MEMORANDUM**

**TO:** County Clerks  
**FROM:** Mark D. O'Connell, Executive Director  
**DATE:** January 11, 2016  
**SUBJECT:** Call for Applications/Nominations

The Wisconsin Counties Association (WCA) is currently seeking applications for positions on the WCA Board of Directors for 2016-2018. Available positions include two diversity appointments and five constitutional officers.

Enclosed please find multiple copies of a memo seeking applications for the WCA Board of Directors that the association asks for your assistance in distributing to all county board supervisors and executives. Please note that WCA is corresponding directly with county constitutional officers about the positions.

If you have any questions regarding the document requested for distribution, please contact Sarah Diedrick-Kasdorf, Deputy Director of Government Affairs, at 608.663.7188.

Thanks so much for all that you do for us throughout the year. Your help in reaching out to our members is greatly appreciated.

---

**MEMORANDUM**

**TO:** County Board Chairs, Executives, Supervisors, and County Constitutional Officers

**FROM:** Lance Pliml, President

**DATE:** January 11, 2016

**SUBJECT:** Appointments to the WCA Board of Directors

The Wisconsin Counties Association (WCA) is currently seeking nominations for appointments to the WCA Board of Directors. Successful applicants will serve a two-year term on the WCA Board of Directors beginning May 15, 2016 and concluding May 14, 2018. Appointments are made by the WCA president (chair of the board beginning in 2018), with confirmation by the WCA Board of Directors. The WCA Board of Directors will confirm the appointments at its March 2016 meeting to allow appointees to participate in the board's biennial organizational meeting in May. Appointments fall under two categories: diversity appointments and constitutional officers.

Diversity Appointments

As stated in the WCA Constitution:

*At the Board of Directors' final meeting immediately preceding the Board of Directors' biennial organizational meeting, the chair, subject to confirmation by the Board of Directors, shall appoint two directors, who shall be County supervisors or County executives, to serve a two-year term on the board. The term of office shall commence on May 15 in the year of the Board of Directors' biennial organizational meeting and end on May 14 of the year of the following Board of Directors' biennial organizational meeting. The purpose of these appointments is to provide diversity of representation on the Board of Directors.*

Constitutional Officers

As stated in the WCA Constitution:

*At the Board of Directors' final meeting immediately preceding the Board of Directors'*

Appointments to the WCA Board of Directors

Page 2

January 11, 2016

*biennial organizational meeting, the chair, subject to confirmation by the Board of Directors, shall appoint one constitutional officer from each of five representative constitutional offices to serve a two-year term on the board. The term of office shall commence on May 15 in the year of the Board of Directors' biennial organizational meeting and end on May 14 of the year of the following Board of Directors' biennial organizational meeting. The five representative constitutional offices shall be the Register of Deeds, Clerk, Sheriff, Clerk of Circuit Court and Treasurer. In making the appointments herein, the chair shall make every effort to solicit recommendations from the appropriate organizations representing county constitutional officers.*

In total, seven appointments will be made to the WCA Board of Directors:

- Two diversity appointments
- One county sheriff
- One register of deeds
- One county clerk
- One clerk of circuit court
- One county treasurer

As a member of the WCA Board of Directors, appointees are compensated for their service. The WCA Board meets approximately four times annually.

If you are interested in serving as an appointee on the WCA Board of Directors, please complete the attached form and submit it to the WCA office by Friday, February 19, 2016.

If you have any questions about the appointments or the appointment process, please contact Sarah Diedrick-Kasdorf at the WCA office at 608.663.7188.

**NOMINATION FORM  
2016-2018 PRESIDENTIAL APPOINTMENT  
TO THE  
WCA BOARD OF DIRECTORS**

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

COUNTY: \_\_\_\_\_

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

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

CITY: \_\_\_\_\_ STATE: \_\_\_\_\_ ZIP: \_\_\_\_\_

TELEPHONE: \_\_\_\_\_ (home) \_\_\_\_\_  
(work/cell)

EMAIL ADDRESS: \_\_\_\_\_

NUMBER OF YEARS IN OFFICE: \_\_\_\_\_

QUALIFICATIONS AND COMMITTEE SERVICE: \_\_\_\_\_

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**Please return by Friday, February 19, 2016 to:**  
Wisconsin Counties Association, 22 E. Mifflin St., Ste. 900, Madison, WI 53703  
Attn: Amy Dias  
FAX: 608.663.7189 EMAIL: dias@wicounties.org



County Clerk

Kimberly S. Bushey  
County Clerk

February 9, 2016 – Walworth County Board Meeting

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

- Racine County Resolution No. 2015-94 – Resolution by the Government Services Committee Opposing any Legislation Expanding the Subpoena Process (Walworth County Res. No. 63-01/16 was passed on 1/12/16 – To be placed on file)

6

December 15, 2015

RESOLUTION NO. 2015-94

RESOLUTION BY THE GOVERNMENT SERVICES COMMITTEE OPPOSING ANY LEGISLATION EXPANDING THE SUBPOENA PROCESS

To the Honorable Members of the Racine County Board of Supervisors:

BE IT RESOLVED by the Racine County Board of Supervisors that Racine County hereby opposes any legislation expanding the subpoena process, and

BE IT FURTHER RESOLVED by the Racine County Board of Supervisors that the Racine County Clerk be directed to forward a copy of this resolution to all Wisconsin Counties, the Racine County Executive, and the Racine County Lobbyist for distribution to the Legislature and Governor.

Respectfully submitted,

Government Services Committee

*[Signature]*  
Pamela Zenner-Richards, Chairman

*[Signature]*  
Ronald Molnar, Vice-Chairman

*[Signature]*  
John A. Wisch, Secretary

*[Signature]*  
Kiana Harden-Johnson  
Thomas Roanhouse

*[Signature]*  
Robert Grove

*[Signature]*  
Janet Bernberg

1st Reading 12-15-15

2nd Reading 1-12-16

BOARD ACTION  
Adopted yes  
For \_\_\_\_\_  
Against \_\_\_\_\_  
Absent \_\_\_\_\_

VOTE REQUIRED: Majority

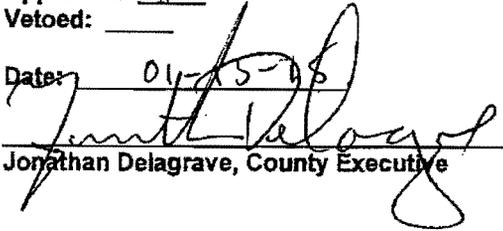
Prepared by:  
Corporation Counsel

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1 Resolution No. 2015-94  
2 Page Two  
3  
4

5 The foregoing legislation adopted by the County Board of Supervisors of  
6 Racine County, Wisconsin, is hereby:

7 Approved: X  
8 Vetoed: \_\_\_\_\_

9  
10 Date: 01-15-15  
11   
12 \_\_\_\_\_  
13 Jonathan Delagrave, County Executive  
14  
15  
16  
17

18 **INFORMATION ONLY**

19  
20 **WHEREAS**, assembly bill 90 reorganizes each chapter of the criminal code  
21 procedure;

22  
23 **WHEREAS**, the attorney general has expressed concern regarding the expedited  
24 discovery provisions that remain in the bill; the lack of adoption technology innovations  
25 such as electronic signatures, electronic filing and electronic discovery, and changes to  
26 the subpoena process that expand the ability to obtain private documents from crime  
27 victims and third parties which could include victim service agencies; and  
28

29 **WHEREAS**, the expansion of the subpoena process could subject victims to  
30 uncontrolled access into their private records, such as treatment and health care records.  
31 The burden would be on the victim or other third parties to take legal action to protect  
32 their privacy.

**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 and County Land Use Plan 2035 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
Harvey R. & Gladys M. Gudeyon Trust – Owner, Joseph & Wendy Staller – Applicant,	Richmond Township part of Tax Parcel CA379400002	Rezone of a 25 foot strip of land or approximately .40 acres from the A-1 Prime Agricultural zone district to the A-4 Agricultural Related Manufacturing, Warehousing and Marketing district for attachment to an existing winery.	February 9, 2016
Charles and Jennifer Kaska – Owners,	East Troy Township part of Tax Parcel PBM 00005	Rezone approximately .06 acers of C-4 Lowland Resource Conservation District (shoreland wetland) property to R-1 Single Family Residential District in order to correct the wetland boundary to Southeastern Wisconsin Regional Plan Commission (SEWRPC) delineated field conditions.	February 9, 2016
Walworth County Zoning Agency (CZA)	All Townships	Amendment to Sections 74-55, 74-62, and 74-131 of the Zoning Ordinance and Section(s) 74-182, 74-189, and 74-263 of the Shoreland Zoning Ordinance regarding Special Event Campgrounds in the B-5 zoning district in conjunction with a previously approved conditional use permit for special events held under the approval of the following uses: drive-in movies; dude ranches; fairgrounds; race tracks; golf courses and country clubs; amphitheaters; theatres, music entertainment facilities; arenas; field houses; gymnasiums; natatoriums; auditoriums; exhibition halls; music halls; stadiums; airports; schools; and churches.	February 9, 2016

Said petition/s is/are hereby referred to the County Zoning Agency as the Zoning Agency of this County, which is hereby directed to hold one or more public hearings on the changes proposed in said petition/s, pursuant to Section 59.69(5) (e) Wisconsin Statutes. Copies of said petitions are available for review on the Walworth County Website at ([www.co.walworth.wi.us](http://www.co.walworth.wi.us)).

Dated this \_\_\_\_\_ day of \_\_\_\_\_, 2016.

\_\_\_\_\_  
County Clerk

cc: All – Ord.  
Supervisor Charlene Staples  
East Troy = Vacant District

ORDINANCE NO. 970 – 02/16

AMENDING SECTION(S) 74-166(b) OF THE  
WALWORTH COUNTY CODE OF ORDINANCES RELATING TO  
THE SHORELAND FLOODPLAIN ORDINANCE

THE WALWORTH COUNTY BOARD OF SUPERVISORS DOES ORDAIN AS  
FOLLOWS:

PART I: That section 74-166(b) of the Walworth County Code of Ordinances is hereby  
amended to read as follows (additions are underlined; deletions are shown in strike-through  
text):

“Sec. 74-166(b) Official Maps and Revisions.

The boundaries of the floodplain district are designated as floodplains . . .

...

(2) 100-year dam failure floodplain analysis and assignment of the hazard  
rating for:

(see 74-264 Appendix)

(a) The Lake Beulah Dam, Field File No. 64.05, Walworth County.

(b) Whitewater Lake Dam, Field File No. 64.20, Walworth County.

(c) Rice Lake Dam, Field File No. 64.29, Walworth County . . .

(d) Comus Lake Dam, Field File No. 64.02, Walworth County.

(3) Floodplain study appendix: All DNR and FEMA approved floodplain  
maps . . .

...

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

PASSED and ADOPTED by the Walworth County Board of Supervisors this 9<sup>th</sup> day of February,  
2016.

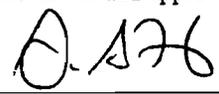
Nancy Russell  
County Board Chair

Kimberly S. Bushey  
Attest: County Clerk

County Board Meeting Date: February 9, 2016

Action Required: Majority Vote  X  Two-thirds Vote \_\_\_\_\_ Other \_\_\_\_\_

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

	<u>1/29/16</u>		<u>2/1/16</u>
David A. Bretl	Date	Nicole Andersen	Date
County Administrator/Corporation Counsel		Deputy County Administrator - Finance	

If unsigned, exceptions shall be so noted by the County Administrator. County Board Meeting Packet  
61 of 90

**Ordinance No. 970 – 02/16**  
**Fiscal Note and Policy Impact Statement**

**I. Title:** Amending Section(s) 74-166(b) of the Walworth County Code of Ordinances Relating to the Shoreland Floodplain Ordinance

**II. Purpose and Policy Impact Statement**

This amendment of the Shoreland/Floodplain Zoning Ordinance is to include the hydraulic shadow map, data and language for the Lake Comus Dam 100 year dam breach. The City of Delavan has incorporated the majority of the dam failure analysis and this amendment is required by the Wisconsin Department of Natural Resources – Floodplain to complete the portion of the dam failure analysis that lies within Walworth County.

**III. Is this a budgeted item and what is its fiscal impact:** Passage of this Ordinance will have no fiscal impact on the County Budget.

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

Committee: County Zoning Agency

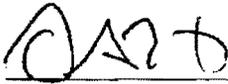
Date: January 21, 2016

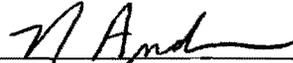
Vote: 5 - 0

County Board Meeting Date:

February 9, 2016

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

 1/29/16  
\_\_\_\_\_  
David A. Bretl Date  
County Administrator/Corporation Counsel

 2/1/16  
\_\_\_\_\_  
Nicole Andersen Date  
Deputy County Administrator - Finance

January 21, 2016  
January 21, 2016 - expanded

Please include the following County Zoning Agency items on the February 9, 2016 County Board agenda:

**Ordinance Amendment:**

1. Amendment to Section(s) 74-166(b) of the Walworth County Code of Ordinances – Shoreland Zoning.

**Approved 5 – 0** at the January 21, 2016 Zoning Agency hearing.

**Rezoning:**

1. **Robert Bern – Owner**, Section 9, East Troy Township. Rezone approximately .87 acres of C-4 Lowland Resource Conservation District (Shoreland Wetland) to the R-1 Single Family Residential District in order to match the wetland boundary to delineated field conditions. Parts of Tax Parcels P ET 900008 and PMGH 00001

**DENIED 5 – 0** at the January 21, 2016 Zoning Agency public hearing.

Conformance with County Land Use Plan: The Walworth County 2035 Land Use Plan identifies this area as part RU Urban Density Residential and part PEC Primary Environmental Corridor.

ORDINANCE NO. 969 – 02/16

AMENDING CHAPTER 9 OF THE WALWORTH COUNTY CODE OF ORDINANCES  
REGARDING SPECIAL NEEDS EDUCATION

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

3  
4 PART I: That Section 9-2 of the Walworth County Code of Ordinances is hereby amended  
5 to read as follows (additions shown by underline; deletions shown by strike-through):

6  
7 “Sec. 9-2. Definitions.

8  
9 The following words, terms and phrases, when used in this article, shall have the  
10 meanings ascribed to them in this section, except where the context clearly gives a different  
11 meaning:

12  
13 *CDEB* means the Walworth County Children with Disabilities Education Board.

14  
15 *CDEB taxation district* means the district described by section 9-50.

16  
17 *Director* means the Director - Special Education.

18  
19 *DPI* means the Wisconsin Department of Public Instruction.

20  
21 *Non-resident student* means a student who does not physically reside within the CDEB  
22 taxation district. A student attending a school located within the CDEB taxation district under a  
23 program such as open enrollment, but who does not actually reside in the CDEB taxation district  
24 is considered a non-resident student for purposes of this chapter.

25  
26 ~~Resident school district means the school district in which a non-resident student resides.~~

27  
28 Sending school district shall mean:

29  
30 1. A school district or the portion of any school district that is not located within the  
31 CDEB taxation district defined in section 9-50; and

32  
33 2. A school district or the portion of any school district that is located within the CDEB  
34 taxation district defined in section 9-50 and which school district has accepted an  
35 open enrollment student who does not reside in the CDEB taxation district who is  
36 seeking services at Lakeland School.”

37  
38 PART II: That Section 9-51 of the Walworth County Code of Ordinances is hereby  
39 amended to read as follows (additions show by underline; deletions shown by strike-  
40 through):

1 **“Sec. 9-51. Tuition agreements.**

- 2
- 3 (a) The Lakeland School is a unique placement option for students with significant special  
4 education needs. It was designed to serve students who reside within the taxation district  
5 defined in section 9-50 and is funded with taxes levied on property owners of said taxation  
6 district. Neither the Lakeland School nor the CDEB are school districts under state law.  
7 Attendance at Lakeland School shall be limited to students residing in the CDEB taxation  
8 district unless the CDEB authorizes ~~such a non-resident~~ student to attend Lakeland School  
9 and a tuition agreement has been approved by the CDEB and the ~~Resident-sending~~ school  
10 district.
- 11
- 12 (b) All tuition agreements shall provide for the full recovery of all CDEB costs, both indirect  
13 and those directly related to the attendance at Lakeland School of the non-resident student.  
14 The determination of direct and indirect costs shall be at the sole discretion of the CDEB  
15 and calculated according to generally accepted accounting principles.
- 16
- 17 (c) The director shall annually review each tuition agreement to ensure that all CDEB costs are  
18 fully recovered. Any modification to a tuition agreement shall require the approval of the  
19 CDEB and ~~Resident-sending~~ school district.”
- 20

21 **PART III: That Section 9-52 is hereby amended to read as follows (additions show by**  
22 **underline; deletions shown by strike-through):**

- 23
- 24 (a) Enrollment of non-resident students.
- 25
- 26 (1) Attendance at Lakeland School shall be limited to students residing in the CDEB  
27 taxation district unless the CDEB authorizes attendance of a non-resident student in  
28 accordance with the terms of this section and a tuition agreement has been approved in  
29 accordance with section 9-51.
- 30
- 31 (2) Maintaining an excellent physical environment is important to the mission of Lakeland  
32 School. The CDEB shall establish, annually, a maximum number of ~~non-resident~~  
33 resident and non-resident students that may attend Lakeland School. A non-resident  
34 student, not already attending Lakeland School, shall not be admitted to Lakeland  
35 School when said maximum capacity has been reached. The CDEB shall follow the  
36 criteria set forth in section 9-54 when establishing the maximum enrollment of the  
37 Lakeland School.
- 38
- 39 (3) The sending district will continue to be responsible for the IEP and re-evaluation of any  
40 enrolled student and, as appropriate, develop, review and revise such IEP.
- 41
- 42 (4) The county shall not be responsible for any costs associated with the transportation of  
43 non-resident students.
- 44

1 (5) A non-resident student shall not be permitted to attend Lakeland School in the event of  
2 one or more of the following circumstances:  
3

4 a. The educational model at Lakeland will not benefit the student;  
5

6 b. There is insufficient space or there are insufficient resources at Lakeland to  
7 adequately support the student;  
8

9 c. Admission of the student would pose a safety risk to the student, other students or  
10 to staff.  
11

12 (6) The CDEB reserves the right to terminate the enrollment of such student during the  
13 school year for cause. Such cause shall include, but is not limited to a finding by the  
14 CDEB of one or more of the following reasons:  
15

16 a. Maximum capacity pursuant to (a)(2) has been reached;  
17

18 b. One or more grounds set forth in (a)(5);  
19

20 c. Non-payment of a tuition agreement.  
21

22 (7) The director may develop ~~rules~~ procedures consistent with this section.  
23

24 (b) Criteria for non-admission. Admission to Lakeland School shall not be available under any  
25 circumstance to any non-resident student who meets one or more of the following criteria:  
26

27 (1) The student has been expelled from school or has been assigned to an alternative  
28 placement option by any school district for any of the following reasons or a  
29 disciplinary proceeding involving the student, based on one of the following reasons, is  
30 pending:  
31

32 a. Conveying, or causing to be conveyed, any threat or false information concerning  
33 an attempt or alleged attempt being made or to be made to destroy any school  
34 property.  
35

36 b. Engaging in conduct while at school or while under supervision of a school  
37 authority that endangered the health, safety or property of others.  
38

39 c. Engaging in conduct while not at school or while not under the supervision of a  
40 school authority that endangered the health, safety or property of others.  
41

42 d. Possessing a dangerous weapon, as defined by Wisconsin Statutes.  
43

44 (2) The student has not been screened by his/her resident school district to determine if  
45 there is reasonable cause to believe that the student is a student with exceptional

1 educational needs or the child has been reported or identified by his/her resident school  
2 district but not yet evaluated by a multi-disciplinary team appointed by the resident  
3 district.

4 (3) Lakeland School is not able to provide the special education program or related services  
5 described in the student's individualized education program utilizing existing staff,  
6 services and facilities, or there is no space available in the appropriate special education  
7 program. The tuition agreement of the non-resident special education student who  
8 exhibits discipline and/or behavior processing difficulties for an extended period of time  
9 and to a marked degree (emotional, social, behavioral, and/or judgment lapses that  
10 compromise the safety and well-being of others at Lakeland School) may be rejected  
11 and/or terminated by the CDEB at any time.

12  
13 (4) The student has not met the academic pre-requisites for participation in a particular  
14 program in which the student wishes to enroll.

15  
16 (5) A current tuition agreement covering the student's attendance at Lakeland School has  
17 not been executed.

18  
19 **PART IV: That Section 9-53 is hereby created to read as follows:**

20  
21 **"Sec. 9-53. Procedure for non-resident student enrollment.**

22  
23 (a) A school district may request that a non-resident student be considered for enrollment at  
24 Lakeland School. Said admission shall be possible only under a tuition agreement and shall  
25 comply with the procedures set forth in (b).

26  
27 (b) Requests for admission shall be initiated by the sending district submitting a current copy of  
28 the students' IEP (Individual Education Plan) to the Director. Upon receipt of the IEP, the  
29 Director or his or her designee shall affix a date stamp (or a written and initialed date) to the  
30 IEP and process the request. Lakeland School reserves the right to request additional  
31 information to assist in the review of the enrollment request.

32  
33 (c) Upon receipt of the enrollment request, the Director shall review the request using the  
34 acceptance/denial criteria set forth in this chapter. If there is sufficient space available and  
35 the student meets the remaining acceptance criteria, all such requests shall be approved. All  
36 requests for attendance by non-resident students shall be contingent upon approval of a  
37 tuition agreement pursuant to section 9-51.

38  
39 (d) A waiting list will be created for those non-resident students/districts initially denied due to  
40 space availability, maintaining the same order as received from the enrollment/tuition  
41 requests. As any spaces become available, requests will be accepted from the waiting  
42 list(s)."

43  
44 **PART V: That Section 9-54 is hereby created to read as follows:**

1 **“Sec. 9-54. Determination of available space for non-resident students.**  
2

3 **(a) The Director shall, annually, submit to the CDEB his or her recommendation regarding the**  
4 **maximum number of resident and non-resident students that may attend Lakeland School.**  
5 **The Director shall follow the criteria set forth in this section in making his or her**  
6 **recommendation.**  
7

8 **(b) The maximum enrollment at Lakeland School shall be established for categories, including,**  
9 **by way of example, high school, middle school, elementary school, speech and language,**  
10 **occupational/physical therapy and vision and hearing.**  
11

12 **(c) When determining maximum enrollment, consideration shall be given to:**  
13

14 **1. Desired class size limits;**

15 **2. Desired student-teacher ratios;**

16 **3. Overall building capacity;**

17 **4. Future enrollment projections;**

18 **5. Projected number of sections of particular grades or courses;**

19 **6. Desired program-size limitations; and**

20 **7. Known or projected limitations on available staffing and other resources.**  
21

22 **(d) Enrollment limits for non-resident student may include reserving sufficient spaces for**  
23 **expected growth in the number of students entitled to attend Lakeland School by virtue of**  
24 **residency in the CDEB taxation district.”**  
25

26 **PART VI: This ordinance shall become effective upon passage and publication.**  
27

28 **PASSED and ADOPTED** by the Walworth County Board of Supervisors this 9<sup>th</sup> day of  
29 February 2016.  
30  
31

32 \_\_\_\_\_  
33 Nancy Russell  
34 County Board Chair

35 \_\_\_\_\_  
36 Kimberly S. Bushey  
37 Attest: County Clerk

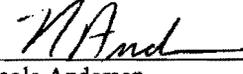
38  
39 County Board Meeting Date: February 9, 2016  
40

41  
42 Action Required: Majority Vote   X   Two-thirds Vote \_\_\_\_\_ Other \_\_\_\_\_  
43  
44

Policy and Fiscal Note is attached.

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

 1/27/16  
Date  
David A. Byrd  
County Administrator/Corporation Counsel

 1/27/16  
Date  
Nicole Andersen  
Deputy County Administrator-Finance

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

**Ordinance No. 969 - 02/16**  
**Fiscal Note and Policy Impact Statement**

- I. **Title:** Amending Chapter 9 of the Walworth County Code of Ordinances Regarding Special Needs Education
- II. **Purpose and Policy Impact Statement:** The purpose of this ordinance is to provide for a more precise determination of maximum enrollment at the Lakeland School. The ordinance also clarifies procedures that would be followed in the event an open enrollment student seeks to attend Lakeland School.
- III. **Is this a budgeted item and what is its fiscal impact:** Lakeland School is paid for by taxpayers of the CDEB taxation district. Students residing outside of the district may attend if space is available, they meet all admissions requirements of the ordinance and the school district in which the student resides agrees to enter into a tuition agreement that reimburses Walworth County for the actual costs of educating the student. This ordinance amendment makes it clear that if a school district in the CDEB taxation district ("sending district") accepts an open enrollment student residing outside the taxation district, the sending district must enter into a tuition agreement and reimburse the CDEB for the actual expenses of educating the student.
- IV. **Referred to the following standing committee(s) for consideration and date of referral:**

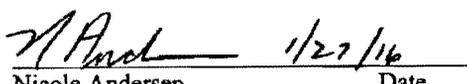
Committee: Children with Disabilities Education Board Date: January 20, 2016

Vote: 4-0

County Board Meeting Date: February 9, 2016

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

  
\_\_\_\_\_  
David A. Buetl Date  
County Administrator/Corporation Counsel

  
\_\_\_\_\_  
Nicole Andersen Date  
Deputy County Administrator-Finance

**ORDINANCE NO. 966– 02/16**

**AMENDING SECTION 30-286 OF THE WALWORTH COUNTY  
CODE OF ORDINANCES RELATIVE TO THE SHERIFF'S OFFICE  
JAIL INMATE DEPOSIT FEES**

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

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

**“Sec. 30-286. Consolidated fee schedule.**

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

Walworth County  
Consolidated Fee Schedule

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

<b>Description</b>	<b>Fee</b>	<b>Effective Date</b>	<b>Authority</b>
<b>Sheriff's Office</b>			
Jail inmate deposit fee	\$3.25/cash transaction, deposit limit	<del>Jun 15</del> Feb 16	Ord. 930-06/15 Note to codifier: Insert ordinance number here.
-all inmate deposits	<del>\$500.00</del> \$200.00;		
transacted via lobby	<del>\$4.15</del> \$4.50 (\$0.00-30.00),		
kiosk	\$5.95 (\$30.01-\$50.00),		
	\$6.95 (\$50.01-\$70.00),		
	\$7.95 (\$70.01-\$100.00)		
	credit/debit card transaction, deposit limit \$100.00		

Description	Fee	Effective Date	Authority
Jail inmate deposit fee -all inmate deposits transacted via online services	8% service fee for bail, \$5,000 maximum, \$5.25 internet transaction; <del>\$6.75 phone transaction-\$25.00</del> minimum deposit per transaction, <u>Phone transactions:</u> <u>\$6.50 (\$0.00-\$30.00),</u> <u>\$7.95 (\$30.01-\$50.00),</u> <u>\$8.95 (\$50.01-\$70.00),</u> <u>\$9.95 (\$70.01-\$100.00),</u> <u>Deposit limit \$100.00</u> \$100.00 maximum deposit per transaction. \$200.00 combined maximum deposit per week. Maximum of 5 transactions per week.	<del>Jun 15</del> Feb 16	Ord. 930-06/15 <u>Note to</u> <u>codifier: Insert</u> <u>ordinance</u> <u>number here.</u>

1 **PART 2: BE IT FURTHER ORDAINED THAT** the effective date of this ordinance shall be  
2 February 9, 2016 unless otherwise noted.

3  
4 **PASSED and ADOPTED** by the Board of Supervisors of Walworth County Wisconsin this 9<sup>th</sup>  
5 day of February, 2016.

6  
7 County Board Meeting Date: February 9, 2016

8  
9 Action Required: Majority Vote  X  Two-thirds Vote \_\_\_\_\_ Other \_\_\_\_\_

10  
11  
12  
13  
14 \_\_\_\_\_  
15 Nancy Russell  
County Board Chair

\_\_\_\_\_   
Kimberly S. Bushey  
County Clerk

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

 1/22/16  
David A. Bretl Date  
County Administrator/Corporation Counsel

 1/27/16  
Nicole Andersen Date  
Deputy County Administrator-Finance

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

**Policy and Fiscal Note**  
**Ordinance No. 966 – 02/16**

**I. Title:** Amending Section 30-286 of the Walworth County Code of Ordinances Relative to Sheriff's Office Jail Inmate Deposit Fees

**II. Purpose and Policy Impact Statement:** The purpose of this ordinance amendment is to codify updated fees for the Sheriff's Office

This policy updates the amounts charged for jail inmate deposit fees. Actual fees charged at time of service may vary based on the third party fees associated with the type and amount of the transaction. Fees charged are established by the vendor and subject to change per the contract.

**III. Is this a budgeted item and what is its fiscal impact?** There is no fiscal impact.

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

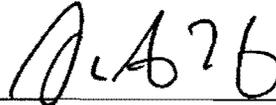
Committee: Finance Committee

Date: January 21, 2016

Vote: 4-0

County Board Meeting Date: February 9, 2016

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

 1/26/16  
\_\_\_\_\_  
Date  
David A. Bretl  
County Administrator/Corporation Counsel

 1/27/16  
\_\_\_\_\_  
Date  
Nicole Andersen  
Deputy County Administrator-Finance

**Resolution No. 68-02/16**

**Authorizing the Public Works Automated Radio Frequency ID (RFID) Scale System to be Declared Surplus and Authorizing Staff to Dispose of the Asset**

1 Moved/Sponsored by: Finance Committee

2  
3 **WHEREAS**, the Public Works Department Automated Radio Frequency ID (RFID) Scale  
4 System was installed in 2007 with an estimated useful life of 20 years; and,

5  
6 **WHEREAS**, the RFID Scale System has a current book value of \$26,703; and,

7  
8 **WHEREAS**, the Scale's Long Range RFID Reader was damaged; and,

9  
10 **WHEREAS**, the replacement Long Range RFID Reader was not compatible with the automated  
11 scale software; and,

12  
13 **WHEREAS**, a new automated scale system, new RFID Reader and software solution has been  
14 purchased and installed by county staff; and,

15  
16 **NOW, THEREFORE, BE IT RESOLVED** that the Walworth County Board of Supervisors  
17 that the RFID Scale System shall be declared surplus property and disposed of by County staff  
18 according to County policy.

19  
20  
21  
22  
23  
24 \_\_\_\_\_  
25 Nancy Russell  
26 County Board Chair

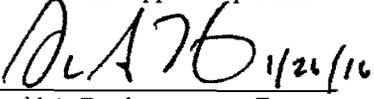
24 \_\_\_\_\_  
25 Kimberly S. Bushey  
26 County Clerk

27 County Board Meeting Date: February 9, 2016

28  
29 Action Required:    Majority Vote   X      Two-thirds Vote \_\_\_\_\_    Other \_\_\_\_\_

Policy and Fiscal Note is attached.

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

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

  
\_\_\_\_\_  
Nicole Andersen                      Date  
Deputy County Administrator - Finance

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

**Policy and Fiscal Note**  
**Resolution No. 68-02/16**

- I. Title:** Authorizing Public Works Automated Radio Frequency ID (RFID) Scale System to be Declared Surplus and Authorizing Staff to Dispose of the Asset
- II. Purpose and Policy Impact Statement:** The purpose of this resolution is to declare the RFID scale system surplus pursuant to Section 30-262-(c)(1) of the Walworth County Code of Ordinances.
- III. Budget and Fiscal Impact:** The new replacement scale system was budgeted under the 2014 Capital Projects with existing public works funds.
- IV. Referred to the following standing committees for consideration and date of referral:**

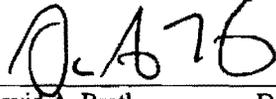
Committee: Finance

Meeting Date: January 21, 2016

Vote: 4-0

County Board Meeting Date: February 9, 2016

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.

 1/26/16  
David A. Bretl                      Date  
County Administrator/Corporation Counsel

 1/26/16  
Nicole Andersen                      Date  
Deputy County Administrator - Finance

**Resolution No. 69-02/16**  
**Authorizing the Addition of the Department of Natural Resources (DNR) Transient  
Non-Community Water Systems Grant to Previously Established  
Pre-Approved Recurring Grants List**

1 Moved/Sponsored by: Finance Committee

2  
3 **WHEREAS**, Section 30-313 of the Walworth County Code of Ordinances allows the  
4 establishment, by resolution, of a list of authorized recurring grants; and,

5  
6 **WHEREAS**, Resolution 08-05/05 established a list of pre-approved, recurring grants; and,

7  
8 **WHEREAS**, the Health and Human Services department desires to add the grant noted below to  
9 the aforementioned list; and,

10  
11 **WHEREAS**, inclusion of a grant on the authorized list provides authority to the County  
12 Administrator to approve the application and receipt of a grant so included until such time as a  
13 material change in conditions of a grant occurs; and,

14  
15 **WHEREAS**, a material change in conditions of a grant includes, but is not limited to, capital  
16 expenditures, capital acquisitions, increase in percent of county match or variation from the  
17 original intent of the grant; and,

18  
19 **WHEREAS**, the authorized list, at a minimum, will be reviewed on an annual basis and  
20 revisions proposed as necessary; and,

21  
22 **WHEREAS**, new grant opportunities for county departments may be added by authorization of  
23 the County Board at a future date.

24  
25 **NOW, THEREFORE, BE IT RESOLVED** that grants specifically requiring County Board  
26 authorization shall continue to be submitted for action; and,

27  
28 **BE IT FURTHER RESOLVED** that “one-time” grants continue to require authorization as  
29 specified in Chapter 30, Article VIII of the Walworth County Code of Ordinances; and,

30  
31

1 **BE IT FURTHER RESOLVED** by the Walworth County Board of Supervisors that the  
2 following recurring grant is and the same is hereby approved:  
3

<b>Program Title - Purpose</b>	<b>Contract Amount / County Share %</b>
<b>DEPARTMENT: Health and Human Services</b>	
Department of Natural Resources -- Transient Non-Community Water Systems	\$24,440 / Unrecovered Program Costs

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5  
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15

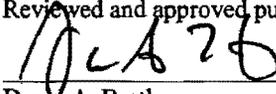
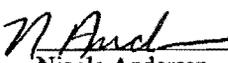
\_\_\_\_\_  
Nancy Russell  
County Board Chair

\_\_\_\_\_  
Kimberly S. Bushey  
County Clerk

County Board Meeting Date: February 9, 2016

Action Required:    Majority Vote   X          Two-thirds Vote \_\_\_\_\_        Other \_\_\_\_\_

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

 _____ David A. Bretl County Administrator/Corporation Counsel	<u>1/26/16</u> Date	 _____ Nicole Andersen Deputy County Administrator - Finance	<u>1/27/16</u> Date
---	------------------------	--	------------------------

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

**Policy and Fiscal Note**  
**Resolution No. 69-02/16**

- I. Title:** Authorizing the Addition of the Department of Natural Resources (DNR) Transient Non-Community Water Systems Grant to Previously Established Pre-Approved Recurring Grants List.
- II. Purpose and Policy Impact Statement:** The purpose of this resolution is to authorize a list of recurring grants which may be applied for without further County Board action. The Transient Non-Community Water System contract shall be added to this list.
- III. Budget and Fiscal Impact:** Passage of this resolution will have the following fiscal impact on the 2016 Budget: The expected payment of the contract for 2016 is \$24,440 and will be used to maintain the environmental health program. The contract revenue in 2016 is budgeted at \$23,920 and will be appropriately adjusted for the amount actually anticipated to be received. Future budgets will reflect updated dollar amounts for each recurring contract.
- IV. Referred to the following standing committees for consideration and date of referral:**

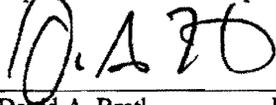
Committee: Finance

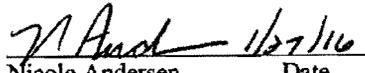
Meeting Date: January 21, 2016

Vote: 4-0

County Board Meeting Date: February 9, 2016

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

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

  
\_\_\_\_\_  
Nicole Andersen                      Date  
Deputy County Administrator - Finance

ORDINANCE NO. 967 – 02/16

AMENDING SECTION 15-17 OF THE WALWORTH COUNTY CODE OF  
ORDINANCES RELATING TO RECEPTIONIST/CLERK POSITIONS AT HEALTH &  
HUMAN SERVICES

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

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

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

9  
10 (i) *Health & Human Services*

11	CLASSIFICATION TITLE	FTE
12		
13		
14	Account Clerk II	1.00
15	Account Clerk III	2.00
16	Account Clerk IV	3.00
17	Administrative Secretary II	1.00
18	Associate Nutrition Specialist	1.00
19	Behavior Analyst	1.00
20	Child Support Lead Worker	1.00
21	Clerk II	1.60
22	Clerk III	1.00
23	Clerk IV	14.00
24	Deputy Director – Health & Human Services	1.00
25	Director – Health & Human Services	1.00
26	Economic Support Lead Worker	2.00
27	Economic Support Specialist	17.00
28	Economic Support Specialist (Project Position) <sup>6</sup>	3.00
29	Environmental Health Specialist	1.00
30	HHS Site Worker	1.00
31	HS Manager-Administrative Services	1.00
32	HS Manager-Aging Services & Resources Support	1.00
33	HS Manager- Behavioral Health Services	1.00
34	HS Manager- Children’s Services	1.00
35	HS Manager-Mental Health Recovery Services	1.00
36	HS Manager-Public Health	1.00
37	HS Specialist I	59.23
38	HS Specialist I (AODA Grant)	2.00
39	HS Specialist II	1.00
40	HS Specialist III	11.00

1	HS Specialist IV	1.00
2	HS Supervisor-ADRC	1.00
3	HS Supervisor- Aging & Nutrition	1.00
4	HS Supervisor-Behavioral Health	1.00
5	HS Supervisor-Child Support	1.00
6	HS Supervisor-Community Support Case Management	1.00
7	HS Supervisor-Community Support Program	1.00
8	HS Supervisor-Compliance & Medical Records	1.00
9	HS Supervisor-Crisis Intervention	1.00
10	HS Supervisor-Economic Support	2.00
11	HS Supervisor-Fiscal Support	1.00
12	HS Supervisor-Juvenile Court Intake/Child Abuse & Neglect	1.00
13	HS Supervisor-Ongoing Case Management	1.00
14	HS Supervisor-Public Health	1.00
15	HS Supervisor-WIC	1.00
16	Nutrition Site Worker	1.87
17	Nutrition Specialist	1.00
18	Occupational Therapist	0.80
19	Paternity Specialist	1.00
20	Physical Therapist	0.80
21	Physician Support Assistant	1.00
22	Program Assistant	1.00
23	Public Health Nurse BSN	3.50
24	Public Health Specialist	0.50
25	Receptionist/Clerk	<del>4.04</del> <u>4.37</u>
26	RN (Mental Health)	2.00
27	Secretary – Confidential	1.00
28	Senior Accountant <sup>1</sup>	1.75
29	Spanish Interpreter/Clerk	0.50
30	Speech-Language Pathologist	1.75
31	Support Specialist	5.00
32	Teacher	1.00
33	Total Health & Human Services FTEs	<del>176.34</del> <u>176.67</u>
34	<sup>1</sup> Reports to Finance	
35	<sup>6</sup> Positions to be eliminated when State funding ceases.	
36		
37	(u) Grand Total - County FTEs	<del>821.35</del> <u>821.68</u>

38  
39 **PART II: This ordinance shall become effective upon passage and publication.**

40  
41 **PASSED and ADOPTED** by the Walworth County Board of Supervisors this 9<sup>th</sup> day of  
42 February 2016.

43  
44  
45  
46





ORDINANCE NO. 968– 02/16

AMENDING SECTIONS OF CHAPTER 15 OF THE WALWORTH COUNTY CODE OF ORDINANCES RELATING TO THE LHCC PILOT PROGRAM INVOLVING 12-HOUR SHIFTS

1 THE WALWORTH COUNTY BOARD OF SUPERVISORS DOES ORDAIN AS  
2 FOLLOWS:  
3

4 **PART I: That Section 15-4 of the Walworth County Code of Ordinances is hereby**  
5 **amended to read as follows (additions are underlined; deletions are shown in strike-**  
6 **through text):**  
7

8 **“Sec. 15-4. Definitions.**

9  
10 *Regular employee* means an employee scheduled to perform a full-time (~~40 or more~~  
11 ~~hours per week~~) or part-time (~~less than 40 hours per week~~) schedule of work that is uniform in  
12 nature; normally has work reserved for him or her; has an assurance of a relatively equal portion  
13 of available work; and is not free to reject available work.”  
14

15 **PART II: That Section 15-121 of the Walworth County Code of Ordinances is hereby**  
16 **amended to read as follows (additions are underlined; deletions are shown in strike-**  
17 **through text):**  
18

19 **“Sec. 15-121. Workweek.**

20  
21 (a) The workweek for a full-time employee shall be Sunday through Saturday,  
22 consisting of 40 hours, with the exception of some non-represented hourly positions working for  
23 the children with disabilities education board which may be 35 hours as well as authorized  
24 positions working a schedule of three 12-hour shifts.  
25

26 (b) Any exceptions to subsection (a) shall be subject to review and recommendation  
27 of the county administrator and final approval of the human resources committee.”  
28

29 **PART III: That Section 15-321 of the Walworth County Code of Ordinances is hereby**  
30 **amended to read as follows (additions are underlined; deletions are shown in strike-**  
31 **through text):**  
32

33 **“Sec. 15-321. Overtime pay.**

34  
35 OVERTIME CODE

36  
37 1 These classes are primarily managerial in nature, but may also include some  
38 professional or administrative classes, paid on a salary basis, and ineligible for

1 overtime pay, with the exception of Sworn management staff, as identified in  
2 (a)(1) above.  
3

4 2 These classes are paid on an hourly basis and are covered by the overtime pay  
5 provisions of the FLSA (i.e., non-exempt) and, therefore, receive overtime pay or  
6 compensatory time at the one and one-half (1.5x) time their regular rate for time  
7 worked in excess of 40 productive hours per week.  
8

9 3 These classes are specified nursing home positions scheduled to work weekends  
10 and paid on an hourly basis and are covered by the overtime pay provisions of the  
11 FLSA (i.e., non-exempt) and, therefore, receive overtime pay or compensatory  
12 time at the one and one-half (1.5x) time rate under the “8 and 80” system –  
13 overtime for any hours worked after more than 8 productive hours in a day and  
14 more than 80 productive hours in a 14-day work period. This class shall not  
15 include pool staff at the nursing home as well as positions identified to work a  
16 regular schedule of three 12-hour shifts.”  
17

18 **PART IV: That Section 15-323 of the Walworth County Code of Ordinances is hereby**  
19 **amended to read as follows (additions are underlined; deletions are shown in strike-**  
20 **through text):**  
21

22 **“Sec. 15-323. Flexible work scheduling.**  
23

24 (a) Full-time employees shall normally be scheduled to work five (5) days a week for  
25 eight (8) hours a day, unless specifically approved by the county administrator and the human  
26 resources committee. Department heads shall have the authority to modify an employee’s  
27 schedule, on an occasional basis, due to bona fide operational needs. At no time shall a  
28 modification become permanent, and at no time shall a modification be granted solely for an  
29 employee’s personal convenience.  
30

31 (b) All full-time employees paid on a salary basis shall be recorded as having worked  
32 80 hours each bi-weekly pay period and, if the hours were not regular hours, the employee shall  
33 indicate whether they involve sick leave, vacation, etc.  
34

35 (c) Salaried-exempt employees shall exercise discretion over the methods and  
36 manners in which they effectively use their work time. When the need warrants, they are  
37 expected to devote the extra effort necessary to complete their work in a professional manner,  
38 and in turn they may occasionally exercise some flexibility in their work schedules. Employees  
39 shall not “bank” the extra hours or expect that an hour for hour match will be given as time off in  
40 the future. It is up to each supervisor to approve any flex time off to assure there is no abuse.  
41 Supervisors are encouraged to promote the exercise of flexibility in proximity to extraordinary  
42 time spent by a covered employee on the job. For example, if operational needs require a salaried  
43 exempt employee to work ten hours on a Sunday, the employee should be encouraged to exercise  
44 flexibility at a point in time proximate to that extraordinary event. As a further guideline, such

1 time off shall be limited to a maximum of three consecutive days in connection with any one  
2 absence.

3  
4 (d) Upon separation from county employment, there shall under no circumstances be  
5 any payout for the separated employee on account of this section.

6  
7 **PART V: That Section 15-519 of the Walworth County Code of Ordinances is hereby**  
8 **amended to read as follows (additions are underlined; deletions are shown in strike-**  
9 **through text):**

10  
11 **“Sec. 15-519. Holiday pay provisions.**

12  
13 (a) *Holiday pay for employees scheduled to work Monday through Friday.*

14  
15 (1) For all employees scheduled to work Monday through Friday, the holiday shall be  
16 observed on the actual calendar day of the holiday, except that a holiday falling  
17 on a Saturday shall be observed on the preceding Friday, and a holiday falling on  
18 a Sunday shall be observed on the following Monday.

19  
20 (2) An employee subject to this section shall not be required to work on the observed  
21 holiday. A full-time employee shall receive eight hours of holiday pay, and a part-  
22 time employee shall receive pro-rated holiday pay, pro-rated by approved FTE.  
23 An employee scheduled to work three 12-hour shifts shall be considered full-time  
24 for purposes of this section.

25  
26 (3) Only employees required to work on the holiday due to staffing and/or workload  
27 issues at the request of the department head shall be paid holiday pay as provided  
28 under subsection (2) and shall bank holiday hours equal to the number of hours  
29 worked, not to exceed eight hours.

30  
31 (4) This subsection shall not apply to sworn law enforcement employees.

32  
33 (b) *Holiday pay for employees scheduled to work weekends.*

34  
35 (1) For employees scheduled to provide mandatory shift and weekend coverage, the  
36 holiday shall be observed on the calendar day of the holiday. An employee subject  
37 to this subsection shall, when scheduled to work on the day observed as a holiday,  
38 report for work, or absence shall be subject to the time-off scheduling practices of  
39 the employee's department.

40  
41 (2) The employee shall be paid time and one-half pay for work on the holiday and  
42 shall bank holiday hours or take the additional pay equal to the holiday pay  
43 benefit (eight hours for full-time or pro-rata for part-time). The decision to bank  
44 the hours or take the additional pay must be made prior to the end of the pay

1 period. An employee scheduled to work three 12-hour shifts shall be considered  
2 full-time for purposes of this section.  
3

- 4 (3) When the actual holiday falls on the employee's day-off, the employee shall bank  
5 holiday hours equal to the holiday pay benefit (eight hours for full-time or pro-  
6 rata for part-time). An employee scheduled to work three 12-hour shifts shall be  
7 considered full-time for purposes of this section.  
8

9 **PART VI: That Section 15-541 of the Walworth County Code of Ordinances is hereby**  
10 **created to read as follows:**  
11

12 **“Sec. 15-541. Special health and dental provisions for specific non-represented hourly**  
13 **employees of the Lakeland Health Care Center.**  
14

15 For purposes of determining group health and dental insurance benefits as described in  
16 Division 3 of Article V of this Chapter, employees authorized to work three 12-hour shifts shall  
17 be considered regular full-time employees.”  
18

19 **PART VII: That this ordinance shall be effective upon passage.**  
20

21 **PASSED and ADOPTED** by the Walworth County Board of Supervisors this 9<sup>th</sup> day of  
22 February 2016.  
23

24  
25  
26  
27 \_\_\_\_\_  
28 Nancy Russell  
29 County Board Chair

\_\_\_\_\_

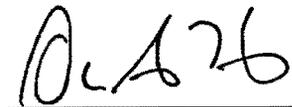
Kimberly S. Bushey  
Attest: County Clerk

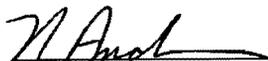
**County Board Meeting Date: February 9, 2016**

Action Required: Majority Vote  X  Two-thirds Vote \_\_\_\_\_ Other \_\_\_\_\_

Policy and Fiscal Note is attached.

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

 1/26/16  
Date  
David A. Bretl  
County Administrator/Corporation Counsel

 1/27/16  
Date  
Nicole Andersen  
Deputy County Administrator-Finance

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

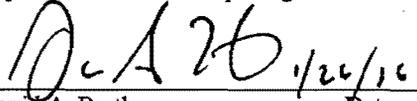
**Ordinance No. 968-02/16**  
**Fiscal Note and Policy Impact Statement**

- I. Title:** Amending Sections of Chapter 15 of the Walworth County Code of Ordinances Relating to the LHCC Pilot Program Involving 12-hour Shifts
- II. Purpose and Policy Impact Statement:** The purpose of this ordinance amendment is to change the applicable sections of Chapter 15 to allow an employee assigned to three 12-hour shifts to be recognized as a full-time employee for the purposes of certain benefits.
- III. Is this a budgeted item and what is its fiscal impact:** The 2016 budget covers the benefits for all qualified positions. These changes will not alter the benefit costs already included in the 2016 budget.
- IV. Referred to the following standing committee(s) for consideration and date of referral:**

Committee: Human Resources Committee                      Date: January 20, 2016

Vote:                      3-0

County Board Meeting Date: February 9, 2016

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

**Resolution No. 70 – 02/16**

**Setting Salaries for Register of Deeds, County Treasurer and County Clerk for 2017-2020**

1 Moved/Sponsored by: Human Resources Committee

2  
3 **WHEREAS**, the County Board is required to adopt any changes in salaries for elected officers  
4 prior to the filing of nomination papers in April 2016; and,

5  
6 **WHEREAS**, the Human Resources Committee recommends that the salaries for elected officers  
7 be set commensurate with the duties delegated to the elected officers by law or the County  
8 Board.

9  
10 **NOW, THEREFORE, BE IT RESOLVED** by the Walworth County Board of Supervisors that  
11 the elected county officers shall be compensated at the following per annum rates for  
12 performance of those duties required by law and such other duties as may be delegated by the  
13 County Board and as specifically noted herein:  
14

	<u>2016</u> <u>Salary</u>	<u>First Monday in</u> <u>January 2017</u>	<u>First Monday in</u> <u>January 2018</u>	<u>First Monday in</u> <u>January 2019</u>	<u>First Monday in</u> <u>January 2020</u>
Register of Deeds	\$68,682	\$70,056	\$71,457	\$72,886	\$74,344
County Treasurer	\$68,682	\$70,056	\$71,457	\$72,886	\$74,344
County Clerk	\$68,682	\$70,056	\$71,457	\$72,886	\$74,344

15  
16 **BE IT FURTHER RESOLVED** that each elected county officer shall be afforded the same  
17 group insurance and pension benefits as those provided to department heads of the county; and,

18  
19 **BE IT FURTHER RESOLVED** that budgets for subsequent years shall be set at sufficient  
20 funding levels to cover these salaries and all related benefits.  
21  
22

23 \_\_\_\_\_  
24 Nancy Russell  
25 County Board Chair

\_\_\_\_\_   
Kimberly S. Bushey  
County Clerk

26  
27  
28 County Board Meeting Date: February 9, 2016

29  
30 Action Required:    Majority Vote   X              Two-thirds Vote \_\_\_\_\_            Other \_\_\_\_\_



**Policy and Fiscal Note**  
**Resolution No. 70 – 02/16**

- I. Title:** Setting Salaries for Register of Deeds, County Treasurer and County Clerk for 2017-2020
- II. Purpose and Policy Impact Statement:** WI Stat. §59.22 (1) requires the County Board to set the salaries for elected county officers prior to the earliest time (April 15, 2016) for filing nomination papers for any elective office. The compensation may not be increased nor diminished during the officer’s term and must remain for ensuing terms unless changed by the Board. The Board is restricted by law from adopting a salary plan for elected county officers related to the experience of the officeholder.

The Human Resources Committee recommends that salaries be set with consideration given to salaries paid to other management employees within Walworth County and the salaries paid to elected officers in those counties considered to be comparable for the purpose of establishing compensation for other County employees.

	<u>2016 Salary</u>	<u>2017 Salary</u>	<u>2018 Salary</u>	<u>2019 Salary</u>	<u>2020 Salary</u>
Register of Deeds	\$68,682	\$70,056	\$71,457	\$72,886	\$74,344
County Treasurer	\$68,682	\$70,056	\$71,457	\$72,886	\$74,344
County Clerk	\$68,682	\$70,056	\$71,457	\$72,886	\$74,344

- III. Budget and Fiscal Impact:** The proposed salaries would become effective the first Monday of January 2017, the first Monday of January 2018, the first Monday of January 2019 and the first Monday of January 2020. Funding for salaries and fringe benefits would be included in future years’ budgets.
- IV. Referred to the following standing committees for consideration and date of referral:**

Committee: Human Resources Meeting Date: January 20, 2016

Vote: 3-0

County Board Meeting Date: February 9, 2016

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. Brell	Nicole Andersen
Date	Date
County Administrator/Corporation Counsel	Deputy County Administrator - Finance