

THE JANUARY 8, 2002 SESSION
OF THE
WALWORTH COUNTY BOARD OF SUPERVISORS

The Walworth County Board of Supervisors was called to order by Chairman Morrison at 6:00 p.m. at the Walworth County Courthouse, 100 W. Walworth St., Elkhorn, Wisconsin. Roll call was read with all Supervisors present except Supervisors Price, Schaefer and S. Shepstone who had been excused. A quorum was established.

Reverend Lyon, Pastor of the First United Methodist Church, of Whitewater, Wisconsin, presented the invocation.

A motion was offered by Supervisor Gigante, seconded by Supervisor Mikrut, to approve the evening's agenda. On motion by Supervisor Maynard, seconded by Supervisor Lohrmann, Ordinance No. 220-01/02 was referred back to Committee. On motion by Supervisor Parker, seconded by Supervisor Scharine, Ordinance No. 219-01/02 was referred back to Committee. On motion by Supervisor Gigante, seconded by Supervisor J. Grant, the Walworth County Metropolitan Sewerage District appointment was referred back to Committee. The agenda was approved as amended.

On motion by Supervisor Felten, seconded by Supervisor Tilton, the minutes of the December 11, 2001 Session was approved as printed.

Chairman Morrison requested public comment. Steve Kilpin, W2270 St. Peters Rd., East Troy addressed the Board regarding the increase in his property taxes. Gordon Burwell, N4836 Co. O, Delavan addressed the Board and inquired if the contract for the Huber expansion project had been awarded. Administrative Coordinator Bretl informed him that the contract had been awarded to the lowest bidder. Mr. Burwell also inquired if when the present Jail was built was a non-union contractor used? Supervisor Norem informed him that a non-union contractor was not used.

Corporation Counsel Dennis Costello, presented a report and informed the Supervisors that a claim against the County regarding a foster care client in the amount of \$350,000 was dismissed in court today. There would be little chance of appeal based on the Judge's decision.

Administrative Coordinator David Bretl referred the Board to his written report dated January 8, 2002.

Chairman Morrison presented a County Board Chair's Report and informed the Board of the following: A thank-you has been received from Kim Bushey for flowers sent during her recent illness. Wisconsin Counties Annual Legislative Exchange will be held February 5 & 6, 2002.

The following Reports of Zoning Gone into Effect were read and placed on file.

Richard E. and Patricia D. LeTarte, Town LaFayette
Louis J. Vogt (Joseph & Breann Vogt, App.), Town Troy
Doc #4 (Land Management Department, App.), Town Linn
D. Mike and Sharon K. Maxwell, Town Bloomfield
Benny Locigno (Russell Locigno, App.), Town Geneva
Landon and Mary Petrie, Town Lyons
Doc #8 (Walworth County Land Management Department, App.), Town East
Troy
Doc #17 (Walworth County Land Management Department, App.), Town East
Troy

The following Report of Petitions Referred was read and referred to the Land Management Committee.

Report of Petitions Referred to Land Management Committee

To: The County Board of Walworth County

The undersigned County Clerk hereby reports that the following petitions for rezone of lands in Walworth County were referred to the Land Management Committee for public hearing:

Lester Johnson (Ed Kowalski, App.), Town Richmond, rezone from A-1 to A-4
Michael Fields Agricultural Institute, Inc. (Christopher M. Mann, App.), Town East Troy, rezone from A-4 to P-2
Christopher M. Mann, Town East Troy, to rezone from A-4 to B-2

Above petitions referred December 12, 2001.

Dated this 19th day of December, 2001.
Kimberly S. Bushey
County Clerk

A motion was offered by Supervisor Lightfield, seconded by Supervisor C. Grant, to refer the petition to rezone of Kathleen Fox Trust, Town of Spring Prairie, back to the Land Management Committee. The motion was defeated by voice vote.

On motion by Supervisor Van Dreser, seconded by Supervisor Tilton, the following petitions to rezone were approved as presented.

REPORT OF LAND MANAGEMENT COMMITTEE
TO COUNTY BOARD ON HEARING ON PETITION
TO AMEND THE WALWORTH COUNTY ZONING ORDINANCE

TO THE COUNTY BOARD OF WALWORTH COUNTY:

The Land Management Committee, having considered the petitions to amend the Walworth County Zoning Ordinance and Shoreland Zoning Ordinance; and having held public hearings thereon, pursuant to Section 59.97(5)(e) Wisconsin Statutes, notice thereof having been given as provided by law, and being duly informed of the facts pertinent to the changes proposed and duly advised of the wishes of the people in the area affected, hereby recommends as follows:

1. Thomas C. Jacobs (Jesse Jacobs, App.), Town Bloomfield – filed a petition on the 7th day of August, 2001, to rezone from C-1 Lowland Resource Conservation District to C-2 Upland Resource Conservation District.

Recommendation: Said petition be approved.

2. S. Terry Woods Trust and Denise A. Woods Trust, Town Linn – filed a petition on the 2nd day of October, 2001 to rezone from A-1 Prime Agricultural Land District to C-2 Upland Resource Conservation District & A-2 Agricultural Land District.

Recommendation: Said petition be approved. a watercourse runs through the property causing the property to be substandard.

3. Kathleen Fox Trust, Town Spring Prairie – filed a petition on the 3rd day of October, 2001, to rezone from A-1 prime Agricultural Land District & R-1 Single Family Residence District (Unsewered) to A-5 Agricultural-Rural Residential District the following described lands:

Part of Tax Parcel #O SP 100003

A parcel of land located in the Northwest ¼ of Section 1, Town 3 North, Range 18 East, Town of Spring Prairie, Walworth County, Wisconsin, described as follows: Commence at the center ¼ corner of said Section 1; thence North 1°53'33" West, along the East line of said Northwest ¼ and the centerline of Bell School Road, 297.68 feet to the Point of Beginning; thence South 89°46'56" West 218.63 feet; thence North 1°53'33" West 358 feet; thence North 89°46'56" East 218.63 feet; thence South 1°53'33" East, along said East line of the Northwest ¼ and centerline of Bell School Road, 358 feet to the Point of Beginning. Intending to rezone 1.8 acres of land from A-1 and R-1 to A-5.

Recommendation: Said petition be denied based on the following reasons:

1. The rezone would result in an irregular piece of the agricultural field.
2. The land is clearly agricultural land.
3. The rezone does not fit with the comprehensive land use plan.
4. The request goes beyond what would be necessary to make use of the existing R-1 land.

4. Kenneth F. Kessel Living Trust and Sandra L. Kessel Living Trust, Town Troy – filed a petition on the 26th day of September, 2001, to rezone from A-1 prime Agricultural Land District to A-2 Agricultural Land District.

Recommendation: Said petition be approved after the appropriate findings were made as required by State Farmland Preservation Program S91.77(1) Wis. Stats. There are poor soils in the area of the farmstead and use of the property will remain agricultural.

5. Lost Nation Farms, LLC (Kenneth R. Balestrieri, Appl.), Town Sugar Creek, filed a petition on the 24th day of September, 2001, to rezone from A-2 Agricultural Land District to A-4 Agricultural Related Manufacturing, Warehousing and Marketing District.

Recommendation: Said petition be approved.

6. James O. Jacobson Irrevocable Trust (Steven M. Jacobson, Appl.), Town Sugar Creek – filed a petition on the 3rd day of October, 2001, to rezone from A-1 Prime Agricultural Land District to A-4 Agricultural Related Manufacturing, Warehousing and Marketing District.

Recommendation: Said petition be approved after the appropriate findings were made as required by State Farmland Preservation Program S91.77(1) Wis. Stats. The site is not in agricultural production and the A-4 may not be separate from the farmstead.

7. William L. Messer, Town Delavan – filed a petition on the 10th day of September, 2001, to rezone from A-2 Agricultural Land District to C-2 Upland Resource Conservation District.

Recommendation: Said petition be approved.

**ORDINANCE AMENDING
WALWORTH COUNTY ZONING ORDINANCE**

WHEREAS, the Walworth County Board of Supervisors has heretofore been petitioned to amend the Walworth County Zoning Ordinance; and

WHEREAS, the petitions have been referred to the Walworth County Land Management Committee for public hearing; and

WHEREAS, the Walworth County Land Management Committee on due notice conducted public hearings on the proposed amendments and filed their recommendations with the board; and

WHEREAS, the proposed amendments have been given due consideration by the Board in open session.

NOW, THEREFORE, the County Board of Supervisors of the County of Walworth do ordain as follows:

The Zoning Ordinance of Walworth County and Shoreland Zoning Ordinance (and accompanying Zoning Map) is amended in the following respects:

1. Thomas C. Jacobs (Jesse Jacobs, App.), Town Bloomfield – to amend said zoning maps from C-1 Lowland Resource Conservation District to C-2 Upland Resource Conservation District on the following described lands:

Part of Tax Parcel #MB 700007

Commencing at the southwest corner of the southeast ¼ of Section 7, T1N, R18E, Walworth County, Wisconsin; thence N87°46'58" E 1030.45 feet to the Point of Beginning; thence N3°16'14" W, a distance of 48.63 feet; thence N33°10'17" W, a distance of 24.40 feet; thence N4°46'17" W, a distance of 61.48 feet; thence N3°02'32" E, a distance of 85.15 feet; thence N 7°49'29" E, a distance of 111.86 feet; thence N46°09'45" E, a distance of 85.93 feet; thence N70°24'41"E, a distance of 31.93 feet; thence N33°41'31"E, a distance of 45.90 feet; thence N36°16'12"E, a distance of 84.02 feet; thence N29°26'32"E, a distance of 68.86 feet; thence S71°16'57"E, a distance of 142.60 feet; thence S18°21'08"E, a distance of 37.54 feet; thence S66°22'28"E, a distance of 117.07 feet; thence S45°43'11"E, a distance of 42.07 feet; thence S42°47'05"E, a distance of 105.61 feet; thence S40°24'37"E, a distance of 82.94 feet; thence S0°34'21"E, a distance of 57.64 feet; thence S17°11'04"E, a distance of 86.83 feet; thence S10°36'14"E, a distance of 99.64 feet; thence S87°46'58"W, a distance of 654.22 feet to the Point of Beginning; said described tract containing 6.2 acres, more or less.

Additional Area to be Rezoned to C-2: Legal description of centerline of 12 foot wide dirt road running through C-1 zoning to upland area to be rezoned to C-2.

A parcel of land located in the southeast ¼ of Section 7, T1N, R18E, Walworth County, Wisconsin, described more particularly as follows: Commencing at the most southerly corner of Lot 2 Certified Survey Map No. 2244; thence N77°11'54"W 275.69 feet to the southwesterly corner of said Lot 2; thence S28°10'12"W 47.74 feet to a point where the centerline of existing road intersects with the M-3 zoning line point being the Point of Beginning; thence S51°08'43"W 92.46 feet; thence S54°22'48"W 46.29 feet; thence S65°16'32"W 43.18 feet; thence S69°22'18"W 159.97 feet; thence S56°14'56"W 75.73 feet; thence S47°34'57"W 36.66 feet; thence S47°34'57"W 121.34 feet to a point at which the C.L. of the existing road intersects the upland area line.

2. S. Terry Woods Trust and Denise A. Woods Trust, Town Linn – to amend said zoning maps from A-1 Prime Agricultural Land District to C-2 Upland Resource Conservation District & A-2 Agricultural Land District on the following described lands:

Part of Tax Parcel #I L 3100007

A-1 to C-2

Part of the West ½ of the Southwest ¼ of Section 31, Town 1 North, Range 17 East, Walworth County, Wisconsin, more particularly described as follows: Beginning at the Southwest corner of said Section 31 (T1N, R17E); thence along the west line of said Southwest ¼, N 00DEG 04MIN 15SEC E, 1754.36 feet; thence S89DEG 31MIN 30SEC E, 1307.17 feet to the East line of said West ½ of the Southwest ¼; thence along said East line, S 00DEG 34MIN 18SEC E, 660.86 feet; thence N 89DEG 31MIN 30SEC W, 982.80 feet; thence S 46DEG 23MIN 09SEC W, 288.82 feet; thence 148.74 feet along the arc of a curve to the left having a radius of 184.00 feet and a chord which bears S 23DEG 13MIN 42SEC W, 144.72 feet; thence S 00DEG 04MIN 15SEC W, 759.02 feet to the south line of said Southwest ¼; thence along said South line, N 89DEG 39MIN 51SEC W, 66.00 feet to the Point of Beginning.

A-1 to A-2

Part of the West ½ of the Southwest ¼ of Section 31, Town 1 North, Range 17 East, Walworth County, Wisconsin, more particularly described as follows: Commencing at the Southwest corner of said Section 31 (T1N, R17E); thence along the South line of said Southwest ¼, S 89DEG 39MIN 51SEC E, 66.00 feet to the Point of Beginning; thence N 00DEG 04MIN 15SEC E, 759.02 feet; thence 148.74 feet along the arc of a curve to the left having a radius of 184.00 feet and a chord which bears N 23DEG 13MIN 42SEC E, 144.72 feet; thence N 46DEG 23MIN 09SEC E, 288.82; thence S 89DEG 31MIN 30SEC E, 982.80 feet to the East line of said West ½ of the Southwest ¼; thence along said Easterly line, S 00DEG 34MIN 18SEC E, 1090.53 feet to the South line of said Southwest ¼; thence along said South line, N 89DEG 39MIN 51SEC W, 544.36 feet to the Southeast corner of Certified Survey Map No. 3357; thence along said Certified Survey the following courses: N 00DEG 04MIN 15SEC E, 378.98 feet; thence N 89DEG 39MIN 51SEC W, 302.30 feet; thence N 00DEG 04MIN 15SEC E, 88.20 feet; thence N 89DEG 39MIN 51SEC W, 217.61 feet; thence S 00DEG 04MIN 15SEC W, 467.19 feet to the Southwest corner of said Certified Survey and the South line of said Southwest ¼; thence along said South line, N 89DEG 39MIN 51SEC W, 196.54 feet to the Point of Beginning.

4. Kenneth F. Kessel Living Trust and Sandra L. Kessel Living Trust, Town Troy – to amend said zoning maps from A-1 prime Agricultural Land District to A-2 Agricultural Land District on the following described lands:

Part of Tax Parcel #L T 1800002

Part of a parcel of land located in the Northwest ¼ of Section 18, Town 4 North, Range 17 East, Town of Troy, Walworth County, Wisconsin, described as the North ½ of the Northeast ¼ of Section 18, except 30 acres off the entire north side thereof and the Southwest ¼ of the Northeast ¼ of Section 18 and more particularly described as follows: Commencing at the North ¼ corner of said Section 18; thence S 2°43'15" W 494.53 feet to the Place of Beginning; thence N 89°51'05" E 2645.70 feet; thence S 2°44'50" W 824.73 feet; thence S 89°52'10" W 1322.64 feet; thence S 2°44'00" W 11318.84 feet; thence S 89°53'20" W 1322.31 feet; thence N 2°43'15" E 2142.26 feet to

the place of beginning. Containing 89.98 acres. (Excluding those lands zoned C-2 contained within this description the acreage of the rezone would consist of 40.54 acres.)

5. Lost Nation Farms, LLC (Kenneth R. Balestrieri, Appl.), Town Sugar Creek, to amend said zoning maps from A-2 Agricultural Land District to A-4 Agricultural Related Manufacturing, Warehousing and Marketing District on the following described lands:

Part of Tax Parcel #G SC 300003

A parcel of land zoned as A-2 to be rezoned as A-4, located in the South ½ of Section 3, Town 3 North, Range 16 East, Walworth County, Wisconsin, described as follows: Beginning at the Southwest Corner of Lot 7 of Lost Nation Farms of Lauderdale Lakes, a subdivision; thence S 53DEG 29MIN 36SEC W, 15.96 feet; thence 75.49 feet along the arc of a curve to the left having a radius of 1682.28 feet and a chord which bears n 58DEG 35MIN 09SEC W, 75.48 feet; thence S 30DEG 03MIN 30SEC W, 12.07 feet; thence 184.70 feet along the arc of a curve to the left having a radius of 1670.28 feet and a chord which bears N 63DEG 01MIN 49SEC W, 184.61 feet; thence N 23DEG 40MIN 27SEC E, 7.01 feet; thence N 00DEG 00MIN 57SEC E, 490.00 feet; thence N 89DEG 44MIN 18SEC E, 435.96 feet; thence S 00DEG 48MIN 28SEC W, 464.99 feet to the Northwest line of said Lot 6; thence S 53DEG 29MIN 36SEC W, 229.58 feet to the Point of Beginning. Containing 5.42 acres of land more or less.

6. James O. Jacobson Irrevocable Trust (Steven M. Jacobson, Appl.), Town Sugar Creek – to amend said zoning maps from A-1 Prime Agricultural Land District to A-4 Agricultural Related Manufacturing, Warehousing and Marketing District on the following described lands:

Part of Tax Parcel #G SC2100007

A parcel of land zoned A-1 to be rezoned as A-4, located in the Southwest ¼ of Section 21, Town 3 North, Range 16 East, Walworth County, Wisconsin, described as follows: Commencing at the Southwest corner of said Section 21 (T3N, R16E); thence N 90DEG 00MIN 00SEC E, 1209.70 feet along the South line of said Southwest ¼; thence N 00DEG 38MIN 06SEC E, 68.71 feet to the Point of Beginning; thence continue N 00DEG 38MIN 06SEC E, 100.85 feet; thence N 82DEG 28MIN 32SEC E, 35.79 feet; thence N 45DEG 06MIN 02SEC E, 35.89 feet; thence S 89DEG 31MIN 45SEC E, 148.74 feet; thence S 02DEG 07MIN 47SEC E, 54.81 feet; thence S 39DEG 14MIN 26SEC W, 96.57 feet; thence S 89DEG 58MIN 20SEC W, 151.70 feet to the Point of Beginning. Containing 24,010 square feet of land (0.55 acres) more or less

The site is not in agricultural production and the A-4 may not be separate from the farmstead.

7. William L. Messer, Town Delavan – to amend said zoning maps from A-2 Agricultural Land District to C-2 Upland Resource Conservation District on the following described lands.

Part of Tax Parcel #F D 3100006B

Description of Parcel 1A to be rezoned to "C-2": A parcel of land located in the SW1/4 of the SW1/4 of Section 31, T2N, R16E, Walworth County, Wisconsin, described as follows: Commencing at the Southwest corner of said Section 31; thence East along the south line of said Section 31, 500.00 feet to the place of beginning; thence N0°33'06"E parallel with the west line of said Section 727.50 feet; thence East 466.66 feet; thence S0°16'42"W 727.50 feet to the south line of said Section; thence West along the south line of said Section 470.12 feet to the Place of Beginning containing 7.82 acres of land.

ATTEST this 8th day of January, 2002.
Allen L. Morrison
County Board Chairman

ATTEST this 8th day of January, 2002.
Kimberly S. Bushey
County Clerk

Chairman Morrison asked if any Committee Chairpersons had reports to present.

Supervisor Lothian, Chair of the Finance Committee, reminded the Supervisors to return the Statement of Conflict of Interest forms to the Finance Director.

Supervisor Burwell, Chair of the Agricultural, Conservation and Extension Committee thanked Dave Denton and Bruce Christensen for their work on the Farm auction.

Supervisor Wenglowsky, Chair of the Children with Disabilities Education Board, introduced Tracy Moate, the new Administrator of Lakeland School.

Supervisor Tilton, Chair of the Land Management Committee, informed the Supervisors of upcoming committee hearings and meeting dates.

Ordinance No. 221-01/02, an ordinance amending the Walworth County Code of Ordinances by adding a section to be numbered Chapter 6, Article I, Sec. 6-3, titled Abatement Review Authority. The ordinance was adopted by unanimous consent on motion by Supervisor Van Dreser, seconded by Supervisor Kret.

ORDINANCE NO. 221-01/02

AN ORDINANCE CREATING ORDINANCE NO. 221-01/02
AT CHAPTER 6, ARTICLE I, SEC. 6-3,
WALWORTH COUNTY CODE OF ORDINANCES:
"ABATEMENT REVIEW AUTHORITY"

THE COUNTY BOARD OF SUPERVISORS OF THE COUNTY OF WALWORTH, STATE OF WISCONSIN, DOES ORDAIN AS FOLLOWS:

WHEREAS, Wisconsin Statutes Sec. 173.03(1) provides that the governing body of any political subdivision may appoint one or more Humane Officers; and

WHEREAS, Walworth County appointed a humane officer on December 12, 2000, pursuant to Resolution No. 52-12/00; and

WHEREAS, Wisconsin Statutes Sec. 173.03(2) requires that the governing body making the appointment of a humane officer enact an ordinance that designates one or more officials of the political subdivision who may modify or withdraw abatement orders issued under Wisconsin Statutes Sec. 173.11.

NOW, THEREFORE, BE IT ORDAINED, by the Walworth County Board of Supervisors that the Walworth County Code of Ordinances is hereby amended by adding a section to be numbered Chapter 6, Article I, Sec. 6-3, which section reads as follows:

The Chairperson of the Public Protection Committee, or his/her designee, is hereby authorized, pursuant to Wisconsin Statutes Sec. 173.03(2), to affirm, modify, or withdraw abatement of violation orders issued under Wisconsin Statutes Sec. 173.11 by any humane officer appointed by Walworth County.

BE IT FURTHER ORDAINED, by the COUNTY BOARD OF SUPERVISORS of the County of Walworth that this Ordinance shall become effective upon passage.

PASSED and ADOPTED by the Board of Supervisors of Walworth County Wisconsin this 8th day of January, 2002.

ALLEN L. MORRISON
County Board Chairman

KIMBERLY S. BUSHEY
ATTEST: County Clerk

Adopted this 8th day of January, 2002

Published this 31st day of January, 2002

Policy and Fiscal Note is attached.

Committee Action: Public Protection Committee. Date: 12-18-01 Vote: Unanimous.

County Board Meeting Date: January 8, 2002

Approved as to Form:	David A. Bretl Administrative Coordinator	12/27/01 Date
	Michael Cotter – for Dennis Costello Corporation Counsel	12/26/01 Date
	N. Andersen Finance Director	12/27/01 Date

Action Required: Two-Thirds Vote

POLICY AND FISCAL NOTE

- I. Title: ORDINANCE No. 221- 01/02

AN ORDINANCE CREATING ORDINANCE NO. 221-01/02 AT CHAPTER 6, ARTICLE I, SEC. 6-3, WALWORTH COUNTY CODE OF ORDINANCES: "ABATEMENT REVIEW AUTHORITY"
- II. Purpose and Policy Impact Statement:

Required by Wis. Stats. Sec. 173.03(2).
- III. Budget and Fiscal Impact:

Minimal – mileage reimbursement for committee person hearing the appeal.
- IV. Committee Consideration and Date of Referral:

Public Protection Committee. Date: 12-18-01 Vote: Unanimous.
- V. Approved as to Form:

David A. Bretl 12/27/01
Administrative Coordinator Date

Michael Cotter – for Dennis Costello 12/26/01
Corporation Counsel Date

N. Andersen 12/27/01
Finance Director Date

On motion by Supervisor Muzatko, seconded by Supervisor J. Grant, Resolution No. 72-01/02, setting the rate of compensation for the Condemnation Commissioners at \$30 an hour was adopted by voice vote.

Resolution # 72-01/02

COMPENSATION FOR WALWORTH COUNTY CONDEMNATION COMMISSIONERS

WHEREAS, Section 32.08(2) of the Wisconsin Statutes authorizes the Circuit Court Judges for Walworth County to appoint 6 Condemnation Commissioners for 3-year terms, and

WHEREAS, Section 32.08(4) of the Wisconsin Statutes authorizes an hourly rate of compensation to be paid for actual service performed by said commissioners, and that said hourly rate shall be fixed by the county board of the county in which the commissioners serve.

NOW, THEREFORE, BE IT RESOLVED by the Walworth County Board of Supervisors that pursuant to section 32.08(4), the rate of compensation for Condemnation Commissioners of Walworth County is \$30 an hour.

Dated this 8th day of January, 2002.

Allen L. Morrison
County Board Chair

Kimberly S. Bushey
County Clerk

Policy and Fiscal Note Attached: Yes

David A. Bretl 12/19/01
Administrative Coordinator Date

Approved as to Form: Dennis D. Costello 12/19/02
Corporation Counsel Date

Reviewed
Budget/Fiscal Impact: N. Andersen 12/19/01
Finance Director Date

Circle
Action Required: Majority Vote Two-thirds Vote Other (Please Specify)

Committee Consideration:
Judicial Committee December 17, 2001 Approved 5-0

Policy and Fiscal Note

I. TITLE: Resolution is to set the hourly compensation for Walworth County Circuit Court Condemnation Commissioners.

II. PURPOSE AND POLICY IMPACT STATEMENT:
The purpose of this resolution is to set the compensation rate for services performed by Circuit Court Condemnation Commissioners.

III. FISCAL IMPACT:

There will be no budgetary impact on the county. All compensation, out of pocket expenses and mileage shall be paid by the condemnor on order approved by the circuit judge. The amount is based on Jefferson and Kenosha Counties' compensation rate.

IV. COMMITTEE CONSIDERATION:

Judicial Committee

V. APPROVED AS TO FORM:

David A. Bretl 12/19/01
Administrative Coordinator Date

Dennis D. Costello 12/19/01
Corporation Counsel Date

N. Andersen 12/19/01
Finance Director Date

Resolution No. 73-01/02, to purchase and install a Wireless Duress Alarm System in the existing courthouse, was moved for adoption on motion by Supervisor Norem, seconded by Supervisor Arnold. A motion by Supervisor Scharine, seconded by Supervisor Tilton, for a unanimous consent was defeated by a "no" vote and a roll call vote was held. Total vote: 32; Ayes: 31 - Arnold, Burwell, Felten, Fischer, C. Grant, J. Grant, Kret, Kuhnke, Lightfield, Logterman, Lohrmann, Lothian, Maynard, Mikrut, Miles, Muzatko, Norem, Palzkill, Parker, Pearce, Polyock, Scharine, R. Shepstone, Shroble, Smith, Tilton, Troemel, Van Dreser, Van Dyke, Wenglowsky, Morrison; Noes 1 - Gigante; Absent: 3 - Price, Schaefer, S. Shepstone.

**Resolution No. 73-01/02
To Purchase and Install a Wireless Duress Alarm System
in the Existing Courthouse**

WHEREAS, the existing pager based duress alarm system at the Courthouse can take up to 45 minutes before Sheriff's Deputies are notified about a problem which can significantly delay their response time to an emergency; and

WHEREAS, to correct the problem, the Sheriff has investigated different alarm systems and recommends a radio based system; and

WHEREAS, this system will provide immediate duress information if an incident occurs in the Courthouse allowing for an appropriate and timely response by security personnel; and

WHEREAS, the purchase price of the system is \$22,500 (Twenty-two Thousand Five Hundred Dollars);

NOW, THEREFORE, BE IT RESOLVED by the Walworth County Board of Supervisors that the sum of \$22,500 (Twenty-two Thousand Five Hundred Dollars) be and the same is hereby transferred from the 2002 contingency fund to the appropriate Facilities account for the purpose of purchasing and installing a radio based duress alarm system and that purchase of the same from Oliver and Co. be and is hereby authorized to be installed in the Walworth County Circuit Courthouse.

Dated this 8th day of January 2002

Allen L. Morrison
County Board Chair

Kimberly S. Bushey
ATTEST: County Clerk

Policy and Fiscal Note Attached: Yes

Approved as to Form:

David A. Bretl 12/20/01
Administrative Coordinator

Dennis D. Costello 12/20/01
Corporation Counsel

N. Andersen 12/20/01
Finance Director

Action Required _____

County Board Meeting Date: January 8, 2002

Resolution No. 73-01/02

Policy and Fiscal Note

- I. Title: To purchase and install a radio based duress alarm system in the Walworth County Courthouse.
- II. Purpose and Policy Impact Statement: The purpose of this resolution is to provide sufficient funds to purchase and install a radio based duress alarm system.
- III. Is this a budgeted item and what is the fiscal impact? This request is not a budgeted item and \$22,500 (Twenty Two Thousand Five Hundred Dollars) would need to be allocated from the 2002 contingency fund to go forward with the project.

- IV. Committee Consideration:

Public Protection Committee	Vote: 4-0	November 20,2001
Public Property Committee	Vote: 6-0	December 17, 2001
Finance Committee	Vote: 7-0	December 20,2001

V. Approved as to Form:

David A. Bretl	12/20/01
Administrative Coordinator	Date
Dennis D. Costello	12/20/01
Corporation Counsel	Date
N. Andersen	12/20/01
Finance Director	Date

Resolution No. 74-01/02, a resolution authorizing a contract with Lakeland Animal Welfare Society, was adopted on motion by Supervisor Tilton, seconded by Supervisor Pearce.

RESOLUTION NO. 74-01/02

**RESOLUTION AUTHORIZING CONTRACT
WITH LAKELAND ANIMAL WELFARE SOCIETY**

WHEREAS, Walworth County has in the past entered into an agreement with Lakeland Animal Welfare Society (LAWS), Inc. for the provision of animal control services; and

WHEREAS, Walworth County wishes to enter into another agreement with LAWS for the years 2002 and 2003.

NOW, THEREFORE, BE IT RESOLVED, by the WALWORTH COUNTY BOARD OF SUPERVISORS that the County Board Chairman and County Clerk be authorized and directed to enter into a contract with LAWS, Inc. for the provisions of animal control services for the year 2002, for the fee of \$91,200.00 and for the year 2003 for the fee of \$94,853.00; and

BE IT FURTHER RESOLVED, that the fee of \$91,200.00 has been included in the 2002 budget to cover the cost of this agreement.

ADOPTED this 8th day of January, 2002.

Allen L. Morrison
Walworth County Board Chairman

Kimberly S. Bushey
Walworth County Clerk

Policy and Fiscal Note attached.

Sponsored by: Public Protection Committee.

County Board Meeting Date: January 8, 2002

Approved as to form: David A. Bretl 12/27/01
Administrative Coordinator Date

Michael Cotter for Dennis Costello 12/26/01
Corporation Counsel Date

N. Andersen 12/27/01
Finance Director Date

Action Required: Majority Vote.

POLICY AND FISCAL NOTE

I. Title: RESOLUTION No. 74- 01/02

**RESOLUTION AUTHORIZING CONTRACT WITH
LAKELAND ANIMAL WELFARE SOCIETY**

II. Purpose and Policy Impact Statement:

Resolution by the Public Protection Committee and the Finance Committee of the Walworth County Board Authorizing a Contract with Lakeland Animal Welfare Society (LAWS) for the years 2002 and 2003.

III. Budget and Fiscal Impact:

The Public Protection Committee requests \$91,200.00 for the 2002 Contract with LAWS. It will request a budget amount of \$94,853.00 during the 2003 budget process.

IV. Committee Consideration:

Public Protection Committee:	Date: 9-18-01	Vote: 5-0
Finance Committee Budget Hearings:	Date: 9-25-01	Vote: 7-0

V. Approved as to Form:

David A. Bretl	12/26/01
Administrative Coordinator	Date

Michael Cotter for Dennis Costello	12/26/01
Corporation Counsel	Date

N. Andersen	12/27/01
Finance Director	Date

Resolution No. 75-01/02, a resolution approving a revised agreement by and between Walworth County and City of Elkhorn concerning a jurisdictional transfer of County Highway "H" to Elkhorn and providing for cost sharing by the County of certain improvements, was moved for adoption on motion by Supervisor Polyock, seconded by Supervisor Gigante. Resolution No. 75-01/02 was adopted by unanimous consent on motion by Supervisor Van Dreser, seconded by Supervisor Van Dyke.

RESOLUTION NO. 75-01/02

**RESOLUTION APPROVING A REVISED AGREEMENT BY AND BETWEEN
WALWORTH COUNTY AND CITY OF ELKHORN CONCERNING A JURISDICTIONAL
TRANSFER OF COUNTY HIGHWAY "H" TO ELKHORN AND PROVIDING FOR COST
SHARING BY THE COUNTY OF CERTAIN IMPROVEMENTS THERETO**

WHEREAS, Walworth County adopted Resolution No. 63-11/01, approving an agreement with the City of Elkhorn to transfer jurisdiction of CTH "H" from Lincoln Street (STH "67") to the intersection of CTH "NN" on November 8, 2001; and

WHEREAS, the City requested a change in the agreement to reflect that they desire to install \$675,000 in utility improvements prior to paving the road; and,

WHEREAS, if the utility and paving work would exceed by 15 percent the estimated total of \$1,275,000, the county would transfer it's STP-Urban monies associated with the project and share 50 percent of the required local match up to a maximum of \$345,000; and,

WHEREAS, the City of Elkhorn would take over jurisdiction of County Highway "H" from the intersection of STH "67" to the intersection of County Highway "NN". The City would accept all project-related administrative responsibilities as specified in the agreement with the City.

NOW, THEREFORE, BE IT RESOLVED, by the WALWORTH COUNTY BOARD OF SUPERVISORS that Walworth County transfers jurisdiction of County Highway "H" from STH "67" to the intersection of County Highway "NN" in accordance with the attached revised agreement which is hereby approved.

ADOPTED this 8th day of January, 2002.

Allen L. Morrison
Walworth County Board Chairman

Kimberly S. Bushey
Walworth County Clerk

Policy and Fiscal Note is attached. Yes

Sponsored by:
Committee

Transportation and Parks

County Board Meeting Date: January 8, 2002

Approved as to form: David A. Bretl 12/27/01
Administrative Coordinator Date

Michael Cotter for Dennis Costello 12/26/01
Corporation Counsel Date

N. Andersen 12/27/01
Finance Director Date

Action required: 2/3 Membership Vote

POLICY AND FISCAL NOTE

I. Title: RESOLUTION NO. 75-01/02

RESOLUTION APPROVING A REVISED AGREEMENT BY AND BETWEEN WALWORTH COUNTY AND CITY OF ELKHORN CONCERNING A JURISDICTION TRANSFER OF COUNTY HIGHWAY "H" TO ELKHORN AND PROVIDING FOR CO SHARING BY THE COUNTY OF CERTAIN IMPROVEMENTS THERETO

II. Purpose and Policy Impact Statement:

The purpose is to transfer the jurisdiction over part of County Highway "H" to the City Elkhorn to help facilitate the reconstruction of some of the highway within the city limit Elkhorn. The agreement was revised at the request of the City of Elkhorn to reflect C utility installation prior to paving. The City requested that the total project cost include \$675,000 of utility work, so that if the total project exceeded their budget, we would ag to contribute STP monies to a project in a later year. This does not change the Coun financial commitment that was unanimously approved on November 8, 2001 by the C Board.

III. Budget and Fiscal Impact:

The total project cost is estimated at \$1,275,000. Walworth County's obligation is a maximum of \$345,000. This is included in Walworth County's 2002 Preliminary Budg

IV. Referred to the Following Standing Committees for Consideration:

Transportation and Parks Committee

V. Committee Consideration:

<u>Committee</u>	<u>Favor</u>	<u>12/17/01</u>
	<u>Vote</u>	<u>Date</u>

VI. Approved as to Form:

David A. Bretl 12/27/01
Administrative Coordinator Date

Michael Cotter for Dennis Costello 12/26/01
Corporation Counsel Date

N. Andersen 12/27/01
Finance Director Date

Resolution No. 76-01/02, a resolution accepting jurisdiction of frontage roads along CTH "D" and CTH "DD", was moved for adoption on motion by Supervisor

Lightfield, seconded by Supervisor Van Dyke. Resolution No. 76-01/02 was adopted by unanimous consent on motion by Supervisor Scharine, seconded by Supervisor Tilton.

RESOLUTION NO. 76-01/02

RESOLUTION ACCEPTING JURISDICTION OF FRONTAGE ROADS ALONG CTH "D" AND CTH "DD"

WHEREAS, Walworth County has created a frontage road (old "D") along the north side of CTH "D" from approximately 1200' to 2400' west of the intersection of STH "120" as the result of a previous improvement project, and;

WHEREAS, Walworth County has created a frontage road (old "DD") along the east side of CTH "DD" from approximately 1600' to 2400' south of the intersection of CTH "D" as the result of a previous improvement project, and;

WHEREAS, Walworth County has maintained these roads since they were created, and;

WHEREAS, Walworth County must accept jurisdiction for maintenance of roads by resolution in order to be credited for state road aid purposes;

NOW, THEREFORE, BE IT RESOLVED, by the WALWORTH COUNTY BOARD OF SUPERVISORS that Walworth County accept jurisdiction for maintaining the frontage road (old "D") along CTH "D", and the frontage road (old "DD") along CTH "DD", and directs the Highway Commissioner to provide a copy of this resolution to the Wisconsin Department of Transportation.

ADOPTED this 8th day of January, 2002.

Allen L. Morrison
Walworth County Board Chairman

Kimberly S. Bushey
Walworth County Clerk

Policy and Fiscal Note is attached. Yes

Sponsored by: Transportation and Parks Committee

County Board Meeting Date: January 8, 2002

Approved as to form:

David A. Bretl
Administrative Coordinator
12/27/01
Date

Michael Cotter for Dennis Costello
Corporation Counsel
12/27/01
Date

N. Andersen
Finance Director

12/27/01
Date

Action Required: 2/3 Membership Vote

POLICY AND FISCAL NOTE

I. Title: RESOLUTION NO. 76-01/02

RESOLUTION APPROVING THE ACCEPTANCE OF JURISDICTION AND MAINTENANCE OF THE FRONTAGE ROADS ALONG CTH "D" AND CTH "DD"

II. Purpose and Policy Impact Statement:

The resolution accepts jurisdiction and maintenance of two frontage roads along CTH "D" and CTH "DD". The resolution is needed to document jurisdiction to the WDOT for funding purposes.

III. Budget and Fiscal Impact:

This item is budgeted under general maintenance. This will increase our road aid mileage 0.42 miles and provide additional income from General Transportation Aids (GTA).

IV. Referred to the Following Standing Committees for Consideration

Transportation and Parks Committee

V. Committee Consideration:

<u>Transportation and Parks Committee</u>	<u>Favor</u>	<u>12/17/01</u>
Committee	Vote	Date

VI. Approved as to Form:

David A. Bretl
Administrative Coordinator
12/27/01
Date

Michael Cotter for Dennis Costello
Corporation Counsel
12/27/01
Date

N. Andersen
Finance Director
12/27/01
Date

Resolution No. 77-01/02, abolishing the office of Administrative Coordinator and establishing the office of County Administrator, was moved for adoption on motion by Supervisor Tilton, seconded by Supervisor Troemel. Supervisor Fischer explained that the title of Administrator suggests strength and authority. Discussion continued from the floor. On motion by Supervisor Arnold, seconded by Supervisor Tilton, the question

was called and debate ended. A roll call vote was held. Total vote: 32; Ayes: 29 - Arnold, Felten, Fischer, Gigante, C. Grant, J. Grant, Kuhnke, Lightfield, Logterman, Lohrmann, Lothian, Maynard, Mikrut, Miles, Muzatko, Norem, Palzkill, Parker, Pearce, Polyock, Scharine, R. Shepstone, Shroble, Tilton, Troemel, Van Dreser, Van Dyke, Wenglowsky, Morrison; Noes: 3 – Burwell, Kret, Smith; Absent:: 3 - Price, Schaefer, S. Shepstone. The resolution was adopted.

Walworth County, Wisconsin

Resolution No. 77 - 01/02
Abolishing the Office of Administrative Coordinator
And Establishing the Office of County Administrator

Moved/Sponsored by: County Board Administrative Committee

WHEREAS, on December 9, 1986, pursuant to Resolution No. 95-12-86 the Walworth County Board of Supervisors designated the County Board Chairman to serve as Administrative Coordinator of the County on a part-time basis; and

WHEREAS, on May 16, 1995 pursuant to Resolution No. 04-05/95 the County Board created the full-time position of Administrative Coordinator; and

WHEREAS, pursuant to section 59.18 the County Board may, by resolution, create the office of County Administrator; and

WHEREAS, the Administrative Committee has considered the matter and determined that the County can be served best by a County Administrator and therefore recommends abolishment of the position of Administrative Coordinator and creation of the position of County Administrator; and

WHEREAS, David Bretl ("Bretl") has been serving as the County's Administrative Coordinator since May 4, 2001; and

WHEREAS, the Administrative Committee has recently reviewed Bretl's performance; and

WHEREAS, the Administrative Committee conducted a job search for the vacant office of Administrative Coordinator in 2001; and

WHEREAS, it is the conclusion of the Administrative Committee that Bretl is qualified pursuant to Section 59.18 (6) of the Wisconsin Statutes to hold the office of County Administrator;

Policy and Fiscal Note
Res. No. 77-01/02

- I. Resolution abolishing the position of administrative coordinator and establishing the position of county administrator.

Purpose and Policy Impact Statement. The purpose of the resolution is to abolish the current position of administrative coordinator and create the position of county administrator.

Background

State law requires that counties adopt one of three different positions to oversee administrative functions of county government. They are county executive, county administrator or administrative coordinator. Each position carries with it certain powers and duties. The Walworth County Board designated the county board chairman as administrative coordinator in 1986. In 1995 the board created a full-time position of administrative coordinator.

The powers and duties of the administrative coordinator are specified by statute and simply states as follows:

59.19 Administrative coordinator. In any county which has not created the office of county executive or county administrator, the board shall designate, no later than January 1, 1987, an elected or appointed official to serve as administrative coordinator of the county. The administrative coordinator shall be responsible for coordinating all administrative and management functions of the county government not otherwise vested by law in boards or commissions, or in other elected officers.

In 2001 the above-stated job description was expanded significantly to include many duties traditionally carried out by a county administrator. The current job description (attached) encompasses 26 specific duties.

While the board has expanded on the state statute by assigning additional duties to the position, state law places limits on the amount of authority that may be vested in an administrative coordinator by ordinance. If the county board deems it advisable to place additional authority in its chief administrative officer it would be necessary to create the position of administrator. The duties and powers of the county administrator are set forth in section 59.18 of the Wisconsin Statutes and state in relevant part as follows:

(2) Duties and powers. The county administrator shall be the chief administrative officer of the county. The county

administrator shall take care that every county ordinance and state or federal law is observed, enforced and administered within his or her county if the ordinance or law is subject to enforcement by the county administrator or any other person supervised by the county administrator. The duties and powers of the county administrator shall be, without limitation because of enumeration, to:

a) Coordinate and direct all administrative and management functions of the county government not otherwise vested by law in boards or commissions, or in other elected officers.

b) Appoint and supervise the heads of all departments of the county except those elected by the people and except where the statutes provide that the appointment shall be made by elected officers; but the county administrator shall also appoint and supervise all department heads where the law provides that the appointment shall be made by a board or commission, by the chairperson of the county board or by the county board. Notwithstanding any statutory provision that a board or commission supervise the administration of a department, the department head shall supervise the administration of the department and the board or commission shall perform any advisory or policy-making function authorized by statute. Any appointment by the county administrator under this paragraph requires the confirmation of the county board unless the board, by ordinance, elects to waive confirmation or unless the appointment is made under a civil service system competitive examination procedure established under s. 59.52(8) or ch. 63. Any department head appointed by a county administrator under this paragraph may be removed at the pleasure of the county administrator unless the department head is appointed under a civil service system competitive examination procedure established under s. 59.52(8) or ch. 63.

(c) Appoint the members of all boards and commissions where the statutes provide that such appointment shall be made by the county board or by the chairperson of the county board. All appointments to boards and commissions by the county administrator shall be subject to the confirmation of the county board.

(5) Message to the board; submission of annual budget. The county administrator shall annually, and otherwise as necessary, communicate to the board the condition of the county, and recommend such matters to the board for its consideration as

the county administrator considers expedient. Notwithstanding any other provision of the law, the county administrator shall be responsible for the submission of the annual budget to the board.

There are a number of policy implications associated with the resolution. The most significant relates to appointment and removal of department heads. There are several dimensions to this issue.

Appointment of Department Heads

Under the present system, non-elected department heads are generally appointed by liaison committees upon recommendation of the administrative coordinator. The exception to this rule are positions created by statute including the highway commissioner, elected by the county board; the corporation counsel, appointed by the county board; and the human services director, appointed by the Health and Human Services Committee. Chapter 115 of the Wisconsin Statutes appears to provide a statutory basis for appointment of the Lakeland School Administrator by the CDEB Board. Under the county administrator form of governance, all appointments are made by the county administrator, subject to confirmation by the county board.

Dismissal of Department Heads

It appears from the statutes that incumbent department heads would continue to serve under the terms of the present Personnel Code. Discharge of incumbents would continue to be "for cause." Discharge rules, however, would change for new hires. As indicated in s. 59.18(2)(b):

Any department head appointed by a county administrator under this paragraph may be removed at the pleasure of the county administrator unless the department head is appointed under a civil service system competitive examination procedure established under s. 59.52(8) or ch. 63.

Newly hired department heads would not have "just cause" job protection but rather could be removed "at the pleasure of the county administrator." "Just cause" requires employers to follow certain procedures and provide legal justification before an employee may be discharged. Removal of non-performing department heads would be significantly easier under the administrator form. Figure 1 illustrates the differences between the current job description of the administrative coordinator versus the position of administrator relative to the appointment and dismissal of department heads of the county.

Figure 1

	Administrative Coordinator	Administrator
Appointment and removal of following department heads: Land Management, Land Conservation, Finance, HR, Veterans, Info. Systems, Facilities	Admin. Coordinator recommends subject to approval by liaison committee. Removal by liaison committee for cause.	Administrator appoints subject to approval by County Board. Department heads appointed by Administrator serve "at will" and may be removed by Administrator.
Appointment and removal of Corporation Counsel	County Board appoints and removes.	Administrator appoints and removes subject to approval by County Board.
Appointment and removal of HHS Director	HHS Board appoints. HHS Board plus a 2/3 vote of the County Board is necessary for removal.	Administrator appoints and removes subject to approval by County Board.
Appointment and removal of CDEB Director	CDEB appoints.	Administrator appoints subject to confirmation by CDEB. Removal subject to contract or if no contract, by Administrator.
Appointment and removal of Highway Commissioner.	County Board elects highway commissioner upon recommendation of candidate(s) by the Transportation and Parks Committee.	Administrator appoints subject to approval by County Board. Department heads appointed by Administrator serve "at will" and may be removed by Administrator.

Management of statutory departments by the department head

State law presently places administrative responsibilities on the Human Services Board and the Transportation and Parks Committee. In reality, these administrative functions are currently being performed by the highway commissioner and health and human services director. One byproduct of the change to the administrator form of management is to formalize that arrangement. Section 46.23 Wis. Stats. pertaining to the health and human services board illustrates this change:

Supervisor Kuhnke. On motion by Supervisor Kret, seconded by Supervisor Gigante, the resolution was amended to correct any reference to Administrative Coordinator to Administrator. The resolution was adopted as amended.

Walworth County

AMENDED

Resolution No. 78-01/02
Amending Chapter 212 of the Personnel Code Relative to Layoffs

Moved/Sponsored by: County Human Resources Committee

WHEREAS, the Human Resources Committee recommends that certain amendments be made to Chapter 212 of the Personnel Code relative to layoff and recall procedures; and

WHEREAS, the effect of the amendment would be to permit the ~~Administrative Coordinator~~ Administrator as well as department heads to initiate layoffs and will permit the ~~Administrative Coordinator~~ Administrator to review layoffs initiated by department heads.

NOW, THEREFORE, BE IT RESOLVED by the Walworth County Board of Supervisors that Chapter 212 of the Personnel Code be and the same is hereby amended as set forth on the attached, with additions being shown in underline and deletions by strikethrough.

County Board Chair
Allen L. Morrison

Attest: County Clerk
Kimberly S. Bushey

Policy and Fiscal Note Attached: Yes No

Approved as to Form:

David A. Bretl 1/2/02
Administrative Coordinator Date

Dennis D. Costello 1/2/02
Corporation Counsel Date

N. Andersen 1/2/02
Finance Director Date

Action Required: Majority Vote Two-thirds Vote Other _____

County Board Meeting Date: January 8, 2002

Walworth County, Wisconsin
County Board of Supervisors

Policy and Fiscal Note
Res. No.78-01/02

I. Resolution Amending Chapter 212 of the Personnel Code Relative to Layoffs.

Purpose and Policy Impact Statement. The purpose of the resolution is to amend Chapter 212 of the Personnel Code pertaining to layoff and recall procedures. Under the present Code, layoffs may only be initiated by county department heads. The ~~administrative coordinator~~ Administrator expressed concern that department heads might be reluctant to initiate layoffs should economic circumstances warrant such action. The ~~administrative coordinator~~ Administrator, as well as county department heads would be authorized to initiate layoffs under the proposed amendment. Additionally, because of the budgetary issues surrounding a layoff, the ~~administrative coordinator~~ Administrator would review all layoffs initiated by department heads.

II. Is this a budgeted item and what is its fiscal impact?

There would be no immediate fiscal impact associated with the resolution.

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

Committee: Human Resources Date: December 19, 2001
Vote: 7-0 to refer to the County Board for action

Approved as to Form:

David A. Bretl 1/2/02
Administrative Coordinator Date

Dennis D. Costello 1/2/02
Corporation Counsel Date

N. Andersen 1/2/02
Finance Director Date

Action Required: Majority Vote Two-thirds Vote Other _____

County Board Meeting Date: January 8, 2002

**Chapter 212
LAYOFF AND RECALL**

Sections

- 212.01 Policy
- 212.02 Layoff
- 212.03 Benefits and services
 upon layoff
- 212.04 Recall from layoff

History

Res. 36-10/94

Cross References

Appendix

212.01 Policy.

It is the policy of the County that it may require a reduction in the workforce through layoff due to changes in service levels, market competition, unexpected shortages of materials and supplies, emergencies, shortage of funds, or other economic reasons. Layoffs and recalls from layoff shall be conducted in a manner consistent with County business needs, collective bargaining agreement provisions, and in accordance with the procedures set forth below.

212.02 Layoff.

~~(A) Notice of layoff. The department head shall decide when a layoff for emergency reasons is required. An emergency layoff shall not exceed one week. When a layoff exceeds one week, the department head shall inform the liaison committee and consult with the Human Resources Director prior to notifying employees. The department~~

~~head shall determine the positions by classification to be reduced.~~

~~The department head shall give written notice of layoff to affected employees, any _____ collective _____ bargaining representatives of affected employees, and the Human Resources Director as early as feasible. The written notice shall inform employees of the reason for layoff and the projected length of the layoff. To the extent required by §109.07, Wis. Stats., whenever a layoff affects 25 or more employees, not including new or low-hour employees, written notice shall be provided at least 60 days prior to the date that the reduction takes place. "***New or low-hour employee***" means an employee who has been employed for fewer than 6 of the 12 months preceding the date on which a notice is required or who averages fewer than 20 hours of work per week.~~

(A) Notice of Layoff

1.Layoffs for emergency reasons may be initiated as follows:

(a) By a department head.

(b)By the ~~Administrative~~ ~~Coordinator~~ Administrator.

2.Layoffs initiated pursuant to section 212.02 shall be submitted to the Human Resources Director who shall forward the request to the Administrator ~~Coordinator~~ with recommendation who shall have the ability to grant or deny the request.

3.Upon approval of the layoff request, the department head shall give written notice of layoff to affected employees, any collective bargaining representatives of affected employees, and the Human Resources Director as early as feasible. The written notice shall inform employees of the reason for layoff and the projected length of the layoff. To the extent required by Sec. 109.07, Wis. Stats., whenever a layoff affects 25 or more employees, written notice shall be provided at least 60 days prior to the date that the reduction takes place. "New or low-hour employee" means an employee who has been employed for fewer than 6 of the 12 months preceding the date on which a notice is required or who averages fewer than 20 hours of work per week.

4.The Human Resources Department shall assist the Administrator ~~Coordinator~~ in preparing and distributing the notice required under subsection 3 above with respect to layoffs initiated pursuant to paragraph (A) 1. (b) of this section.

5.All layoffs shall be reported to the Human Resources Committee.

(B) Order of layoff. When a layoff lasts for a week or more, the selection of employee(s) for layoff within classification(s) and department shall normally be determined by the following order, except when the remaining employees are not qualified and able to perform the work:

1. Casual, limited term, and student work experience employees are reduced first; then,
2. Probationary employees holding regular status positions; and then,
3. Non-probationary regular employees shall be selected based on considerations of length of service, employee performance, requisite job skills, ability and availability, except as otherwise specifically required by the terms of an applicable collective bargaining agreement.

The Human Resources Director or designee shall review statistical data on the proposed layoff list to ensure that selection standards are not having a disparate impact on any protected group of employees.

(C) Maximum layoff period. The maximum period of layoff shall be one year. At the expiration of one year, an employee on layoff status shall be subject to termination and may be eligible for reinstatement, subject to section 203.17.

(D) Transfer to avoid layoff. Except as otherwise required by the provisions of a collective bargaining agreement, employees scheduled for layoff may not displace or "bump" other employees within their department or another County department. However, employees targeted for layoff may be assigned to, or may apply for, vacancies in other county positions.

212.03 Benefits and services upon layoff.

(A) Vacation, sick leave, compensatory time or holidays. Vacation, sick leave and holiday benefits shall not accrue during an unpaid layoff period. An employee subject to layoff may request pay for accrued and available vacation, compensatory time or banked holiday hours to reduce the unpaid layoff period. Paid accrued benefits shall be allocated beginning with the first day of layoff and shall continue to be allocated to consecutive workdays until exhausted. If the employee does not request pay for accrued benefits within 30 days of receiving the layoff notice, accrued benefits shall be held and not available until the employee is offered a return to employment, or until employment is terminated. Sick leave severance pay provisions do not apply to periods of layoff, but do apply upon termination of employment rights.

(B) Health and dental insurance. The County shall continue to pay its share of the health and/or dental insurance premium(s) for one additional calendar month following the month that includes the date for which pay was last earned. When County contributions cease, the employee may elect to continue insurance coverage pursuant

to COBRA by paying the full monthly premium to the Human Resources Department.

(C) Life insurance. The County shall continue to pay its share of the life insurance premium for one additional calendar month following the month that includes the date for which pay was last earned. When County contributions cease, the employee may continue the insurance by paying the full monthly premium to the Human Resources Department for up to a maximum of 6 months.

(D) Long-term disability insurance. The County shall continue to pay its share of the long-term disability insurance premium through the month that includes the date for which pay was last earned.

(E) Wisconsin retirement. An employee on layoff is not eligible to apply for a separation benefit or annuity.

(F) Worker's compensation. Temporary disability benefits under Worker's Compensation are not barred by layoff, but County-paid supplemental wages and benefits are terminated during the layoff period.

(G) Employee Assistance Program (EAP). An employee on layoff remains eligible for the EAP.

(H) Other benefits. Any other benefits such as, but not limited to, funeral leave, military leave, and jury duty pay are not accrued or available during layoff.

(I) County service; step increases. The employee's regular status date shall

be maintained during the layoff period. However, the period of time between pay rate step increases shall be extended by an amount of time equal to the length of the layoff.

(J) Employee services. Employees subject to layoff are encouraged to contact the Human Resources Department to obtain information on County benefits, job postings, unemployment benefits, resume preparation and interviewing skills.

212.04 Recall from layoff.

(A) Recall procedures. An employee on layoff shall be subject to recall at any time during the layoff period as job openings occur in County employment. Employees shall normally be recalled in the reverse order of layoff, provided they meet job requirements. A recall eligibility list shall be maintained by the employing department and the Human Resources Department.

Eligibility for recall to a position in the department in which layoff occurred shall continue for up to one year from the initial layoff even though the employee may have accepted another County position or non-county position during the layoff period.

(B) Notice of recall. An employee on layoff shall be given a written offer of recall, sent by certified return-receipt mail to the employee's last address on file. The recall offer shall include the classification, location, date and time to report, and to whom to report. The employee must respond within one week and state his/her decision on acceptance of the offer of recall, and must report to work within two weeks from the date of the recall offer. An

employee may decline a recall offer to a position that represents a substantial reduction in pay from the position from which laid-off without losing their eligibility for recall. An employee who fails to respond, refuses a recall offer, or fails to report for duty as scheduled, shall forfeit recall rights and shall be subject to termination of employment.

(C) Employee responsibilities. An employee on layoff is responsible for keeping the Human Resources Department and the department head informed of their current mailing address and any changes in name, telephone number, or other personal data required for employee benefits.

**THE FEBRUARY 12, 2002 SESSION
OF THE
WALWORTH COUNTY BOARD OF SUPERVISORS**

The Walworth County Board of Supervisors was called to order by Chairman Morrison at 6:00 p.m. at the Walworth County Courthouse, 100 W. Walworth St., Elkhorn, Wisconsin. Roll call was read with all Supervisors present except Supervisors Kuhrike and Mikrut, who had been excused. A quorum was established.

Reverend Robert Rickman, Pastor of Our Redeemer Lutheran Church With School, Delavan, Wisconsin, presented the invocation.

On motion by offered by Supervisor Gigante, seconded by Supervisor Tilton, the evening's agenda was approved as presented.

On motion by Supervisor Muzatko, seconded by Supervisor Scharine, the minutes of the January 8, 2002 session were approved as printed.

Chairman Morrison requested public comment; there was no public comment.

There were no claims presented.

Corporation Counsel Dennis Costello informed the Board that on April 5, 2002 there would be an opportunity for anyone interested to participate in a prison tour.

David Bretl, Administrator, referred the Board to his two written report/updates, dated February 4 and 12, 2002. He called the Board's attention to the fact that, in his February 4th report, he is requesting that the Finance Committee Chairman make a motion to refer Ord. No. 223-02/02, concerning Chapter 30 of the Code of Ordinances, back to the Finance Committee for further discussion and fine-tuning. It will then be presented for adoption at the March County Board meeting.

Chairman Morrison presented a County Board Chair's Report and informed the Board of the following. The March County Board meeting is Student Government Day. Since County Board meetings are now held in the evening, the students will not be able to attend. However, there will still be a presentation for the students that morning by Chairman Morrison, County Administrator David Bretl, and County Clerk Kim Bushey. The luncheon is also still planned for noon on that day, and the sign-up sheet for Board members who wish to attend is being circulated. Chairman Morrison, Administrator Dave Bretl and Supervisor Fischer will be attending the NACo Legislative Conference

March 2 - 5. The topic will be "Homeland Security". A letter has been received from Nancy Lehman, American History Chairman, Samuel Phoenix Chapter, DAR, inviting the Board to join the students at Lakeland School for the American History Award Program on Friday, March 1, at 9:00 a.m.

The following Reports of Zoning Gone into Effect were read and placed on file.

William L. Messer, Town Delavan
Thomas C. Jacobs (Jesse Jacobs, App.), Town Bloomfield
S. Terry Woods Trust and Denise A. Woods Trust, Town of Linn
Kenneth F. Kessel Living Trust and Sandra L. Kessel Living Trust, Town
Troy
Lost Nation Farms, LLC (Kenneth R. Balestrieri, App.), Town Sugar Creek
James O. Jacobson Irrevocable Trust (Steven M. Jacobson, App.), Town
Sugar Creek
Howard Watson (Regency Hills Development, App.), Town LaFayette

The following Report of Petitions Referred was read and referred to the Land Management Committee.

Report of Petitions Referred to Land Management Committee

To: The County Board of Walworth County

The undersigned County Clerk hereby reports that the following petitions for rezone of lands in Walworth County were referred to the Land Management Committee for public hearing:

Melvina Palkowitz (Mr. and Mrs. Theodore Kautzman, App.), Town East
Troy, A-1 to A-5
Whitewater Limestone, Inc., Town Whitewater, A-3 to M-3
Patricia McIntyre, Evelyn Inga McIntyre, and Evelyn McIntyre (Patricia
Davies McIntyre, App.), Town Richmond, R-1 to B-3
Doris Michealson & Brian Handke, Town Sugar Creek, M-1 to A-5
Maria Galgano-Chadha, Town Geneva, A-1 to A-2
Allan J. Polyock, Town Linn, A-1 to C-2
Thomas C. Jacobs (Otto Jacobs Co., App.), Town Bloomfield, M-3 and
A-2 to M-3, C-2, C-4 and C-1
Helen M. Gifford (Bloomfield Cemetery Assn., App.), Town Bloomfield,
A-2 to P-2
Cora Hammarstrom, Town Bloomfield, C-3 to A-2

Above petitions referred 01/17/02.

Dated this 24th day of January, 2002.
Kimberly S. Bushey
County Clerk

On motion by Supervisor Tilton, seconded by Supervisor Van Dreser, the following petitions to rezone were approved as presented.

**REPORT OF LAND MANAGEMENT COMMITTEE
TO COUNTY BOARD ON HEARING ON PETITION
TO AMEND THE WALWORTH COUNTY ZONING ORDINANCE**

TO THE COUNTY BOARD OF WALWORTH COUNTY:

The Land Management Committee, having considered the petitions to amend the Walworth County Zoning Ordinance and Shoreland Zoning Ordinance; and having held public hearings thereon, pursuant to Section 59.97(5)(e) Wisconsin Statutes, notice thereof having been given as provided by law, and being duly informed of the facts pertinent to the changes proposed and duly advised of the wishes of the people in the area affected, hereby recommends as follows:

1. Charlotte Stoffel Revocable Trust, Town of Geneva-- filed a petition on the 3rd day of October, 2001 to rezone from A-2 Agricultural Land District to C-2 Upland Resource Conservation District.

Recommendation: Said petition be approved.

2. Harley G. and Phyllis E. Pellmann (Janice and Ray Schilz, App.), Town of Geneva-- filed a petition on the 19th day of October, 2001 to rezone from A-1 Prime Agricultural Land District to A-5 Agricultural-Rural Residential District.

Recommendation: Said petition be approved. The Walworth County Sanitation department stated the parcel will support a septic system. The property is not prime farmland and would best serve as conservancy property.

3. Town of Linn, Section 16, Town of Linn-- filed a petition on the 9th day of October, 2001 to rezone from A-1 Prime Agricultural Land District & C-2 Upland Resource Conservation District to P-1 Recreational Park District & C-1 Lowland Resource Conservation District.

Recommendation: Said petition be approved. The park will be largely open space, therefore, agricultural use would not be lost for the future and it is consistent with the park and open space plan.

4. Regency Hills Development Corp., Town of Delavan-- filed a petition on the 2nd day of November, 2001 to rezone from A-3 Agricultural Land Holding District to R-2 Single-Family Residence District (Sewered).

Recommendation: Said petition be approved.

5. Rita M. Yadon, Town of Delavan--filed a petition on the a petition on the 26th day of October, 2001 to rezone from A-1 Prime Agricultural Land District to A-4 Agricultural Related Manufacturing Warehousing and Marketing District.

Recommendation: Said petition be approved. The majority of the tax parcel will remain agricultural and the rezone will allow a viable agricultural use.

6. Brian and Jeanine Ramstack, Town of Troy--filed a petition on the a petition on the 6th day of November, 2001 to rezone from A-1 Prime Agricultural Land District to A-4 --Agricultural Related Manufacturing Warehousing and Marketing District.

Recommendation: Said petition be approved. No additional housing is proposed. The majority of this property will remain in agricultural use.

ORDINANCE AMENDING WALWORTH COUNTY ZONING ORDINANCE

WHEREAS, the Walworth County Board of Supervisors has heretofore been petitioned to amend the Walworth County Zoning Ordinance; and

WHEREAS, the petitions have been referred to the Walworth County Land Management Committee for public hearing; and

WHEREAS, the Walworth County Land Management Committee on due notice conducted public hearings on the proposed amendments and filed their recommendations with the board; and

WHEREAS, the proposed amendments have been given due consideration by the Board in open session.

NOW, THEREFORE, the County Board of Supervisors of the County of Walworth do ordain as follows:

The Zoning Ordinance of Walworth County and Shoreland Zoning Ordinance (and accompanying Zoning Map) is amended in the following respects:

1. Charlotte Stoffel Revocable Trust, Town of Geneva--
to amend said zoning maps from A-2 Agricultural Land District to C-2 Upland
Resource Conservation District on the following described lands:

Part of Tax Parcel #J G 1500007

Being part of the Southeast ¼ of the Southeast ¼ of Section 15, Township 2
North, Range 17 East of the Fourth Principal Meridian in the Town of Geneva,
County of Walworth, State of Wisconsin, and being more particularly described
as follows: Commence at the Northeast corner of the Southeast ¼ of said
Section 15; thence South 00°59'15" East along the East line of said Southeast ¼,
1445.79 feet to a point on the centerline of Springfield Road; thence North
89°19'29" West along said centerline, 249.38 feet; thence North 89°16'52" West
along said centerline, 350.94 feet to the Place of Beginning of a parcel of land
hereinafter described; thence South 02°08'00" West, 233.53 feet; thence South
87°52'00" East, 20.00 feet; thence South 00°00'00" East, 476.33 feet; thence
North 90°00'00" West, 407.61 feet; thence North 00°26'52" East, 463.00 feet;
thence South 86°07'33" East, 135.00 feet; thence North 04°03'47" East, 260.25
feet to the centerline of Springfield Road; thence South 89°16'52" East along said
centerline, 239.60 feet to the Place of Beginning. Containing 5.70 acres of land
more or less. Subject to the rights of the public over the North 33 feet for road
purposes (Springfield Road).

2. Harley G. and Phyllis E. Pellmann (Janice and Ray Schilz, App.), Town of
Geneva--to amend said zoning maps from A-1 Prime Agricultural Land District to
A-5 Agricultural-Rural Residential District on the following described lands:

Part of Tax Parcel #J G 900001

A part of Tax Parcel G-9-1, to be rezoned from A-1 to A-5, located in the SE1/4
and SW1/4 of the NE1/4 of Section 9, Town 2 North, Range 17 East, Walworth
County, Wisconsin, described as follows: Commencing at a monument found
marking the East ¼ corner of said Section 9 (T2N, R16E); thence S 90DEG
00MIN 00SEC W, 925.45 feet along the South line of the Northeast ¼ of said
Section 9 to the Point of Beginning; thence S 00DEG 00MIN 00SEC E, 41.91
feet to the centerline of MacLean Road as paved; thence S 90DEG 00MIN
00SEC W, 425.38 feet; thence N 01DEG 27MIN 20SEC W, 356.30 feet; thence
N 60DEG 24MIN 12SEC E, 545.62 feet to the South line of the former railroad
right of way; thence S 08DEG 59MIN 27SEC W, 255.95 feet; thence S 00DEG
00MIN 00SEC E, 330.95 feet to the Point of Beginning. Containing 4.85 acres of
land (4.53 acres exclusive of road right of way) more or less.

The Walworth County Sanitation Department stated the parcel will support a
septic system. The property is not prime farmland and would best serve as
conservancy property.

3. Town of Linn, Section 16, Town of Linn-- to amend said zoning maps from A-1 Prime Agricultural Land District & C-2 Upland Resource Conservation District to P-1 Recreational Park District & C-1 Lowland Resource Conservation District on the following described lands:

Tax Parcel #IL 1600010 – exclusive of areas currently zoned wetlands.

The park will be largely open space, therefore, agricultural use would not be lost for the future and it is consistent with the park and open space plan.

4. Regency Hills Development Corp., Town of Delavan--to amend said zoning maps from A-3 Agricultural Land Holding District to R-2 Single Family Residence District (sewered) on the following described lands:

That part of Tax Parcel #F D 2000001B currently zoned A-3.

5. Rita M. Yadon, Town of Delavan--to amend said zoning maps from A-1 Prime Agricultural Land District to A-4 Agricultural Related Manufacturing, Warehousing and Marketing District on the following described lands:

Part of Tax Parcel #F D 700002

A parcel of land located in the Northeast $\frac{1}{4}$ of Section 7, Town 2 North, Range 16 East, Walworth County, Wisconsin, described as follows: Commence at the center of Section 7; thence N $0^{\circ}11'22''$ W along the West line of said Northeast $\frac{1}{4}$ and the centerline of Dam Road, 528.96 feet to the Point of Beginning; thence continue N $0^{\circ}11'22''$ W along said line 483.80 feet; thence N $88^{\circ}49'00''$ E 353.55 feet; thence S $0^{\circ}11'22''$ E 490.05 feet; thence S $89^{\circ}49'52''$ W 353.49 feet to the Point of Beginning. Said parcel contains 3.95 acres of land more or less.

The majority of the tax parcel will remain agricultural and the rezone will allow a viable agricultural use.

6. Brian and Jeanine Ramstack, Town of Troy--to amend said zoning maps from A-1 Prime Agricultural Land District to A-4 Agricultural Related Manufacturing, Warehousing and Marketing District on the following described lands:

Part of Tax Parcel #L T 500002A

Part of the Southwest $\frac{1}{4}$ and part of the Northwest $\frac{1}{4}$ of the Southeast $\frac{1}{4}$ of Section 5, Township 4 North, Range 17 East of the Fourth Principal Meridian in the Town of Troy, County of Walworth, State of Wisconsin and being more particularly described as follows:

February 21, 2002, with decisions on pending rezones and conditional uses being made on Friday, February 22, 2002. There will be no 9-1-1 meeting in February.

Supervisor Miles, Chair of the Health and Human Services Board, informed the Supervisors that there would be an open house at the Health and Human Services building on February 17, 2002 from 1:00 to 3:00, with a short program to be presented at 1:30.

Ordinance No. 219-01/02, Speed Zone Reduction on Highway H, was moved for adoption by Supervisor Price, seconded by Supervisor Gigante. On motion by Supervisor Logterman, seconded by Supervisor Muzatko, the motion carried by unanimous consent.

ORDINANCE NO. 219-01/02

**ESTABLISHMENT/REVISION OF SPEED ZONE ON
WALWORTH COUNTY TRUNK HIGHWAYS, WALWORTH COUNTY,
WISCONSIN**

WHEREAS, the Walworth County Highway Department has conducted an engineering and traffic investigation on CTH "H" between Bloomfield Road and West Side Road; and

WHEREAS, the maximum speed at which vehicles may be operated on the described highways is as set forth below:

Speed Limit and Location: Thirty-five (35) miles per hour for all vehicles on CTH "H" from its intersection with West Side Road to the existing twenty-five (25) mile per hour speed zone approximately 2500 feet north of West Side Road.

NOW, THEREFORE, BE IT ORDAINED that pursuant to Wis. Stats., 346.57(4)(a) and (e), the COUNTY BOARD OF SUPERVISORS of the County of Walworth, does hereby establish a speed limit for all vehicles traveling on CTH "H" as described above, and such maximum limit shall be in force on September 1, 2002 and upon the erection of standard signs giving notice thereof. All other speed zones for this area are hereby repealed and are no longer in force or effect.

DATED this 12th day of ~~January~~ February, 2002.

Allen L. Morrison
Walworth County Board Chairman

Kimberly S. Bushey
Walworth County Clerk

Policy and Fiscal Note is attached. Yes

Approved as to form:

David A. Bretl
~~Administrative Coordinator~~
Administrator 1/29/02
Date

Dennis D. Costello 1/29/02
Corporation Counsel Date

N. Andersen 1/21/02
Finance Director Date

Action Required: Majority Two-Thirds Vote Other _____

POLICY AND FISCAL NOTE

I. Title: Establishment/Revision of speed zone on Walworth County Trunk Highways, Walworth County, Wisconsin

II. Purpose and Policy Impact Statement:
The ordinance authorized the Highway Department to change speed zones on sections as stated above.

III. Is this a budgeted item and what is it's fiscal impact:
This item is budgeted under general maintenance. There is no fiscal impact.

IV. Referred to the following standing committees for consideration and date of referral:
Transportation and Parks December 17, 2001 and
January 14, 2002

V. Committee Consideration:
Transportation and Parks Favor 12/17/01 and 1/14/02
Committee Vote Date

VI. Approved as to Form:

David A. Bretl 1/29/02
~~Administrative Coordinator~~
Administrator Date

Dennis D. Costello 1/29/02
Corporation Counsel Date

N. Andersen
Finance Director

1/21/02
Date

Ordinance No. 220-01/02, Speed Zone Reduction on Highway ES, was moved for adoption by Supervisor Parker, seconded by Supervisor Muzatko. A friendly amendment was offered by Supervisor Gigante to start the speed zone change 100 feet south of where the ordinance indicates (100 feet south of St. Peters Road). The amendment failed. The ordinance was adopted by unanimous consent on motion by Supervisor Scharine, seconded by Supervisor Gigante.

ORDINANCE NO. 220-01/02

**ESTABLISHMENT/REVISION OF SPEED ZONE ON
WALWORTH COUNTY TRUNK HIGHWAYS, WALWORTH COUNTY,
WISCONSIN**

WHEREAS, the Walworth County Highway Department has conducted an engineering and traffic investigation on CTH "ES" between St. Peters Road and STH "20"; and

WHEREAS, the maximum speed at which vehicles may be operated on the described highways is as set forth below:

Speed Limit and Location: Thirty-five (35) miles per hour for all vehicles on CTH "ES" from its intersection with St. Peters Road to its intersection with STH "20"

NOW, THEREFORE, BE IT ORDAINED that pursuant to Wis. Stats., 346.57(4)(a) and (e), the COUNTY BOARD OF SUPERVISORS of the County of Walworth, does hereby establish a speed limit for all vehicles traveling on CTH "ES" as described above, and such maximum limit shall be in force upon passage of the ordinance and upon the erection of standard signs giving notice thereof. All other speed zones for this area are hereby repealed and are no longer in force or effect.

DATED this 12th day of January February, 2002.

ALLEN L. MORRISON

ATTEST: KIMBERLY S. BUSHEY

Policy and Fiscal Note Attached: Yes

Approved as to Form:

David A. Bretl 1/29/02
~~Administrative Coordinator~~ Date
Administrator

Dennis D. Costello 1/29/02
Corporation Counsel Date

N. Andersen 1/21/02
Finance Director Date

Action Required: Majority Two-Thirds Vote Other _____

Policy and Fiscal Note

- I. Title: Establishment/Revision of speed zone on Walworth County Trunk Highways, Walworth County, Wisconsin
- II. Purpose and Policy Impact Statement:
The ordinance authorizes the Highway Department to change speed zones on sections stated above.
- III. Is this a budgeted item and what is its fiscal impact:
This item is budgeted under general maintenance. There is no fiscal impact.
- IV. Referred to the following standing committees for consideration and date of referral:
Transportation and Parks December 17, 2001 and
January 14, 2002
- V. Committee Consideration:

Committee	Vote	Date
Transportation and Parks	Favor	12/17/01 and 1/14/02
- VI. Approved as to Form:

David A. Bretl 1/29/02
~~Administrative Coordinator~~ Date
Administrator

Dennis D. Costello 1/29/02
Corporation Counsel Date

N. Andersen 1/21/02
Finance Director Date

A motion was offered by Supervisor Maynard, seconded by Supervisor Arnold, to approve Ordinance No. 222-02/02, Repealing and Recreating Title 2 of

the Walworth County Code of Ordinances Relating to Rules of the County Board of Supervisors.

A motion to amend the ordinance to change the references from the Planning and Zoning Commission to Land Management Committee was approved on motion by Supervisor Tilton, seconded by Supervisor Van Dreser.

On motion by Supervisor Lothian, seconded by Supervisor Burwell, a Substitute Committee Structure and Membership was offered as an amendment to the ordinance and was defeated by voice vote.

A motion was made by Supervisor Kret, seconded by Supervisor Lothian, that the ordinance be amended to add:

Section 2.03.100(h) Roberts Rules. Procedures not specifically covered by these rules shall be governed by Roberts Rules of Order.

Debate was terminated on motion by Supervisor Van Dreser, seconded by Supervisor Tilton, and the amendment was approved.

On motion by Supervisor Kret, seconded by Supervisor S. Shepstone, Section 2.03.120 Closing Debate was amended to read:

2.03.120 Closing Debate. Any Supervisor wishing to terminate the debate may move to close debate. If seconded, the presiding officer shall state, "The Board will now vote on whether to terminate debate." If a two-thirds majority of the Supervisors present vote in the affirmative, the effect shall be to put an end to all debate to the issue in front of it, and bring the Board to an immediate vote, first upon pending amendments, if any, and then upon the main motion. Any member recognized by the presiding officer shall be permitted to speak before the vote to terminate debate is taken.

On motion by Supervisor Kret, seconded by Supervisor Lothian, Section 2.02.060 (a) Chairperson Duties, the ordinance was amended to add:

8. Appoint a parliamentarian subject to the approval of the County Board.

On motion by Supervisor C. Grant, seconded by Supervisor Wenglowsky, Section 2.06.010 (h) was amended to remove the word "registered":

(h) Comment period by ~~registered~~ members of the public.

A motion made by Supervisor Smith to amend 2.03.120 Closing Debate by removing "recognized by the presiding officer" died for lack of a second.

A motion made by Supervisor Lothian, seconded by Supervisor Tilton, to remove section 2.02.010 (d) Six-year Limit on Service was defeated in a roll call

vote. Total vote: 33; Ayes: 15—Burwell, Kret, Lightfield, Lothian, Miles, Parker, Price, Schaefer, Scharine, R. Shepstone, Tilton, Van Dreser, Van Dyke, Wenglowisky, Morrison; Noes: 18—Arnold, Fischer, Felten, Gigante, C. Grant, J. Grant, Logterman, Lohrmann, Maynard, Muzatko, Norem, Palzkill, Pearce, Polyock, S. Shepstone, Shroble, Smith, Troemel; Absent: 2-Kuhnke, Mikrut. The amendment was defeated.

On motion by Supervisor Kret, seconded by Supervisor Felten, section 2.02.010 (e) 2. and section 2.02.060 (a)1. were amended as follows:

Section 2.02.010 (e) 2. Notwithstanding paragraph 1, the County Board Chairperson shall serve on the Executive, Finance, CDEB and Nominating committees and one other committee enumerated in 2.02.010 (b) 5,6,7,8 or 2.02.010 (a) 2 ~~no other standing committees.~~ Those three (3) Supervisors appointed to the Agriculture and Extension Education Committee shall also serve on the Land Conservation Committee.

Section 2.02.060 (a)1. Serve on the ~~Executive and Finance Committees;~~ committees as provided by Section 2.02.010(e)2.

A motion was made by Supervisor J. Grant, seconded by Supervisor Tilton, to postpone action on the ordinance until next month's County Board Meeting. On motion by Supervisor Maynard, seconded by Supervisor Gigante, the question was called. A roll call vote was conducted. Total Vote: 33; Ayes: 7—Burwell, J. Grant, Lothian, Miles, Parker, Schaefer, Tilton; Noes: 26— Arnold, Felten, Fischer, Gigante, C. Grant, Kret, Lightfield, Logterman, Lohrmann, Maynard, Muztko, Norem, Palzkill, Pearce, Polyock, Price, Scharine, R. Shepstone, S. Shepstone, Shroble, Smith, Troemel, Van Dreser, Van Dyke, Wenglowisky, Morrison; Absent: 2 - Kuhnke, Mikrut. The motion to table until next month failed.

On motion by Supervisor Van Dreser, seconded by Supervisor Norem, the question was called on the ordinance as amended. A roll call vote was conducted on the ordinance as amended. Total Vote: 33; Ayes: 33 - Arnold, Burwell, Felten, Fischer, Gigante, C. Grant, J. Grant, Kret, Lightfield, Logterman, Lohrmann, Lothian, Maynard, Miles, Muzatko, Norem, Palzkill, Parker, Pearce, Polyock, Price, Schaefer, Scharine, R. Shepstone, S. Shepstone, Shroble, Smith, Tilton, Troemel, Van Dreser, Van Dyke , Wenglowisky, Morrison; Noes: 0; Absent: 2—Kuhnke, Mikrut. The ordinance was approved as amended.

Ordinance No. 222 – 02/02

Repealing and Recreating Title 2 of the Walworth County Code of Ordinances
Relating to Rules of the County Board of Supervisors.

NOW THEREFORE, THE WALWORTH COUNTY BOARD OF SUPERVISORS DOES ORDAIN AS FOLLOWS:

PART 1: THAT Title 2 of the Walworth County Code of Ordinances is hereby repealed in its entirety and recreated to read as follows:

"TITLE 2"

RULES OF THE WALWORTH COUNTY BOARD OF SUPERVISORS

2.01 Structure of the County Board

2.01.010 Membership. The Board shall be comprised of 25 Supervisor members, one elected from each Supervisory District in Walworth County.

2.01.020 Chairperson/Vice-Chairperson. The Chairperson and Vice Chairperson of the Board shall be elected from the membership at large.

2.02 Supervisor Assignments and Compensation

2.02.010 Committee Assignments. Standing committees of the Board shall consist of the Committee of the Whole and those committees, boards and commission set forth in section 2.08.010. Each standing committee shall be chaired by a Supervisor. Supervisors shall be elected or assigned to the standing committees as follows:

(a) Elected Board Membership. The Board shall elect Supervisors to the following boards and committees as the terms expire or vacancies occur:

1. Children with Disabilities Education Board
2. Lakeland Health Care Center Board of Trustees
3. Such members of the Nominating Committee as may be required pursuant to Sec. 2.09.010(b).

(b) Appointed Membership. The Board shall appoint members of the following committees, board and commission:

1. Executive Committee;
2. Finance Committee;
3. Human Resources Committee;
4. Public Property Committee;
5. Agriculture and Extension Education

- Committee;
- 6. Health and Human Services Board;
- 7. Highway Committee;
- 8. Land Conservation Committee;
- 9. ~~Planning and Zoning Commission~~ Land Management Committee

- (c) **Committee Leadership.** Except in the case of the Committee of the Whole where the Board Chairperson shall serve as Chairperson, each standing committee shall elect a committee chairperson and vice-chairperson from its membership. Members of the county board shall not chair more than one committee concurrently.
- (d) **Six-year Limit on Service.** No supervisor may serve more than six (6) consecutive years on the same standing committee. April 20, 2000 shall be considered the starting date for purposes of calculating time of service under this section.
- (e) **Assignments.** 1. Except as provided in 2, each Supervisor shall serve on two of the standing committees enumerated in paragraphs (a) 1 and 2 and (b), one of which shall be a committee listed in (b) 1 – 4. 2. Notwithstanding paragraph 1, the County Board Chairperson shall serve on the Executive, Finance, CDEB and Nominating committees and one other committee enumerated in 2.02.010 (b) 5,6,7,8 or 2.02.010 (a) 2 no other standing committees. Those three (3) Supervisors appointed to the Agriculture and Extension Education Committee shall also serve on the Land Conservation Committee.
- (f) **Committee of the Whole.** Notwithstanding paragraph (e), each Supervisor shall serve on the Committee of the Whole.

2.02.020 **New Assignments.** All members of committees, who are reelected to another term as County Board Supervisor shall hold over in their committee assignments until their successors have been qualified and approved.

2.02.030 **State or National County Board Office**

- (a) **State or National Office.** Any Supervisor who wishes to be a candidate for any state or national county association office shall receive prior approval of the

County Board. If more than one member is interested in the office, an election shall determine approval.

- (b) **Regional Commissions.** Any supervisor who wishes to be considered for appointment as the county board's representative to a regional commission, such as Southeast Wisconsin Regional Planning Commission, shall receive prior confirmation of the county board pursuant to the procedures set forth in Section 2.09.010 (a) 1. of this Code.

2.02.040 **Vacancies.** Supervisor vacancies, caused by resignation or death, will be filled as soon as possible at the next election cycle unless the next scheduled election is more than 6 months away in which case the vacancy shall be filled in accordance with the procedures set forth in Section 2.09.010 (a) 4 (i) subject to confirmation by a majority vote of the members elect of the County Board. When committee vacancies occur subsequent to the biennial organizational meeting, replacement Supervisors shall be selected in accordance with the procedures set forth in Section 2.09.010 (a) 4 (ii). Approval shall be by a majority of members elect of the County Board.

2.02.050 **Compensation of County Board Supervisors; Officers.** Compensation of County Board Supervisors and officers shall be established by resolution of the County Board at a time consistent with state statute.

2.02.060 **Duties and Responsibilities.**

- (a) **Chairperson Duties.** The County Board Chairperson shall:

1. ~~Serve on the Executive and Finance Committees; committees as provided by Section 2.02.010 (e) 2.~~
2. Serve as presiding officer of all meetings of the County Board;
3. Serve as chairperson of the Committee of the Whole;
3. Be signatory to all official actions of the County Board;
4. Perform such other duties as may be assigned by the County Board or delineated in state

statute and shall be available as may be required for the performance of these functions.

5. Carry out the duties of County Administrator required by Sec. 59.18, Wis. Stats. for up to 15 days when the County Administrator position is vacant.
6. Set the County Board Agenda in accordance with the procedures set forth in Section 2.04.020.
7. Appoint ad hoc committees for specific purposes that require a focused effort subject to confirmation by the County Board. Citizen advisory input may be used on such committees.
8. Appoint a parliamentarian subject to the approval of the County Board.

- (b) Vice-Chairperson Duties. If the Chairperson is unable to perform his/her duties, then the Vice-Chairperson shall perform said duties. If the chairperson and vice-chairperson are unable to perform his/her duties, the Chairperson of the Executive Committee shall perform said duties.
- (c) Supervisor Duties. Supervisors are responsible for attending meetings of the standing committee and for performing duties in connection with standing committee assignments. Failure of a Supervisor to attend three (3) consecutive standing committee meetings, without first notifying the chairperson of the appropriate committee of a reasonable excuse, shall be cause for removal of the Supervisor from the assigned committee.

2.03 County Board Procedural Rules

- 2.03.010 Rules Governing Meetings. These Rules of the County Board shall govern the operations of the County Board and the conduct of County Board meetings.
- 2.03.020 Suspension of Rules. A vote of two-thirds of the members elect shall be required to suspend or amend the Rules of the County Board.

2.03.030 Conflict of Interest. If any Supervisor has a conflict of interest regarding any matter coming before the Board or a committee, board or commission of the Board, the Supervisor shall immediately notify the presiding officer of the conflict and thereupon shall not participate in a discussion or vote or any action whatsoever with respect to the matter.

2.03.040 Call to Order. The presiding officer shall call the Board to order at the hour designated and proceed in the order of business stated in Section 2.06.010. The Chairperson, or in his or her absence the Vice-Chairperson, or in the absence of the Vice-Chairperson, the chair of the Executive Committee shall be the presiding officer. In the absence of the chair, vice-chair and chair of the Executive Committee, the immediate past board chair shall preside.

2.03.050 Introduction and action on agenda items.

(a) Reading. Resolutions and ordinances shall be introduced by the presiding officer by reciting the title of the item together with a chronology of past Board or standing committee action which shall constitute the reading.

(b) Action on Items. Resolutions and ordinances read at a previous County Board meeting or being introduced by report of a standing committee shall be acted upon by the Board.

(c) Referral of Items.

1. All other resolutions and ordinances, all written communications coming before the Board for action and reports of officers shall be referred to the appropriate committee or officer or filed by the presiding officer without motion, unless objected to by any Supervisor, in which case a majority vote of the Board shall determine whether the resolution or ordinance shall be acted upon by the Board or whether the items shall be filed or referred to a different committee or officer.

2. The chairperson of a standing committee to which a matter was referred by the Board shall submit a written and dated report to the Board of the committee's recommendation or action taken thereon.

Where committee members are not unanimous on a report to the Board, the minority of such committee may make a separate report dissenting in whole or in part from the reasoning and conclusions of the majority.

3. All business referred to a committee of the Board shall be taken up before the next regular Board meeting whenever possible. The Board may, by majority vote, recall any matter referred to a committee and refer the matter to another committee or take other appropriate action thereon.

4. The County Clerk shall, within 24 hours after reference shall have been made, deliver copies of all petitions, communications, ordinances, resolutions, amendments or other matters to the chairperson of the committee of the Board or to any county official to whom any such matter was referred and as may be required.

2.03.060 Motions and Order of Precedence.

- (a) **Motions in Order.** When a question is under debate, no other motion shall be in order except:
 - 1. To adjourn;
 - 2. To table;
 - 3. To close debate;
 - 4. To postpone to a certain day;
 - 5. To refer to a standing committee;
 - 6. To refer to a special committee;
 - 7. To amend;
 - 8. To postpone indefinitely.
- (b) **Procedure.** These several motions shall have precedence in the order herein stated.
- (c) **Questions of Privilege.** Notwithstanding paragraph (a), questions relating to the rights and privileges of the assembly, or to any of its members, take precedence of all other motions to which they yield. If the question is one requiring immediate action it may interrupt a member's speech, but if it is not of such urgency it should not interrupt a member after he has commenced his speech. Before a member has commenced speaking,

even though he has been assigned the floor, it is in order for another member to raise a question of privilege.

- (d) **Miscellaneous.** 1. A motion to adjourn shall always be in order; and a motion to adjourn, to table, and a motion to close debate shall be decided without debate. 2. When a motion or resolution is under consideration only one amendment of the first degree is permitted at a time, and one amendment of that amendment.

2.03.070 Discussion on Board Floor - Members.

- (a) **Presentation of Business.** All business to be transacted by the Board shall be presented by one of its members. Whenever a member of the Board desires to address the presiding officer of the Board, or any member thereof, he/she shall raise their hand, wait to be recognized, then stand, address the presiding officer, and confine his/her remarks to the question immediately pending before the Board. When two or more members request the floor at the same time, the presiding officer shall determine who is first to speak.
- (b) **Limitation on Speaking.** No Supervisor shall speak more than twice on any question or motion except by majority vote of the Board. The presiding officer or any member may request application of this rule at any time before or during debate on any question or motion. A Supervisor, having already spoken twice on a question or motion, may be interrupted by any Supervisor under a question of privilege to call for a vote to apply this rule. In the absence of any such objection or request to apply this rule before or during debate, permission of the Board to speak more than twice shall be presumed given.

2.03.080 Discussion – Members of the Public. Any member of the public wishing to speak on any topic coming before the Board shall first receive permission from the presiding officer upon request of a Supervisor. The discussion shall be limited to three (3) minutes unless the Chairperson grants special leave or in cases when the County Board conducts a review of hearings held by other County agencies.

2.03.090 Leaving Meeting. No member of the Board shall absent themselves from the floor while the Board is in session

without special leave of the presiding officer.

2.03.100 Voting Requirements.

- (a) **Quorum.** No action may be taken at any meeting unless a quorum of the board/committee is present and votes. A quorum of the county board shall consist of a majority of members elected to a seat on the Board.
- (b) **Voting Responsibility.** When a question is presented for a vote, every Supervisor present shall vote. Abstentions shall not be allowed unless a Supervisor has declared a conflict of interest pursuant to section 2.03.030. In the event a Supervisor abstains from a vote, he/she will state their reasons for abstaining at that time.
- (c) **Fund Appropriations; Budget Changes and Transfer of Funds.** All resolutions requiring the transfer of funds, or a change in the purpose of funds, or which call for a transfer from the General Fund or the Contingent fund, shall require a vote of two-thirds of the members elected to a seat on the County Board for passage.
- (d) **New or Expanded Programs.** Any new or expanded program, service or contract for study, which requires the expenditure of funds, and such expenditure was not included in the annual budget, or any new employee position, except for those positions contained in the annual budget resolution, shall not be authorized unless adopted by a vote of two-thirds of the members elected to a seat on the County Board.
- (e) **Roll Call.** The Ayes and Noes by Roll Call shall be ordered

 - 1. Upon demand of one member;
 - 2. Upon all resolutions containing an appropriation of money;
 - 3. Upon all other matters requiring greater than a majority vote for passage.

When a roll call vote is demanded or required, the Clerk shall call the roll of members in alphabetical order, except that each successive roll call shall start

with the member next in order in the alphabetical roll. On a roll call vote, the Chairperson of the Board will vote last. Prior to the Chairperson announcing the result of the roll call, the Clerk if requested by a member shall repeat each Supervisor's name and vote as it was given.

- (f) **Changing Vote.** Any Supervisor desiring to change his or her vote on any question must do so before the presiding officer announces the result of the vote.

- (g) **Reconsideration.** It shall be in order for any member who voted with the prevailing side on a question to move for reconsideration of the vote at either one of two times set forth below:
 - 1. At any time during the same meeting at which a vote requested to be reconsidered was taken; or,
 - 2. At the next succeeding regular meeting of the Board, if the member had announced his or her intention to move for reconsideration at the prior meeting. It shall be in order for any member voting in the majority to move a reconsideration of the vote on any question.

Any Supervisor may second the motion to reconsider. A motion to reconsider shall not be reconsidered or renewed. Any Supervisor moving to reconsider shall state the reason for which the motion is made.

(h) Roberts Rules. Procedures not specifically covered by these rules, shall be governed by Roberts Rules of Order.

2.03.110 **Procedural errors.** Any procedural error in the enactment of an ordinance or resolution will be considered waived unless brought before the board no later than the next meeting after passage of the ordinance or resolution.

2.03.120 **Closing Debate.** Any Supervisor wishing to terminate the debate may move to close debate. If seconded, the presiding officer shall state, "The Board will now vote on whether to terminate debate." If a two-thirds majority of the Supervisors present vote in the affirmative, the effect shall be to put an end to all debate to the issue in front of it, and

bring the Board to an immediate vote, first upon pending amendments, if any, and then upon the main motion. Any member recognized by the presiding officer shall be permitted to speak before the vote to terminate debate is taken.

2.04 County Board Meeting Agenda Requirements.

2.04.010 Annual, Regular Monthly and Special Meetings.

1. The Annual Meeting of the County Board of Supervisors shall be held at the November Board meeting and continue for as many days as it takes to complete the meeting.

2. The dates and times of all regular monthly meetings shall be established by resolution of the Board at the meeting provided by Sec. 59.12(1) Stats.

3. Special meetings may be called as provided by statute, except that the County Board Chairperson may call for a special meeting in the event of a declared emergency.

2.04.020 Meeting Agenda: Preparation. The following procedures shall be followed in the assembly and publication of the County Board meeting agenda:

(a) **Setting the Agenda.** The County Board Chairperson, with administrative support from the County Administrator and county clerk, shall compile an agenda for each Board meeting. All requests for resolutions, ordinances, or reports to be considered shall be submitted to the Clerk no later than 5:00 P.M., on the thirteenth (13th) calendar day prior to the Board meeting for inclusion on the Agenda. After this deadline, any resolution, ordinance or business to be added to the Agenda must be of a critical nature and be approved by the County Board Chair before becoming part of the Agenda, and the County Administrator should be notified of the critical nature. In no case shall the Agenda be amended with less than two-hour notice as required by Sec. 19.84(3), Wis. Stats. Such critical requests shall include the committee(s) or supervisor sponsoring the item, as well as a title that briefly sets forth the subject matter of the item. The request should include a full text of the item to be submitted to the Board. All properly presented special orders of business shall also be

included on the Agenda.

- (b) Full text of Resolution, Ordinance, Report, Communication. Not later than 5:00 P.M. on the eighth (8th) calendar day prior to the Board meeting, the full and final text, including policy and fiscal notes, of any resolution, ordinance, or report must be complete and filed with the County Clerk. The Clerk shall mail to each member, one week before the Board meeting, the full text of all resolutions, ordinances, and reports to be considered at the Board meeting. The Clerk shall also transmit to each newspaper in Walworth County, as well as to any other media who have requested to be notified of meetings of the County pursuant to Sec. 19.84 Wis. Stats., a copy of the agenda of the board meeting.
- (c) Withdrawal of Agenda Items. Subsequent to agenda publication and prior to approval of the agenda, an item can be withdrawn from the agenda by motion and second of signatories to the resolution, when the motion is approved by a majority of the members present.
- (d) Items not on the Agenda. Any matter which was not included on the agenda and does not meet the Wisconsin open meetings law criteria as set forth in § 19.84 (2) & (3), Wis. Stats., or which was not presented to the clerk in a timely manner, as prescribed in Section 2.04.020 (a) of this Code, shall not be acted upon.

2.05 Resolutions and Ordinances: Process and Review.

2.05.010 Resolution and Ordinance Process. The following procedures and reviews shall be required for all resolutions and ordinances presented prior to action of the County Board.

- (a) All resolutions and ordinances shall be reviewed as to legality and signed by the Corporation Counsel prior to introduction. The Finance Director shall sign the resolution or ordinance to certify that sufficient funds have been budgeted to implement the proposal and that the fiscal information contained in the policy and fiscal note is accurate. Any exceptions to the above-

stated reviews shall be noted by the County Administrator, who shall sign the resolution or ordinance to certify compliance with this section.

- (b) If substantive changes are made to an ordinance by amendment at the County Board meeting, the ordinance may be laid over to the subsequent meeting of the Board for a second reading.
- (c) The County Administrator shall adopt administrative procedures to carry out the intent of this section.

2.05.020 Policy and Fiscal Notes.

- (a) A policy and fiscal note shall be appended to all resolutions and ordinances. The policy and fiscal note shall contain the following information:
 - 1. A reliable estimate of the anticipated increase in expenditures and/or revenues for the current year and the account numbers affected.
 - 2. A statement as to whether the appropriation will cause a repeat expenditure or revenue in succeeding years and an estimate of the amount, and for how many years.
 - 3. A statement as to whether such item is consistent with existing County policy, modifies County policy or establishes a new County policy.
- (b) The County Administrator is authorized to develop administrative procedures to carry out the purpose of this section.

2.05.030 Zoning Ordinances. Newly created zoning ordinances shall be considered for adoption as prescribed in Sec. 59.69(5)(a) and (b), Wisconsin Statutes.

2.06 Order of Business.

2.06.010 Agenda Order of Business. The order of business for County Board meetings shall be as follows:

- (a) Call to order
- (b) Pledge of Allegiance
- (c) Invocation

- (d) Roll call of members
- (e) Withdrawals from agenda, if any
- (f) Approval of the agenda
- (g) Approval of past meeting minutes
- (h) Comment period by registered members of the public
- (i) Special order of business (at time specific)
- (j) Communications and matters to be referred;
- (k) Unfinished business
- (l) New business
 - 1. Reports of standing committees
 - 2. Reports of special committees
- (m) Review and approval of emergency decisions made on an interim basis by the Executive Committee.
- (n) Adjournment

2.06.020 Special Order of Business. Agenda items requiring special explanation or testimony are normally established as a special order of business. A request for a special order of business must be sponsored by a Supervisor or a standing committee, and must be presented, in writing, to the County Clerk in accordance with the time deadlines as set forth in Sec. 2.04.020 (a).

2.06.030 Presentation and Reference of Claims. The Clerk shall forward copies of all claims against the County to the Corporation Counsel for review and recommendation. The Corporation Counsel shall present recommendations as to the resolution of claims to the Executive Committee. Recommendations for approval or denial of claims will then be forwarded by resolution to the County Board for final action.

2.06.040 Approval of multiple agenda items with a single vote. It shall be in order to adopt multiple agenda items with a single motion and second, provided no Supervisor objects to such treatment.

2.07 Proceedings Distribution.

2.07.010 Proceedings Distribution. The County Clerk shall submit copies of minutes of County Board proceedings after each session to all department heads and Supervisors.

2.08 Committees, Commissions and Boards of the County Board.

2.08.010 Creation. The following committees, boards, and

commissions of the Walworth County Board are hereby created:

1. Executive Committee
2. Agriculture and Extension Education Committee
3. Committee of the Whole
3. Land Conservation Committee
4. Finance Committee
5. Children with Disabilities Education Board
6. Health and Human Services Board
7. Highway Committee
8. Human Resources Committee
9. Lakeland Health Care Center Board of Trustees
10. Nominating Committee
11. ~~Planning and Zoning Commission~~ Land Management Committee
12. Public Property Committee

2.09 Membership, Rules and Duties of Committees.

2.09.010 Executive Committee

(a) Purpose. In addition to any other duties specified in this Code, the Executive Committee shall have the following duties:

1. Assign members of the County Board, as may be required, to meet with the seven county Southeastern District of the Wisconsin Counties Association and nominate, subject to County Board approval, the County Board's representative to the Southeast Wisconsin Regional Planning Commission.
2. Advise the County Board regarding all resolutions and ordinances pertaining to:
 - (i) Public safety;
 - (ii) County Board organization and rules of procedure.
3. Review recommendations of the standing committees to remove Supervisors from committees, boards or commissions for three (3) consecutive unexcused absences. If cause is found as pursuant to Sec. 2.02.060 (d), removal will be at the discretion of the County Board.

4. With administrative assistance of the County Administrator:
 - (i) Interview and nominate candidates to fill vacated Supervisory seats, subject to approval by the County Board.
 - (ii) Nominate replacements when committee vacancies occur, subsequent to the biennial organizational meeting, subject to confirmation by the County Board.
5. At least annually, review the performance of the County Administrator.
6. Conduct the hiring process to fill any vacancy in the position of County Administrator and nominate a candidate for appointment to the position, subject to approval by the County Board.
7. When feasible advise the County Board Chair in making interim decisions on behalf of the County Board in declared emergency administrative and management matters which decisions shall remain in effect only until the next convened County Board session at which time the interim action shall be subject to review and affirmed or rescinded by majority vote of the County Board members present at that session.

(b) **Membership.** The Executive Committee shall consist of seven (7) Supervisors, including the Chairperson.

2.09.020 Agriculture and Extension Education Committee.

(a) **Purpose.** The Agriculture and Extension Committee shall have the following duties:

1. Advise the County Board with respect to all resolutions and ordinances concerning agriculture and extension education.
2. Enter into joint employment agreements with the university extension or with other counties and the university extension if the county funds that are committed in the agreements have been appropriated by the County Board.
3. Evaluate agriculture and extension education programs and provide guidance concerning

prioritization of agriculture and extension programming.

4. Request funding of the County Board.

(b) **Membership.** The Agriculture and Extension Education Committee shall consist of five (5) members including three (3) County Board Supervisors, one (1) representative of the County School Administrators and the chairperson or designee of the USDA Farm Service Agency, formerly known as the Agricultural Stabilization and Conservation Service Committee.

2.09.030 Finance Committee

(a) **Purpose.** In addition to any other duties specified in this Code, the Finance Committee shall have the following duties:

1. Advise the County Board with respect to any resolution requiring use of the undesignated general fund, the contingency fund or issuance of debt.
2. Review county investment activity and provide policy direction to the staff investment advisory committee.
3. Appraise for sale and sell tax delinquent properties acquired through in rem foreclosure actions.
4. Review and make recommendations regarding liability and property insurance, inclusive of fire, inland marine, motor vehicle, personal injury, errors and omissions, property damage and fidelity and surety bonding and periodically review the advantages or disadvantages of self-insuring any of these coverages.

(b) **Membership.** The Finance Committee shall consist of seven (7) members of the County Board including the Chairperson of the County Board.

2.09.040 Children with Disabilities Education Board.

(a) **Purpose.** The Children with Disabilities Education Board shall have the following duties:

1. Advise the County Board with respect to any resolution or ordinance pertaining to education of children with disabilities.
2. Recommend and implement programs, policies and services relative to the Lakeland School;
3. Appoint an advisory board of school administrators representative of the area served;
4. Exercise those duties and responsibilities set forth in Sec. 115.86 of the Wisconsin Statutes;

(b) **Membership.** The Children with Disabilities Education Board shall consist of five (5) County Board Supervisors including the County Board Chairperson.

2.09.050 Health and Human Services Board.

(a) **Purpose.** The Health and Human Services Board shall have the following duties:

1. Appoint advisory committees for the purpose of receiving community, professional or technical information concerning particular policy considerations.
2. Develop county human services board operating procedures.
3. Submit a final budget in accordance with s. 46.031 (1) for authorized services, except for services under sub-chapter III of chapter 49 and juvenile delinquency-related services and with the approval of the department of health and family services, expend these funds consistent with any service provided Section 46.498 or 51.42.
4. Advise the Human Services director regarding purchasing and providing services and the selection of purchase of services vendors and make recommendations to the County Administrator regarding modifications in such purchasing, providing and selecting.

(b) **Membership.** The Health and Human Services Board shall consist of nine (9) members, five (5) of whom shall be County Board Supervisors. There shall be four (4) citizen members. At least one (1) member shall be a person who receives or has received

human services or is a family member of such an individual.

- (c) **Term of Office.** As required by Wis. Stats. § 46.23 (4) (c), members of a county human services board shall serve for terms of 3 years, so arranged that as nearly as practicable, the terms of one-third of the members shall expire each year. Vacancies shall be filled in the same manner as the original appointment.

2.09.060 Human Resources Committee

- (a) **Purpose.** In addition to any other duty specified in this Code, the Human Resources Committee shall have the following duties:

1. **Recommend to the County Board parameters for collective bargaining.**
2. **Advise the County Board with respect to all resolutions and ordinances concerning human resources and labor relations issues, including all matters related to wages, hours and conditions of employment of all employees and officials of the county including, but not limited to, health insurance, dental insurance, life insurance, long or short-term disability insurance, workers' compensation insurance, vacations, sick leave, holidays severance pay, pension programs, and eligibility conditions.**
3. **Carry out all duties required of the human resources committee under terms of the county personnel code or collective bargaining agreements.**
4. **Serve as the grievance committee under Wis. Stats. § 59.26.**

- (b) **Membership.** The Human Resources Committee shall consist of seven (7) members of the County Board.

2.09.080 Lakeland Health Care Center Board of Trustees

- (a) **Purpose.** The Lakeland Nursing Home Board of Trustees shall have the following duties:

1. At least monthly, audit all claims against the county incurred on behalf of the Lakeland Health Care Center and when allowed, present them to the county clerk.
 2. Install a system of accounting and reporting.
 3. Prepare an annual report and transmit it to the department of health and family services.
- 46.18(10) Stats.

- (b) **Membership.** The Lakeland Nursing Home Board of Trustees shall consist of three (3) County Board Supervisors and two (2) community representatives.
- (c) **Term of office -** The Board of Trustees shall be chosen by ballot by the County Board. At its annual meeting, the County Board shall appoint an uneven number of trustees for staggered 3-year terms ending the first Monday in January. The County Board Chair may appoint a trustee to fill a vacancy until the County Board acts to fill the vacancy.

2.09.090 **Nominating Committee**

- (a) **Purpose.** At the meeting provided in 59.12 (1) Wisconsin Stats., and from time to time as vacancies occur, the Nominating Committee shall nominate members for appointment or election to the standing committees of the County Board, subject to approval of the County Board.
- (b) **Membership.** Membership of the Nominating Committee shall consist of the following five (5) members:
1. County Board Chairperson
 2. County Board Vice-Chairperson
 3. The remaining members of the Nominating Committee shall be elected at large from the County Board.

2.09.100 ~~Planning and Zoning Commission~~ Land Management Committee

- (a) **Purpose.** ~~The Planning and Zoning Commission~~ Land Management Committee shall exercise those powers relative to planning and zoning as set forth in

Sec. 59.69, Wis. Stats.

- (b) Membership.** Unless otherwise designated by the Board, the Land Management Committee shall consist of seven (7) members including five (5) County Board Supervisors and two (2) community representatives.
- (c) Terms of Office.** The term of office for the members of the Land Management Committee shall be for seven (7) years. Terms shall be staggered so that the term of one member expires July 1 each year.

2.09.110 Public Property Committee

- (a) Purpose.** In addition to any other duty presented by this Code, the Public Property Committee shall have the following duties:
 - 1. Advise the County Board with respect to all resolutions and ordinances concerning the use, construction and maintenance of county-owned facilities and public works projects, except county highways.
 - 2. With respect to all non-highway construction projects contained in the annual budget:
 - a. Approve plans and specifications;
 - b. Authorize advertisements for bids;
 - c. Award bids;
 - d. Approve change orders and partial payments.
 - e. Authorize final payment.
- (b) Membership.** The Public Property Committee shall consist of five (5) members of the County Board. Four (4) additional community members shall be appointed by the Board and serve only at those times when the committee sits as the solid Waste Management Board pursuant to Sect. 59.70(2), Wis. Stats.
- (c) Terms of Office.** The terms of office for the Solid Waste Management shall be three years, but of the members first appointed, at least one-third shall be appointed for one year; at least one-third for two years; and the remainder for three years.

2.09.120 Committee of the Whole.

- (a) **Purpose.** There shall be a committee known as the committee of the whole consisting of all the Supervisors which shall consider matters of county-wide interest but shall not take final action on any matter so considered. The County Board chairperson shall be the chairperson of the committee of the whole.
- (b) **Miscellaneous.** Meetings of the committee of the whole shall be called by the chairman of the committee of the whole in accordance with the open meetings laws of the state. Such meetings of the committee shall be held only as needed for the discussion of important issues, as determined by the chairman.

2.09.130 Highway Committee.

- (a) **Purpose.** The Highway Committee shall have the following duties:

 - 1. Serve as a policy-making body relative to county highways and transportation issues.
 - 2. Determine broad outlines and principles governing administration of county highways.
- (b) **Membership.** The Highway Committee shall consist of five (5) members of the County Board.

2.09.130 Land Conservation Committee.

- (a) **Purpose.** The Land Conservation Committee shall exercise those duties set forth in Sec. 92.07 Wis. Stats., subject to ordinances and procedures established by the County Board.
- (b) **Membership.** The Land Conservation Committee shall consist of three (3) Supervisors, the Chairperson or designee of the USDA Farm Service Agency, formerly known as the Agricultural Stabilization and Conservation Service Committee and one citizen member.

2.10 Rules and Duties to Members.

2.10.010 Rules and Duties to Members. Eight (8) days prior to the April meeting of the County Board, the County Clerk shall send each member of the Board a copy of this Title, together with any proposed changes or amendments to this Title. Title 2 may be amended at any time in the same manner as any other ordinance, except as prohibited by law."

- PART 2 BE IT FURTHER ORDAINED THAT the effective date of this ordinance shall be April 2, 2002.
- PART 3. BE IT FURTHER ORDAINED THAT all previously adopted policies, rules and resolutions relating to rules of the County Board are repealed to the extent they may conflict with this Ordinance.
- PART 4. BE IT FURTHER ORDAINED THAT all contracts entered into or action taken under any previous committee structure shall be considered valid, even though the name specified in the contract or action is the previous committee which had the authority to take action on the matter.
- PART 5. BE IT FURTHER ORDAINED by the COUNTY BOARD OF SUPERVISORS THAT all standing committees have the authority to appoint sub-committees or ad hoc committees when a specific or special project requires a focused effort.

PASSED and ADOPTED by the Board of Supervisors of Walworth County Wisconsin this 12th day of February 2002.

ALLEN L. MORRISON
County Board Chairman

KIMBERLY S. BUSHEY
ATTEST: County Clerk

Policy and Fiscal Note is attached.

Approved as to Form:	David A. Bretl County Administrator	2/2/02 Date
	Gary Rehfeldt Corporation Counsel	2/05/02 Date
	N. Andersen Finance Director	2/05/02 Date

Action Required: 2/3 Membership

Allen L. Morrison, Chairman
Walworth County Board of Supervisors

VOTE REQUIRED: 2/3 MAJORITY

Walworth County, Wisconsin

Policy and Fiscal Note

Ordinance No. 222 – 02/02

Title: An Ordinance Repealing and Recreating Title 2 of the Walworth County Code of Ordinances Relating to Rules of the County Board of Supervisors

II. Purpose and Policy Impact Statement:

Background

County Board Substitute Resolution No. 80-03/01 directed the Administrative Committee, with the assistance of the Administrative Coordinator to review and make recommendations to the County Board concerning Title 2 of the Code of Ordinances in anticipation of the Board's reorganization in 2002, following downsizing of the Board from 35 to 25 Supervisors.

The Administrative Committee recommends adoption of a functional committee structure, supplemented by statutory committees. This is a departure from the current dual system of functional and liaison committees. Four functional committees and seven statutory committees would replace the current system of four functional and eight liaison standing committees. Functional committees, which would include Finance, Executive, Human Relations and Property would continue to exist in the functional roles they now serve. Liaison responsibilities, however, would be removed and vested in department heads and the County Administrator.

Additionally, the Administrative committee recommends changes to the Board's rules of procedure with the aim of simplifying operating rules, providing greater public participation and more consistent treatment of agenda items

In addition to its own discussions, the Committee relied upon work conducted by the Chairman's Blue Ribbon Commission to Study the Size of the Walworth County Board, established by County Board Resolution No. 15-05/97 ("Blue Ribbon Report"). The Committee also referred to a summary of other County Board structures and rules compiled by staff.

The Administrative Committee has been studying various aspects of Title 2 of the Code of Ordinances since June, 2001. Work was accomplished as follows:

Date	Activity
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- June 21, 2001 The County Board approves Substitute Resolution No. 80-03/01 directing the Administrative Committee, with the assistance of the administrative coordinator to review and make recommendations to the County Board concerning Title 2 of the Code of Ordinances.
- August 28, 2001 The Committee discusses whether a need exists to change the current committee structure. The advantages and disadvantages of three different committee structure models are explored. The Committee directs the administrative coordinator to provide further information concerning the functional committee approach.
- September 4, 2001 The Committee further discusses the advantages and disadvantages of the functional committee approach and possible remedies to potential shortcomings of the functional structure. The administrative coordinator is directed to draft a functional committee model, including committee duties.
- September 26, 2001 The Committee reviews a draft report to the County Board concerning committee structure.
- October 9, 2001 The Committee presents its recommendations regarding committee structure to the County Board.
- October 18, 2001 Authority and duties of the County Board Chair and Vice-Chair and the agenda preparation process are discussed by the Committee.
- November 15, 2001 The Committee discusses rules of procedure for meetings.
- December 20, 2001 Final changes are made by the committee concerning committee membership and rules of procedure.
- January 29, 2002 The Administrative Committee reviews the ordinance and recommends adoption by the County Board.

Committee Structure

As a preliminary consideration, the Committee asked whether there was a need to change the current committee structure. As one committee member stated, "If

it isn't broken, don't fix it." The consensus of the committee was that the current system, while not broken, could be improved. Reduction of the Board from 35 to 25 members further emphasized the need of the Supervisors to focus less on administration and more on policy-making. Reducing the workload of County Board Supervisors was not a goal of the Committee. Goals expressed by the Committee included creating a structure that would:

- Maximize the Board's role as a policy-making body, by allowing members to focus less on day-to-day management details and more on long-range policy goals. Micro-management is can be encouraged by both Supervisors and staff. Committee structure can.
- Eliminate multiple decision-making points and reduce opportunities for one committee to over-rule another by carefully defining committee roles.
- Provide for more efficient use of Supervisor and staff time by focusing committee attention to decision-making rather than listening to monthly reports of the departments.

The Committee studied three basic models of organization. These included a pure liaison approach, the current dual functional/liaison structure and a pure liaison format.

Functional Approach

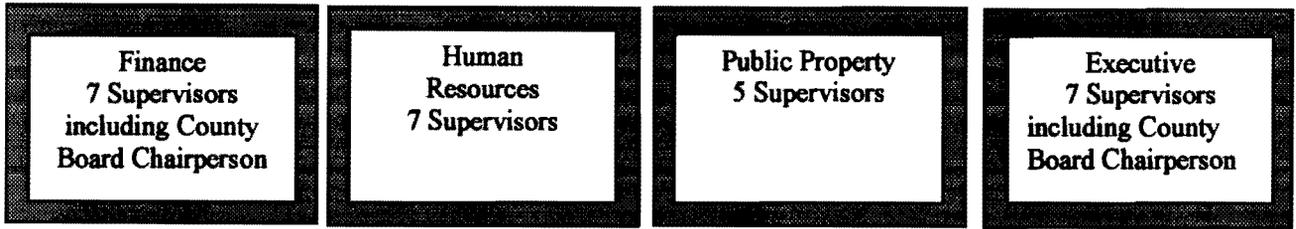
The Committee reviewed the functional committee structure of Racine County in depth. There, Committees do not exercise liaison oversight over departments. Rather, departments approach functional committees based upon the type of approval being sought. For example, if the Sheriff was in need of additional funding, he would approach the Finance Committee and then the County Board. The need to appear before a liaison committee is eliminated. Department heads and the County Administer would be responsible for performing administrative tasks currently being performed by the liaison committees.

Advantages of the functional structure were determined to be as follows:

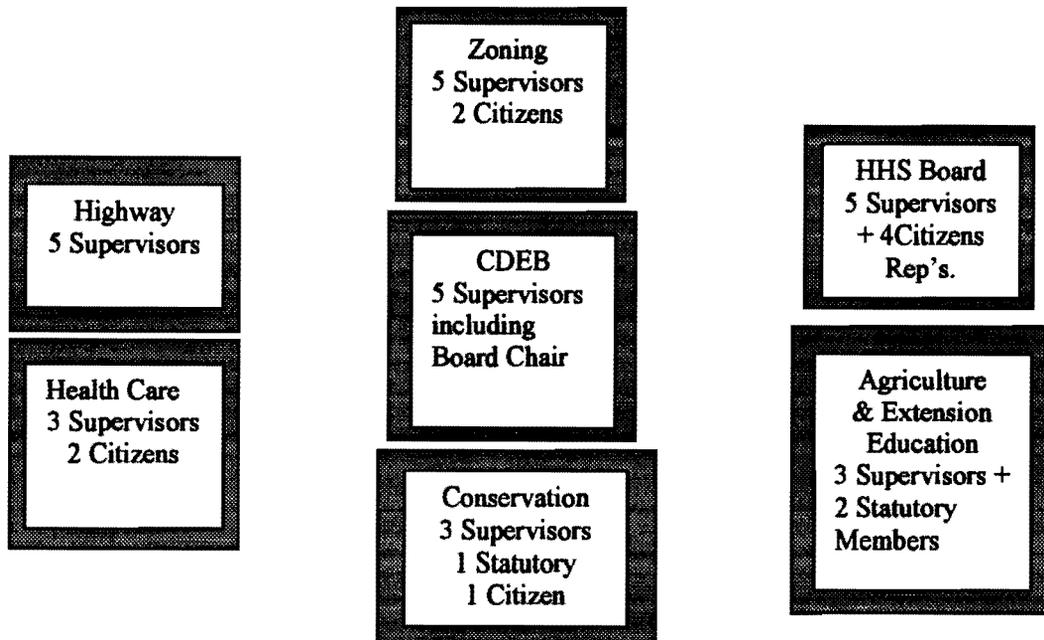
1. The number of decision points is reduced resulting in less repetition and fewer opportunities for one committee to overrule another.
2. The number of committees is reduced, saving staff time.
3. The presence of four functional committees, promotes consistent treatment of departmental requests.

Based upon the foregoing review, the Committee recommends adoption of a functional committee structure with the retention of statutorily required committees as shown below:

Functional Committees



Statutory Committees



As noted above, citizens would continue to serve the Nursing Home Board of Trustees, the HHS Board and the Planning and Zoning Commission. The Land Conservation and Agriculture and Extension Education Committees would include outside membership as required by statute.

According to the rules each Supervisor would be guaranteed a seat on one of the functional committees. The County Board Chair would serve on both the Administrative and Finance Committees. In general, each Supervisor would also serve on one statutory committee. The exception to this rule is that the three Supervisors assigned to serve on the Land Conservation Committee would also serve on the Agriculture and Extension Education Committee. By ordinance, the County Board Chair would serve on the School Board.

In general, it is anticipated that the statutory committees may meet less frequently than their counter-parts currently do. By the same token,

functional committees may meet more frequently than as business dictates. The Planning and Zoning Committee would remain a very work intensive committee; however, removal of departmental (liaison) duties from their agenda will serve to reduce the workload of that committee.

Procedural Rules

In addition to adopting a functional committee structure, the Committee is also recommending a number of changes to the Board operating rules.

Highlights of those changes are as follows:

Ending debate. The proposed ordinance would require a 2/3 vote of the Board rather than a majority vote to "call the question" thereby ending debate.

Term limit on committee service. The Committee proposes a six-year limit on committee service retroactive to the 2000 Board. Under the proposed rule, no Supervisor may serve more than six (6) consecutive years on the same standing committee. April 20, 2000 shall be considered the starting date for purposes of calculating time of service under this section.

Robert's Rules of Order. Robert's Rules of Order would not be adopted under the ordinance. Instead, meetings would be conducted under the simplified set procedures set forth in section 2.03.

Public Participation. The rules would permit members of the public to speak on agenda items at the request of a Supervisor.

Reconsideration. A motion for reconsideration would be in order at the same or next following Board meeting.

County Board Agenda. The County Board agenda would be revised with the aim of establishing a "paper trail" of Supervisor requests and committee action and providing compliance with the Wisconsin Open Meetings Law. Letters and claims addressed to the County Board would be furnished to all members and referred or placed on file (no further action required) as appropriate.

"Reports" under the new rules are not updates of committee activities, but denote formal action by a committee of the Board. Supervisors may place either a formal resolution or ordinance on the agenda or a simple letter requesting some type of action. If an item is submitted by one or more Supervisors, but not by a committee of the Board, it would normally be referred to a committee or officer for action. The County Board Chair would make the referral which would be noted on the agenda. If a member disagreed with where an item was being referred or wanted immediate action by the Board, he or she could make that request and a majority

vote of the Board would prevail. Attached to this policy and fiscal note is a sample agenda under the proposed ordinance. In that example, Supervisor Jones could ask that his resolution on I-43 speed limits not be referred to the Highway Committee, but that the first reading be dispensed with and that the matter be considered for action.

Under "New Business" it would be possible for multiple agenda items to be dispensed with a single vote. For example, during the report of the Administrative Committee, a Supervisor could say, "I move adoption of items 1 and 2 with a single vote." If there were no objection, the matters would be voted on together. If one member of the Board objected, each item would be voted on separately.

If a committee were holding onto an item previously referred to it by the Board, a Supervisor could submit correspondence requesting that the item be recalled from the committee. A majority vote of the Board would bring the item out of committee for immediate action by the Board. This would prevent a committee from "killing" an item which was supported by a majority of the Board.

Nothing in the rules would prohibit a standing committee from placing whatever item they wanted on their committee agenda and subsequently reporting it to the County Board for action. Resolutions and ordinances originating from a committee that do not require a first reading would be listed in the "Reports of Standing Committees" section of the agenda and would be ready for immediate action by the Board.

- III. Is this a budgeted item and what is its fiscal impact: There is no fiscal impact associated with this ordinance.
- IV. Referred to the following standing committees for consideration and date of referral:

Committee: Administrative Date: January 29, 2002

- V. Approved as to form:
 - David A. Bretl/s/ 2/2/02
County Administrator Date
 - Gay Rehfeldt 2/5/02
Corporation Counsel Date
 - N. Andersen 2/05/02
Finance Director Date

County Board Meeting Date: February 12, 2002

Ordinance No. 223-02/02, An Ordinance Amending Chapter 30 of the Walworth County Code of Ordinances Relating to Finance; was referred back to the Finance Committee for further discussion on motion by Supervisor Arnold, seconded by Supervisor Maynard.

Resolution No. 79-02/02, a Resolution to Cancel Tax Certificates for the Stone Manor Parcels Located in the City of Lake Geneva, was moved for adoption by Supervisor Scharine, seconded by Supervisor Logterman. The resolution was adopted by unanimous consent on motion by Supervisor Van Dreser, seconded by Supervisor Logterman.

RESOLUTION NO. 79 - 02/02

RESOLUTION TO CANCEL TAX CERTIFICATES FOR THE STONE MANOR PARCELS LOCATED IN THE CITY OF LAKE GENEVA

WHEREAS, the purpose of this resolution is to cancel tax certificates for the 1986 and 1987 delinquent real estate taxes deemed uncollectible for parcels located in the City of Lake Geneva, described as tax key numbers ZBB 00007, ZCNQ 00007A, ZYUP 00099 and ZYUP 00099A; and

WHEREAS, the parcels are titled to the 880 Corporation and AM Turner Company in which the former owner of record is now deceased; and

WHEREAS, these parcels have been the subject of civil litigation, a result of which Walworth County is prevented from foreclosing on the delinquent taxes; and

WHEREAS, in accordance with s. 75.20, Wisconsin Statutes, the tax certificates for the tax years 1986 through 1987 may not be charged back because too much time has elapsed; and

WHEREAS, the Finance Committee has directed that the Treasurer charge back the 1988 through 1991 taxes in accordance with s.75.24, Limitation, Claims Under Illegal Deed or Certificate;

NOW, THEREFORE, BE IT RESOLVED, that the WALWORTH COUNTY BOARD OF SUPERVISORS hereby cancels the tax certificates for the years 1986 and 1987 on the parcels described as ZBB 00007, ZCNQ 00007A, ZYUP 00099 and ZYUP 00099A in the amount of \$30,782.68; and

The purpose is to cancel the tax certificates for the years 1986 and 1987 in accordance with s.75.20, Wisconsin Statutes.

The parcels are titled to the 880 Corporation and AM Turner Company in which the former owner of record is now deceased. These parcels have been the subject of civil litigation which prevents Walworth County from foreclosing on the parcels for delinquent taxes.

III. Budget and Fiscal Impact:

Taxes, interest and penalties on property taxes are revenue for Walworth County. The principal taxes on the four parcels for the two years is in the amount of \$30,782.68. The source of funding will be a transfer from the contingency fund account number 005-2350-8811 and to account number 001-1903-1111.

The Finance Committee has directed the chargeback of the 1988 through 1991 taxes in accordance with s.75.24, Limitation, Claims Under Illegal Deed or Certificate. The County Treasurer will send a letter to the City of Lake Geneva Mayor, Finance Director and Treasurer advising the officials of the chargeback.

IV. Referred to the Following Standing Committees for Consideration and Date of Referral:

Finance Committee - January 17, 2002

V. Committee Consideration:

VI. Approved as to Form:

David A. Bretl Administrator	1/29/02 Date
Dennis D. Costello Corporation Counsel	1/24/02 Date
N. Andersen Finance Director	1/18/02 Date

Resolution No. 80-02/02, a Resolution for Reappropriation of \$1,200,000 to the Health Insurance Fund, was moved for adoption by Supervisor Schaefer, seconded by Supervisor Pearce. The resolution was adopted by unanimous consent on motion by Supervisor Scharine, seconded by Supervisor R. Shepstone.

Resolution No. 80 - 02/02
Appropriation of \$1,200,000 to the Health Insurance Fund

WHEREAS, Walworth County has self-insured employee health benefits since 1981, and the health insurance fund is expected to normally generate a fund balance (equity) that is equal to estimated accrued claims liability plus a premium stabilization factor, and

WHEREAS, premium rates for 2001 as determined by the County's former actuary were under-estimated and the health fund has depleted all reserves and requires an increase of \$1,200,000 in fund revenues for calendar year 2001 to offset losses that are directly related to incurred health claims and to restore a minimal fund balance, and

WHEREAS, the County is contractually obligated to pay health claims and cannot unilaterally change health benefits.

NOW, THEREFORE, BE IT RESOLVED that the health insurance fund revenues paid by the employer shall be increased by \$1,200,000 for calendar year 2001 and that said amount shall be charged to the operating budgets of all County departments in an amount proportionate to each department's 2001 health insurance expenses as of December 31, 2001; and

BE IT FURTHER RESOLVED that this resolution shall authorize the transfer of funds between accounting levels within and/or between departments for the purpose of covering the health insurance surcharge amount as identified in the attached fiscal note.

Dated this 12th day of February, 2002.

**Allen L. Morrison
County Board Chair**

**Kimberly S. Bushey
Attest: County Clerk**

Policy and Fiscal Note Attached:

_X_Yes _No

Review By:

**David A. Bretl
2/4/02
County Administrator
Date**

Approved as to Form:

**Dennis D. Costello
2/4/02
Corporation Counsel
Date**

Resolution No. 81-02/02, a Resolution: Ratify the 2002-2004 AFSCME Employees' Collective Bargaining Agreements, was moved for adoption by Supervisor Kret, seconded by Supervisor Felten. Janice St. John, Human Resources Director, and Rae Ann Beaudry, insurance consultant, were present to summarize the new health care plan design, which will be implemented effective April 1, 2002, explain how and why the agreement was reached, and answer questions. The question was called to end debate on motion by Supervisor Norem, seconded by Supervisor Scharine. A motion by Supervisor Muzatko, seconded by Supervisor Tilton, for unanimous consent, failed. A roll call vote was held. Total Vote: 33; Ayes: 31 – Arnold, Burwell, Felten, Fischer, Gigante, C. Grant, J. Grant, Kret, Lightfield, Lohrmann, Lothian, Maynard, Miles, Muzatko, Norem, Palzkill, Parker, Pearce, Price, Schaefer, Scharine, R. Shepstone, S. Shepstone, Shroble, Smith, Tilton, Troemel, Van Dreser, Van Dyke, Wenglowsky, Morrison; Noes: 2 – Logterman, Polyock; Absent: 2 – Kuhnke, Mikrut. The resolution was adopted.

**RESOLUTION NO. 81-02/02
Ratify The 2002-2004 AFSCME Employees'
Collective Bargaining Agreements**

WHEREAS, the Human Resources Committee and AFSCME bargaining representatives have reached tentative agreement on three-year successor agreements to the collective bargaining agreements which expired on December 31, 2001, and

WHEREAS, the Human Resources Committee unanimously recommends ratification of the tentative agreements for the contract period of January 1, 2002 through December 31, 2004.

NOW, THEREFORE, BE IT RESOLVED that the Walworth County Board of Supervisor's hereby ratifies the terms of the tentative agreements reached with AFSCME Locals 1925 (Highway Employees), 1925A (Lakeland Health Care Center Employees), 1925B (Courthouse Employees) and 1925C (Human Services Employees), and

BE IT FURTHER RESOLVED that funds required to implement the 2002 contract shall be transferred from the contingency fund to departmental 2002 budgets as shown on the schedule included with this resolution.

Dated this 12th day of February, 2002.

Allen L. Morrison
County Board Chair

Kimberly S. Bushey
Attest: County Clerk

Policy and Fiscal Note Attached: Yes

Approved as to Form:	David A. Bretl/s/ Administrative Coordinator	2/2/02 Date
	Gary Rehfeldt Corporation Counsel	2/05/02 Date
	N. Andersen Finance Director	2/5/02 Date
Action Required:	Majority Vote (Specify)	<input checked="" type="checkbox"/> Two-thirds Vote Other

Policy and Fiscal Note

I. Title. Resolution No. 81-02/02, "Ratify The 2002-2004 AFSCME Employees' Collective Bargaining Agreements."

II. Purpose and Policy Impact.

Ratification of the tentative agreements is subject to final approval of the County Board. All AFSCME unions have on or before February 11, 2002 ratified the terms of the tentative agreements. Adoption of the resolution will establish known wage rates for a 3-year period upon which the County can base financial projections for planning and budgeting purposes.

Notable changes in the AFSCME agreements are:

- Three-year agreements.
- General wage increase of 2% on 1/1/2002, 2% on 7/1/2002, 3% on 1/1/2003 and 3% on 1/1/2004, contingent upon the revised health plan being implemented on April 1, 2002.
- Negotiated changes in health insurance plan structure that reduce the actuarial projected 2002 premium cost for the AFSCME health benefit plan by 25% beginning April 2002. Full-time employees using health benefits will be required to pay greater out-of-pocket amounts for deductibles, co-pays and coinsurance, in lieu of premium co-pays during the term of the agreement.

III. Budget and Fiscal Impact.

Funds to cover the wage increases in the 2002 labor contracts were not included in the adopted 2002 departmental budgets and need to be transferred from the contingency reserve.

Resolution No. 83-02/02, a Resolution Authorizing the Appropriate County Officials to File an annexation Petition with the City of Elkhorn in the Event an Agreement is Reached Prior to February 22, 2002 with Respect to the Location of Court Facilities, was moved for adoption by Supervisor Norem, seconded by Supervisor S. Shepstone. Two diagrams of possible building sites/configurations were distributed to the Supervisors. The resolution was adopted by voice vote, with "no" votes being recorded for Supervisors Lohrmann and Smith.

Walworth County, Wisconsin

Resolution No. 83-02/02

Resolution Authorizing the Appropriate County Officials to File an Annexation Petition

with the City of Elkhorn in the Event an Agreement Is Reached Prior to February 22, 2002 with Respect to Location of Court Facilities

Moved/Sponsored by: Public Property Committee

WHEREAS, the County Board Resolution No. 31-06/01 previously authorized the County Administrator and Chair of the Public Property Committee to negotiate with the City of Elkhorn (City) concerning the location of court facilities; and

WHEREAS, the above-stated negotiations have recommended to the City adoption of a mutual deadline of February 22, 2002 to reach an agreement in the matter; and

WHEREAS, in the event a potential agreement calls for location of court facilities at the Law Enforcement Center location (LEC), annexation of certain land appurtenant to said LEC would be desirable;

NOW, THEREFORE, BE IT RESOLVED by the Walworth County Board of Supervisors that the appropriate County staff be and the same are hereby authorized to file an annexation petition with the City of Elkhorn in the event an agreement is reached with the City for the location of court facilities on land appurtenant to the LEC.

BE IT FURTHER RESOLVED THAT the description of the land which would be annexed is set forth on Exhibit A attached hereto and incorporated herein.

Allen L. Morrison
County Board Chair

Kimberly S. Bushey
Attest: County Clerk

Policy and Fiscal Note Attached: Yes No

Approved as to Form:

V. Approved as to form:

David A. Bretl County Administrator	2/4/02 Date
Dennis D. Costello Corporation Counsel	2/4/02 Date
N. Andersen Finance Director	2/4/02 Date

County Board Meeting Date: February 12, 2002

Resolution No. 84-02/02, a Resolution Directing the Finance Committee to Engage in Long Range Planning Regarding County Budget, was moved for adoption by Supervisor Fischer, seconded by Supervisor Lothian. Discussion followed. A motion to end debate was offered by Supervisor Scharine, seconded by Supervisor Van Dreser. The resolution was adopted by voice vote.

Walworth County, Wisconsin

Resolution No. 84 – 02/02
Directing the Finance Committee To Engage in
Long Range Planning Regarding County Budget

Moved/Sponsored by: County Board Vice Chairman Fischer

WHEREAS, the cost to Walworth County of providing services continually escalates; and

WHEREAS, given the economy and the State budget situation, the County cannot anticipate the same growth revenue that it realized last year; and

WHEREAS, projections of the County's financial picture show that it may be necessary to significantly cut spending in 2003 and 2004 in order to comply with State law limiting the amount of taxes which may be levied; and

WHEREAS, it is desirable for the County Board to make long-term decisions concerning how it will provide services in the future in light of this financial outlook; and

WHEREAS, County departments need ample time to make the type of spending cuts which may become necessary;

NOW, THEREFORE, BE IT RESOLVED by the Walworth County Board of Supervisors that the Finance Committee is hereby directed to engage in long-

term planning concerning the County's operating budget and present recommendations in this regard to the Walworth County Board of Supervisors.

Allen L. Morrison
County Board Chair

Kimberly S. Bushey

Attest:

County Clerk

Policy and Fiscal Note Attached: X Yes No

Approved as to Form:

David A. Bretl 2/4/02
County Administrator Date

Dennis D. Costello 2/4/02
Corporation Counsel Date

N. Andersen 2/4/02
Finance Director Date

Action Required: Majority Vote Two-thirds Vote Other

County Board Meeting Date: February 12, 2002

Policy and Fiscal Note no. 84-02/02

- I. Title: Resolution Directing the Finance Committee To Engage in Long Range Planning Regarding County budget
- II. Purpose and Policy Impact Statement: This resolution directs the Finance Committee to engage in long-term planning concerning the County's operating budget. If adopted, the resolution would direct the Finance Committee to make recommendations to the Board concerning the County's operating budget.
- III. Is this a budgeted item and what is the fiscal impact:: Adoption of this resolution will have no impact on the budget.
- IV. Referred to the following standing committees for consideration and date of referral:
- V. Approved as to form:

David A. Bretl 2/4/02
County Administrator Date

Dennis D. Costello 2/4/02

Corporation Counsel

Date

N. Andersen
Finance Director

2/4/02
Date

Resolution No. 85-02/02, Proclaiming February 2002 Library Lovers Month, was moved for adoption on motion by Supervisor Van Dyke, seconded by Supervisor Tilton. An amendment was offered by Supervisor J. Grant, seconded by Supervisor Gigante, to change "Elkhorn" to "Walworth County" in the last paragraph. The amended resolution was adopted by voice vote, with one "no" vote being recorded by Supervisor Smith.

Walworth County, Wisconsin

Resolution No. 85-02/02
Proclaiming February 2002 Library Lovers Month

WHEREAS, libraries enable individuals to make informed decisions about their self governance by promoting unrestricted access to information and by serving as community centers for lifelong learning;

WHEREAS, in a world undergoing constant change, libraries provide enduring connections to the past and future of our communities, nations and civilizations;

WHEREAS, the expansion of electronic networks linking libraries and their resources makes possible better and more easily accessible information for library users around the world;

WHEREAS, libraries provide entry to important research about health, economics, housing, the environment and countless other areas to support better living conditions and to help people lead longer, more productive and fulfilling lives;

WHEREAS, libraries support a competitive workforce with basic literacy programs, computers and other resources to help children and adults learn to find, evaluate and use information they need for their jobs, health, education and other needs;

WHEREAS, many libraries offer pre-school story hour and summer reading programs to encourage children to begin a habit of reading that will serve to benefit their personal and professional lives; and

WHEREAS, 94,000 residents of Walworth county are provided free access to public libraries

**THE FEBRUARY 26, 2002 SPECIAL MEETING
OF THE
WALWORTH COUNTY BOARD OF SUPERVISORS**

The special meeting of the Walworth County Board of Supervisors was called to order by Chairman Morrison at 6:00 p.m. at the Walworth County Courthouse, 100 W. Walworth St., Elkhorn, Wisconsin. Roll call was read with all Supervisors present except Supervisors Felten, Mikrut, Palzkill, Price and R. Shepstone, who had been excused. A quorum was established.

A motion was offered by Supervisor Norem, seconded by Supervisor Van Dreser, to approve and amend the evening's agenda by withdrawing Resolutions 87-02/02, 88-02/02, and 89-02/02. On motion by Supervisor Troemel, seconded by Supervisor Tilton, the question was called and debate was terminated. A roll call vote on the proposed amendment to the agenda was held. Total Vote: 30; Ayes: 20 – Burwell, Fischer, J. Grant, Kret, Kuhnke, Lightfield, Logterman, Lothian, Miles, Norem, Polyock, Schaefer, Scharine, S. Shepstone, Shroble, Tilton, Troemel, Van Dreser, Van Dyke, Morrison; Noes: 10 – Arnold, Gigante, C. Grant, Lohrmann, Maynard, Muzatko, Parker, Pearce, Smith, Wenglowisky; Absent: 5 – Felten, Mikrut, Palzkill, Price, R. Shepstone. The motion carried. On motion by Supervisor Kret, seconded by Supervisor Van Dyke, and by voice vote, the amended agenda was approved. "No" votes were recorded by Supervisors Lohrmann and Gigante.

Chairman Morrison requested public comment; there was no public comment.

There were no claims presented.

Resolution No. 86-02/02, Resolution To Proceed with Consideration of the Court Facility Issue, was moved for adoption by Supervisor Schaefer, seconded by J. Grant. Supervisor C. Grant informed the Board that he had attended the Elkhorn City Council meeting the previous evening, and was asked by Alderperson Michael Roberts if he may be allowed to address the Board as a citizen of Walworth County at tonight's meeting. Mr. Roberts spoke to the Supervisors regarding the Court Facility negotiations and some of the unanswered questions delaying a decision, as seen by the City of Elkhorn. Discussion followed. On motion by Supervisor Scharine, seconded by Supervisor S. Shepstone, the question was called, debate was terminated, and a roll call vote was conducted. Total Vote: 30; Ayes: 24 – Burwell, Fischer, C. Grant, J. Grant, Kret, Kuhnke, Logterman, Lothian, Miles, Muzatko, Norem, Parker, Pearce, Polyock, Schaefer, Scharine, S. Shepstone, Shroble, Tilton, Troemel, Van Dreser, Van Dyke, Wenglowisky, Morrison; Noes: 6 – Arnold, Gigante, Lightfield, Lohrmann, Maynard, Smith; Absent: 5 – Felten, Mikrut, Palzkill, Price, R. Shepstone. The resolution was adopted.

**Resolution No. 86– 02/02
Resolution To Proceed with Consideration of the Court Facility Issue**

Moved/sponsored by: Supervisors Morrison and Norem

WHEREAS, the Walworth County Board of Supervisors (“County Board”) has considered since at least 1991 the feasibility of constructing a new court facility; and

WHEREAS, during the course of the past ten years the County has commissioned numerous studies regarding the need for a new facility and possible locations and designs therefore; and

WHEREAS, during said period, the County Board has caused to be filed two separate annexation petitions with the City of Elkhorn (“City”) to annex lands for the purpose of constructing a court facility thereon; and

WHEREAS, Resolution No. 31-06/01 approved by the County Board on June 7, 2001 authorized the Administrative Coordinator and Public Property Chair to negotiate on behalf of the County Board with the City of Elkhorn (“City”) concerning the location of a new court facility; and

WHEREAS, pursuant to said resolution, numerous meetings were held between the County’s negotiating team and the Mayor and City Administrator of Elkhorn; and

WHEREAS, Resolution No. 36-07/01 approved by the County Board on June 10, 2001 authorized the expenditure of up to \$10,000 to retain the services of a consultant to conduct a study jointly-funded by the City to review the costs and benefits associated with various court locations, which study was completed on September 24, 2001; and

WHEREAS, on January 11, 2002, the County Administrator forwarded correspondence to the City requesting consideration by the negotiating teams of a mutually agreeable, self-imposed deadline of February 22, 2002 by which time the parties would make a decision concerning the location of a new court facility or declare that an impasse exists; and

WHEREAS, at its February 12, 2002 meeting, the County Board, by Resolution No. 83–02/02 authorized appropriate County staff to file an annexation petition with the City in the event an agreement was reached with the City that would require annexation; and

II. Purpose and Policy Impact Statement: A brief history of the court facility issue is set forth in the resolution. The County Board needs to decide whether to proceed with consideration of this court facility issue and address the location and financing of aspects in further resolutions. The purpose of this resolution is to state the County Board's intent to proceed with consideration of this issue and discuss location and financing options.

III. Is this a budgeted item and what is its fiscal impact: Delaying consideration of this issue would cause increased construction costs due to inflation, assuming a court facility is eventually built. The amount of any increase, if any, depends upon how long the decision would be delayed. Additionally, the County could experience increased costs associated with more stringent building codes by delaying the decision. Financial implications of proceeding with construction of a court facility at the present time are addressed in other resolutions.

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

Committee: Date:

Committee: Date:

V. Approved as to form:

David A. Brett/s/ 2/20/02
County Administrator Date

Dennis D. Costello 2/20/02
Corporation Counsel Date

N. Andersen 2/20/02
Finance Director Date

County Board Meeting Date: February 26, 2002

Supervisor Lothian informed the Supervisors that he had attended a legislative meeting in Madison today where the Wisconsin Counties Association proposed a plan to solve the state's budget deficit. He explained the various proposal points proposed by WCA to accomplish this task.

Brian Larson, Vice-President - Architecture with Ayres Associates, Eau Claire, WI, presented the Board with two elevation drawings of the proposed

Walworth County Judicial Center. He emphasized the importance of the security issue and long-term planning when considering the building of a new Judicial Center.

On motion by Supervisor Lohrmann, seconded by Supervisor Tilton, the Board adjourned at 7:35 p.m. The next regularly scheduled meeting of the Walworth County Board of Supervisors is Tuesday, March 12, 2002 – 6:00 p.m.

Kimberly S. Bushey
County Clerk

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 February 26, 2002 special meeting.

**THE MARCH 12, 2002 SESSION
OF THE
WALWORTH COUNTY BOARD OF SUPERVISORS**

The Walworth County Board of Supervisors was called to order by Chairman Morrison at 6:00 p.m. at the Walworth County Courthouse, 100 W. Walworth St., Elkhorn, Wisconsin. Roll call was read with all Supervisors present except Supervisors Lohrmann and Pearce, who had been excused. A quorum was established.

Reverend Janez Kutzke, Pastor of the First Evangelical Lutheran Church, Walworth, Wisconsin, presented the invocation.

A motion was made by Supervisor Norem, seconded by Supervisor Gigante, to approve the agenda and move Resolution 102-03/02 to the position on the agenda formerly occupied by Resolutions 87-02/02, 88-02/02 and 89-02/02 and move these resolutions to the end of the agenda to the position occupied by Resolution 102-03/02. The amendment was approved.

A motion was made by Supervisor Kret, seconded by Supervisor Van Dreser, to remove Resolutions 100-03/02 and 101-03/02 from the agenda since no agreement has been reached. The amendment was approved and the agenda, as amended, was adopted by voice vote.

On motion by Supervisor Scharine, seconded by Supervisor Felten, the minutes of the February 12, 2002 Session were approved as printed.

On motion by Supervisor Kuhnke, seconded by Supervisor Maynard, the minutes of the February 26, 2002 Special Session were approved as printed.

Chairman Morrison requested public comment. None was offered.

Chairman Morrison called a special order of business. Chairman Morrison introduced Anthony Bindewald, Freundschaftsverein Hessen, Germany. He is working with WCA to establish a sister county in Wisconsin. Mr. Bindewald presented a program to the Board. He described his county, telling of similarities with Walworth County. They have tourism with many lakes and rivers. The population is 170,000 with 22 towns and cities. They have 10 hospitals and 2,801 farms. Mr. Bindewald hopes to establish a sister relationship with Walworth County.

Assistant Corporation Counsel Gary Rehfeldt presented a claim from Steven Koch for \$370.00. The Assistant Corporation Counsel recommends Walworth County pay this claim. On motion by Supervisor Troemel, seconded by Supervisor Schaefer, the claim was approved for payment.

Assistant Corporation Counsel Gary Rehfeldt reported that the County has collected \$50,405 for the care of a resident at the Lakeland Health Care Center. Mr. Rehfeldt read a letter from Corporation Counsel Dennis Costello stating his pleasure in working with this current Walworth County Board of Supervisors.

Administrative Coordinator David Bretl referred the Board to his written report dated March 12, 2002.

Chairman Morrison presented a County Board Chair's Report. He thanked the Board for the opportunity to participate in the NACo Conference in Washington DC which he and Supervisor Fischer attended. Morrison reminded the Board of Student Government Day and noted that the students listened to presentations, visited locations in the courthouse, and participated in a luncheon with some of the County Board Supervisors earlier in the day. The LEPC, Emergency Planning Committee, discussed a need for local governments to have a disaster plan in place for Homeland Defense, and were sponsoring a Homeland Security Forum.

The following Reports of Zoning Gone into Effect were read and placed on file.

Town of Linn, Town of Linn
Harley G. and Phyllis E. Pellmann (Janice & Ray Schilz, App.), Town of Geneva
Charlotte Stoffel Revocable Trust, Town of Geneva
Brian and Jeanine Ramstack, Town of Troy
Rita M. Yadon, Town of Delavan
Regency Hills Development Corp., Town of Delavan

The following Report of Petitions Referred was read and referred to the Land Management Committee.

Report of Petitions Referred to Land Management Committee

To: The County Board of Walworth County

The undersigned County Clerk hereby reports that the following petitions for rezone of lands in Walworth County were referred to the Land Management Committee for public hearing:

Douglas Ridge (Mann Bros., Inc., App.), Town of Whitewater, rezone from A-1 to M-3
Richard and Pamela Kraus Trust and Roger and Sally Gransee (Mann Bros., Inc., App.), Town Whitewater, rezone from A-1 to M-3
Eugene J. and Donna M. Frodl (Mann Bros., Inc., App.), Town Whitewater, to rezone from A-1 to M-3

Robert C. and Cheryl Williams, Town LaGrange, rezone from A-1 to C-2
Robert J. Burie, Town Lafayette, rezone from A-2 to A-5
Kathleen Fox, Town Spring Prairie, rezone R-1 to A-5
Sal Dimiceli, Town Geneva, rezone A-2 & A-1 to C-2
Text Amendment to Zoning and Shoreland Zoning Ordinances, Walworth
County, Wisconsin, Sections 1.6, 1.7, 1.9, 2.4, 2.5, 2.8, 2.16, 3.3, 3.4, 3.5, 3.6,
3.7, 3.8, 4.2, 4.3, 4.4, 4.5, 4.6, 4.7, 4.9, 4.10, 5.3, 5.4, 5.5, 6.2, 6.3, 6.7, 6.11, 7.1,
7.2, 7.4, 9.1, 9.2, 11.4, 11.7, 11.10, and 13

Above petitions referred February 18, 2002.

Dated this 18th day of February 2002.

Kimberly S. Bushey
County Clerk

On motion by Supervisor Van Dreser, seconded by Supervisor Muzatko,
the following petitions to rezone were approved as presented.

**REPORT OF LAND MANAGEMENT COMMITTEE
TO COUNTY BOARD ON HEARING ON PETITION
TO AMEND THE WALWORTH COUNTY ZONING ORDINANCE
TO THE COUNTY BOARD OF WALWORTH COUNTY:**

The Land Management Committee, having considered the petitions to amend the Walworth County Zoning Ordinance and Shoreland Zoning Ordinance; and having held public hearings thereon, pursuant to Section 59.97(5)(e) Wisconsin Statutes, notice thereof having been given as provided by law, and being duly informed of the facts pertinent to the changes proposed and duly advised of the wishes of the people in the area affected, hereby recommends as follows:

1. B.R. Amon & Sons, Inc. (Terry L. Larson, App.), Town East Troy – filed a petition on the 23rd day of October, 2001, to rezone from M-3 Mineral Extraction District to C-2 Upland Resource Conservation District.

Recommendation: Said petition be approved.

2. Michael Fields Agricultural Institute (Christopher M. Mann, App.), Town East Troy – filed a petition on the 5th day of December, 2001 to rezone from A-4 Agricultural Related Manufacturing, Warehousing and Marketing District to P-2 Institutional Park District.

Recommendation: Said petition be approved.

3. Christopher M. Mann, Town East Troy – filed a petition on the 5th day of December, 2001, to rezone from A-4 Agricultural Related Manufacturing, Warehousing and Marketing District to B-2 General Business District.

Recommendation: Said petition be approved.

**ORDINANCE AMENDING
WALWORTH COUNTY ZONING ORDINANCE**

WHEREAS, the Walworth County Board of Supervisors has heretofore been petitioned to amend the Walworth County Zoning Ordinance; and

WHEREAS, the petitions have been referred to the Walworth County Land Management Committee for public hearing; and

WHEREAS, the Walworth County Land Management Committee on due notice conducted public hearings on the proposed amendments and filed their recommendations with the board; and

WHEREAS, the proposed amendments have been given due consideration by the Board in open session.

NOW, THEREFORE, the County Board of Supervisors of the County of Walworth do ordain as follows:

The Zoning Ordinance of Walworth County and Shoreland Zoning Ordinance (and accompanying Zoning Map) is amended in the following respects:

B. R. Amon & Sons, Inc. (Terry L. Larson, App.), Town of East Troy-- to amend said zoning maps from M-3 Mineral Extraction District to C-2 Upland Resource Conservation District on the following described lands:

Tax Parcel #PA132000001

Part of the SW1/4 Sec. 30 & NW1/4 Sec. 31, T4N, R18E, Town of East Troy, Walworth County, Wisconsin, containing 30.3565 acres of land.

Michael Fields Institute, Inc. (Christopher M. Mann, App.), Town of East Troy-- to amend said zoning maps from A-4 Agricultural Related Manufacturing, Warehousing and Marketing District to P-2 Institutional Park District on the following described lands:

Part of Tax Parcel #PA120200001

A parcel of land located in the West ½ of the NW1/4 Section 30-4-18, Walworth County, Wisconsin, described as follows:

Commencing at the NW corner said Section 30; thence S0°06'57"E, 675.03 feet along the west line of the NW1/4 of said Section 30 to the centerline intersection of County Highway "ES" and Town Line Road and the Point of Beginning; thence N81°58'23"E 292.78 feet along centerline County Highway"ES"; thence S0°06'57"E 764 feet more or less to centerline of Honey Creek; thence westerly 290 feet more or less along centerline of Honey Creek to the west line of the NW1/4 of said Section 30; thence N0°06'57"W along said west line 724 feet more or less to Point of Beginning said parcel containing 4.95 acres more or less, excluding that portion of the property zoned C-4. Total acreage is 4.2 acres.

Christopher M. Mann, Town of East Troy— to amend said zoning maps from A-4 Agricultural Related Manufacturing, Warehousing and Marketing District to B-2 General Business District on the following described lands:

Part of Tax Parcel #PA120200002

Part of Lot 2 of Certified Survey Map No. 1202 recorded in Vol. 5 Certified Surveys of Walworth County on Page 288 and located in the Northwest ¼ of Section 30, Town 4 North, Range 18 East, Town of East Troy, Walworth County, Wisconsin, described as follows: Commence at the Northwest Corner of said Section 30; thence South 0°06'57" East, along the West line of said Northwest ¼ of Section 30, 675.03 feet to the centerline of County Trunk Highway ES; thence North 82°03'30" East, along said centerline, 292.78 feet to the Northwest Corner of said Lot 2 of Certified Survey Map No. 1202 and the Point of Beginning; thence continue North 82°03'30" East, along said centerline, 323.01 feet; thence South 0°06'57" East 289.63 feet; thence West 320.00 feet; thence North 0°06'57" West, along the West line of said Lot 2 of Certified Survey Map No. 1202, 245.00 feet to the Point of Beginning.

Said parcel contains 1.964 acres (85,540 sq. ft.) of land, more or less.

Said parcel contains 1.719 acres (74,881 sq. ft.) of land, more or less, exclusive of the R.O.W. of County Trunk Highway ES.

ATTEST this 12th day of March, 2002.

Allen L. Morrison
County Board Chairman

ATTEST this 12th day of March, 2002.

Kimberly S. Bushey
County Clerk

Chairman Morrison asked if any Committee Chairpersons had reports to present.

Supervisor Tilton, Chair of the Land Management Committee, reminded the Supervisors of upcoming meeting dates and stated that the time for the April 15, 2002 committee meeting will be at 6:00 p.m. instead of 7:00 p.m. The committee will meet to decide on hearings for the future committee meeting later in that month.

Supervisor Miles, Chair of the Health and Human Services Committee, stated that the Health and Human Services department was \$352,000 under budget for the year 2001.

Ordinance No. 223-02/02, An Ordinance Amending Chapter 30 of the Walworth County Code of Ordinances Relating to Finance, was moved for approval by Supervisor Lothian, seconded by Supervisor Felten with a friendly amendment to change any/all references of Administrative Coordinator to County Administrator. The ordinance was adopted by unanimous consent on motion by Supervisor Kret, seconded by Supervisor Logterman.

ORDINANCE NO. 223 – 02/02 AMENDING CHAPTER 30 OF THE WALWORTH COUNTY CODE OF ORDINANCES RELATING TO FINANCE.

THE WALWORTH COUNTY BOARD OF SUPERVISORS DOES ORDAIN AS FOLLOWS:

That Article III of Chapter 30 of the Walworth County Code of Ordinances is hereby repealed in its entirety and recreated to read as follows:

“ARTICLE III. CONTRACTS AND PURCHASING

DIVISION 1. CONTRACTS

Sec. 30 – 66. PURPOSE.

The purpose of this division is to provide for the systematic review and approval of contracts to protect the legal and financial interests of the County.

Sec. 30-67. DEFINITIONS.

The following words, terms and phrases, when used in this chapter, shall have the meanings ascribed to them in this section, except when the context clearly indicates a different meaning:

Contract means any written document evidencing a legally binding obligation between the county, its departments, officials and employees, and a third party. The term shall not include collective bargaining agreements or purchase orders but shall include individual employment agreements.

Sec. 30-68. CONTRACT IN NAME OF COUNTY.

All contracts for the purchase of goods or services shall be in the name of Walworth County.

Sec. 30-69. CONTRACT REVIEW.

- (a) Prior to final execution of any contract by the county or any department, every contract, whether providing for the expenditure of funds or not, shall first be reviewed by the Corporation Counsel who shall attest to the legality and sufficiency for the intended purpose. Each contract shall, prior to execution be reviewed by the Finance Director to ensure that sufficient funds are available to meet the obligations of the contract and to certify compliance with this chapter.
- (b) In accordance with this chapter, the County Clerk shall sign all contracts for the purchase or lease of real or personal property and professional services contracts in excess of \$10,000. Department heads shall execute contracts for professional services under \$10,000. Change orders or amendments shall require the same approval as the original contract.

Sec. 30-70. CONTRACT AND PURCHASE ORDER AUTHORIZATION.

Funds Budgeted. Any contract or purchase order which creates a legally binding obligation on the county for the expenditure of funds, if such funds have been included in the budget for that year and for the specified purpose, shall not require any further action of the County Board, or any of its committees unless specified otherwise within this ordinance.

The Public Property Committee shall award all public works contracts pursuant to authorized policies and procedures except for contracts involving highways and road related infrastructure.

- (c) The Highway Committee shall award contracts for highways and road-related infrastructure.
- (d) All purchase orders shall be issued by the Finance Director in accordance with this chapter. The Finance Director may delegate the issuance of purchase orders of \$2000 or less to department purchasing officers, subject to conditions and procedures which may be established by the County Administrator.
- (e) *Multiyear agreements.* Any contract, including leases and purchase orders, which require the expenditure of county funds for more than one fiscal year, shall be executed or issued only as follows:
 - 1. Approval by the County Administrator in the case of a contract or purchase order which creates a multi-year obligation where the obligation created in the second year is not anticipated to exceed \$2,000; or
 - 2. Approval of the Finance Committee; or
 - 3. Approval of the County Board in the case of collective bargaining agreements
 - 4. This paragraph shall not apply if the contract contains a clause which allows the county to terminate the contract with no penalty if the county board fails to appropriate funds for the continuation of the contract for any ensuing fiscal year.

DIVISION II. PURCHASING

Sec. 30-81. PURPOSE

The purpose of this policy is to provide for the systematic procurement of all goods, materials, services and equipment, to maximize the purchasing value of public funds, regardless of the source, and to assure fair and equitable treatment to all persons involved in public purchasing.

Sec. 30-82. DEFINITIONS.

The following words, terms and phrases, when used in this division, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Invitation for bids means all documents, whether attached or incorporated by reference, utilized for soliciting bids.

Professional and personal services means those services which are provided by lawyers, doctors, architects, engineers, accountants, consultants and human services providers. It does not include services for the repair and maintenance of equipment, for the repair and maintenance of vehicles nor for the general maintenance of buildings and property.

Public works projects are restoration, construction, remodeling, or improvement of a building or other infrastructure projects financed by public funds for a government agency for the benefit or use of the general public.

Purchasing officer means the individuals or alternates selected by each department head to coordinate each department's purchasing activities.

Request for proposals means all documents, whether attached or incorporated by reference, utilized for soliciting proposals.

Sec. 30-83. GENERAL PROCUREMENT POLICY.

- (a) It is declared to be the policy of the County to encourage, insofar as it is practicable and advantageous to the county, procurement by a competitive process.
- (b) Walworth County departments shall furnish such reports as the Finance Director may require concerning usage, product and/or service costs, current and previous suppliers, supplier performance ratings, specifications, needs, stock on hand and any other information as is necessary or required.
- (c) The Finance Director is authorized to form product or commodity user groups. The user groups will consist of representatives from county departments that use similar products. The department representatives will work together to standardize products that will universally fit the needs of the group while providing economies of scale opportunity to the county.
- (d) The county shall not be liable for contracts and purchase orders that are in violation of this policy.
- (e) Except for emergency procurements as allowed under Section 30-86, no order for materials, supplies, equipment, or services shall be issued unless the department's unencumbered appropriation balance in the appropriate account is sufficient to defray the cost of such order.
- (f) Unless otherwise provided herein, the Finance Committee shall award bids in excess of \$10,000 for purchases of goods and services.
- (g) All copies of orders and contracts shall be retained in accordance with the county's records retention policy.

- (h) Each department head shall designate one or more purchasing officers in his/her department. Each purchasing officer should comply with the requirements of this chapter and all related procedures established by the County Administrator.

Sec. 30-84. GENERAL PROCEDURE FOR PURCHASES.

Unless otherwise specified in this division or state statute, all purchase and contract awards shall be made to the lowest qualified, responsible and responsive supplier complying with specifications, county terms and conditions. Except in the case of emergency procurement or purchases made from petty cash, all purchases shall be made by contract or purchase order.

Sec. 30-85. GENERAL PURCHASING AUTHORITY.

Unless otherwise specified in this ordinance, the Finance Director, under the supervision of the County Administrator, is designated as the purchasing agent pursuant to Wis. Stats. 59.52(9). The Finance Department may delegate the duties provided herein. Specific authority includes, but is not limited to, the following:

- (a) Award contracts and issue purchase orders for the purchase of goods and services in accordance with the procedures established by this chapter .
- (b) Audit purchasing records.
- (c) Establish and maintain a list of authorized vendors.
- (d) Establish open purchase orders and contracts for routine goods, materials, supplies, and services for countywide utilization.
- (e) Negotiate purchasing terms and conditions with vendors.
- (f) Debar or suspend for cause a person or firm from consideration for award of contracts. The following procedures shall be adhered to following a debarment or suspension:
 - 1. The Finance Director shall notify the debarred or suspended person or firm and all county departments of the suspension or debarment .
 - 2. Debarred or suspended vendors shall be eligible to appeal such action to the County Administrator within ten days of the mailing of notice thereof.
- (g) Determine the need for performance bonds from sureties, suppliers and contractors.
- (h) Evaluate the competency of suppliers and sureties.

Sec. 30-86. EMERGENCY PROCUREMENTS.

- (a) The term “emergency conditions” when used in this section means current or imminent conditions adversely affecting the health, safety or welfare of any person or substantial

damage to property, or which would cause the cessation of any operation in whole or in part.

- (b) If a purchase must be made because of the existence of an emergency condition, the department head shall follow approved purchasing procedures if practicable.
- (c) The department head authorizing such procurement shall submit a written report to the Finance Director identifying the purchase, the amount and the reason(s) for invoking the provisions of this section.
- (d) Emergency procurements made without utilizing approved purchasing procedures shall require a full explanation to the Finance Committee at the next meeting of said committee.

Sec. 30-87. SOLE SOURCE PROCUREMENTS.

- (a) A contract may be awarded or purchase order may be issued for any goods, materials, supplies or maintenance services, except as limited by Wis. Stats.59.52(29), without competition in accordance with procedures established by the County Administrator when it is determined that such purchase.
 - 1. It is in the best interests of the county; or
 - 2. That only one source is practically available for the required goods or services.
- (b) The following purchases are permitted to be made as sole source purchases without competition and without meeting the requirements of subsections (a) and (b) of this section:
 - 1. Utility purchases, such as gas, electric, sewer and water.
 - 2. Purchases of products and services between governmental agencies.
 - 3. Publications, books, manuals, dues and memberships.
 - 4. Purchases from contracts of other government units.
 - 5. Purchases from other government units.
 - 6. Seminars and conferences.
- (c) Each contract or purchase order authorizing procurement under this section shall plainly state that it is a procurement from a sole source vendor.

Sec. 30-88. OPEN PURCHASE ORDERS.

- (a) Open purchase orders for the procurement of goods, materials, supplies or maintenance services may be periodically issued by the Finance Director with the approval of the Finance Committee following competitive bidding where the items sought to be included are of a type frequently and routinely utilized by the county.
- (b) The Finance Director may issue an open purchase order which shall be used to procure, on an as needed basis, such goods, including but not limited to: construction materials such as rock, concrete, asphalt, trees and other landscape materials; automotive supplies such as tires and batteries; hardware; electrical supplies; office supplies, small equipment, medical supplies and food.

- (c) Open purchase orders shall be issued to vendors who through the competitive bid process have provided the lowest price for the largest dollar amount of a commodity expected to be purchased, and have demonstrated an ability to meet other requirements that may be imposed by the county.
- (d) All department heads shall be notified of existing open purchase orders and shall utilize such open purchase orders when purchasing commodities included on said open purchase orders.

Sec. 30-89. GROUP PURCHASING.

If the Finance Director desires to join or become affiliated with a purchasing group which is organized for the purpose of providing volume purchases for a particular good or service, and if such group is operated in a manner consistent with the provisions, spirit and intent of this division, said purchasing agent may engage in group purchasing through the group.

Sec. 30-90. STANDARDIZATION.

The Finance Director shall develop standard specifications for frequently purchased commodities. Such standards may include guidelines including specific brands, features, or maximum purchase prices to utilize when purchasing specific commodities. Department heads shall be informed of standards developed by Central Purchasing and department heads shall adhere to said standards when procuring applicable items.

Sec. 30-91. REISSUANCE OF PURCHASE ORDERS.

Procurements of equipment, goods and services required to be accomplished by bid may, at the discretion of the Finance Director be procured again without the need for bidding when the vendor is willing to supply the equipment, goods or services upon the same terms or upon terms more favorable to the county than the original bid. Purchases under this section shall be limited to a maximum of two additional purchases within a one-year period.

Sec. 30-92. INTERGOVERNMENTAL COOPERATION.

- (a) Other units of government may purchase items from the county's bids provided the applicable vendor is agreeable and the other government unit consummates the purchase directly with the vendor.
- (b) If another government unit desires to utilize the county's purchasing department for procurement of any good, material or supply such cooperation shall be permissible, but only pursuant to an intergovernmental agreement executed pursuant to Wis. Stats. 66.0301.

Sec. 30-93. PURCHASE OF PROFESSIONAL AND PERSONAL SERVICES.

- (a) Purchases covered. Every purchase of professional or personal services shall be subject to the provisions of this section.
- (b) Purchases excluded. Human services contracts covered by Wis. Stats, 46.036, or any other services such as guardian ad litem services, or any other services which are governed and regulated by state or federal regulations shall not be subject to the provisions of this section.
- (c) The following procedures shall be followed for the purchase of professional or personal services exceeding \$10,000.

1. Every person or committee shall, prior to soliciting proposals for professional or personal services, prepare a request for proposal which shall set forth the requirements of the county for the services to be provided, together with any special criteria, experience or expertise which may be required of the service provider.
 2. The request for proposal may be sent to any known providers of the service needed, and if deemed in the best interest of the county, notice of such request for proposal may be placed in any newspaper, periodical, trade magazine, or internet site likely to notify potential service providers of the request.
 3. Proposers shall include any requested information as well as any other information regarding the service provider's ability to perform the work.
 4. The proposals received shall be written and they shall be sent to the Finance Director who shall record the date and time said proposals were received.
 5. Each proposal received shall be independently reviewed and rated.
 6. The appropriate committee specified Section 2.02.010, 1- 4, shall approve each contract for professional and/or personal services which exceeds \$10,000.
 7. Contracts for professional and personal services shall not exceed five years.
- (d) Contracts for professional services in the amount of \$10,000 or less may be awarded by a department head consistent with this ordinance and procedures adopted by the County Administrator hereunder.

Sec. 30-94. PUBLIC WORKS PROJECTS.

- (a) All public works projects shall be bid according to Wis.Stats. 59.52(29).
- (b) The Public Property Committee shall approve the bid documents for public works projects except for highways and road related infrastructure which bid documents shall be first approved by the Highway Committee.

Sec. 30-95. APPEAL PROCEDURE AND MODIFICATIONS; BIDDING PROCESS.

- (a) *Modifications prior to bid opening.* Any modifications or clarifications required to be made to the specifications, bidding documents, or any instructions to bidders, shall be made only by written notice and sent to all known bidders. If modifications or clarifications in the specifications require an extension of the bid opening date, it may be so extended the Finance Director.
- (b) *After bid opening; objections to process.* If any bidder feels there was an irregularity in the sealed bid process, the bidder may protest in writing to the Finance Director within 72 hours after the time of the bid opening. The Finance Director will review the bid process and the award, and will notify the protestor of his/her decision within five working days after receipt of the protest. If the protestor is not satisfied, the protestor may appeal the Finance Director's decision, within five days, first to the County Administrator and then to the Finance Committee. The Committee's decision shall be final. No other protests will be allowed.
- (c) *Correction of errors in bids.* If any person who submits a bid pursuant to this division claims a mistake, omission or error in preparing the bid, the person shall, before the bid is opened, make known the fact that the bid contains an error, mistake or omission, and the bid shall be

returned unopened, and the person shall be entitled to resubmit a valid bid if said bid is received prior to the deadline. If any person shall make an error or omission, and discovers it after the bids are open, the person shall immediately give written notice of the error or omission, and also give clear, satisfactory evidence of such error or omission, and that it was not caused by any negligent act or omission on the part of the person submitting the bid. The bidder shall in no event be permitted to change or correct the bid. If the person was the low bidder, the person shall be presented back the bid bond only if the Finance Director determines that the error or omission was not the result of negligence of the bidder. If a proper showing is not made, the county shall cause the bid bond to be forfeited as liquidated damages. The bidder shall have the option of proceeding with the contract upon the bid as submitted.

Sec. 30-96. SMALL PURCHASES.

Purchases and contracts shall not be so divided into small increments in order to avoid or circumvent the competitive procurement process requirements.

Sec. 30-97. FINANCIAL AND OTHER INTERESTS IN CONTRACTS AND ORDERS PROHIBITED.

No Walworth County employee shall be financially interested or have any personal benefit, either directly or indirectly, in any contract or purchase for any supplies, materials, equipment, or contractual services purchased by the county nor shall any employee accept or receive, directly or indirectly, from any individual, firm or corporation to which any contract or purchase order may be awarded, any gifts, commission, compensation, or remuneration other than from Walworth County in connection with the performance of their duties hereunder.”

NOW, THEREFORE, BE IT ORDAINED THAT Section 30-050 (e) is hereby repealed in its entirety and recreated to read as follows:

“(e) As used in this chapter, the following terms shall have the meanings as set forth herein:

1. “Department” shall mean office or department of the County.
2. “Department head” shall refer to the individual in charge of an office or department
3. “Petty cash” shall mean any funds which are part of any departmental or operational budget, but which are in the form of cash and are kept in the department in amounts authorized by the Finance Committee;” and,

Be it further ordained that Section 30-34 is hereby repealed in its entirety and recreated to read as follows:

“Sec. 30-34. Budget Compliance

- (a) No payment may be authorized or made and no obligation may be incurred against the County unless sufficient appropriations have been made for payment.
- (b) The Finance Director shall, on a monthly basis, provide variance reports to the department heads, the Finance Committee and the ~~Administrative Coordinator~~ Administrator, which report shall detail by line item the variance between anticipated revenues and expenditures and actual amounts. Within 30 days of receipt of any unfavorable financial report, the ~~Administrative Coordinator~~ Administrator shall investigate the report and furnish the Finance Committee with the results of said investigation which shall include a

recommendation to correct the deficiency. Unfavorable positions include but are not limited to anticipated revenue shortfalls, over-expenditures and negative cash positions;" and,

Be it further ordained that Section 30-147 is hereby repealed in its entirety and recreated to read as follows:

"Sec. 30-147. General Accounting Policies.

- (a) The official books and records of the county will be maintained in conformance with generally accepted accounting principles and federal, and state guidelines.
- (b) Each county department is responsible to ensure compliance with Walworth County accounting policies and procedures.
- (c) The Finance Department is responsible for:
 - 1. Maintaining the integrity of the financial accounting systems;
 - 2. Authorizing and maintaining financial accounting systems;
 - 3. Developing and maintaining standard forms and procedures to initiate and process accounting transactions;
 - 4. Developing and maintaining the chart of accounts as used to maintain the official books and records of the County.
- (d) Each county department, under the direction of the Finance Director, will establish and maintain an appropriate system of internal accounting control, including, but not limited to:
 - 1. Separation of duties in respect to receipt and disbursement of money and other county assets;
 - 2. Usage of sequentially pre-numbered accounting documents including receipts, checks and other documents;" and,

Be it further ordained that Section 30-148 is hereby repealed in its entirety and recreated to read as follows:

"Sec. 30-148. Payments to County.

- (a) Payments to the County that are not honored by the financial institution upon which they were drawn remain the responsibility of the payer.
 - 1. The payer is responsible for all charges incurred in the collection of the debt.
 - 2. Any license or permit granted upon any uncollected payment shall be subject to cancellation.
- (b) Overpayments and underpayments less than any amount specified by the Finance Committee shall be accepted by the County, unless otherwise provided by law. Refunds under this section requested in writing shall be granted.
- (c) The policy for liquidating accounts receivable for bad debts and uncollectable amounts is as follows:

1. A department desiring the liquidation certifies that all reasonable efforts have been made to collect the amount owed and that to liquidate the amount owed is not in conflict with any applicable statute of limitation or similar administrative order;
2. Accounts so certified may be liquidated by liaison committee approval within budgetary limits.
3. Accounts so certified in excess of budgetary limits require both liaison and Finance Committee approval."

BE IT FURTHER ORDAINED by the Walworth County Board of Supervisors that this Ordinance shall become effective upon passage and publication.

PASSED and ADOPTED by the Walworth County board of Supervisors this 12th day of March 2002.

Published the 18th day of April, 2002.

COUNTY BOARD CHAIRMAN
Allen L. Morrison

ATTEST: County Clerk
Kimberly S. Bushey

Policy and Fiscal Note is attached.

Approved as to Form:

David A. Bretl/s/ 3/4/02
County Administrator Date

Dennis D. Costello 3/4/02
Corporation Counsel Date

N. Andersen 3/4/02
Finance Director Date

Action Required: Majority vote Two-thirds vote Other

Allen L. Morrison, Chairman
Walworth County Board of Supervisors

County Board Meeting Date: March 12, 2002

Walworth County, Wisconsin

Policy and Fiscal Note No. 223 – 02/02

- I. Title: An Ordinance Amending Chapter 30 of the Walworth County Code of Ordinances Relating to Finance
- II. Purpose and Policy Impact Statement: In October 2002 the County Board repealed and recreated the majority of Chapter 30 pertaining to Finance. That portion of Chapter 30 relating to purchasing needed additional work, and the plan at that time was to submit the purchasing policy as an amendment at a later date.

In addition to making some technical corrections to the original ordinance, the attached amendment repeals and recreates the County's policy on purchasing. The goal of the amendment is as follows:

- Lower costs for County taxpayers by obtaining lower prices in the purchase of goods and services.
- Reduce the potential for mistake and fraud in the process of procuring and paying for goods and services.
- Promote uniformity in the procurement process.

III. Is this a budgeted item and what is its fiscal impact: There is no fiscal impact associated with passage of this ordinance.

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

Committee: Finance Date: January 22, 2002 & February 21, 2002

V. Approved as to form:

David A. Bretl/s/ County Administrator	3/4/02 Date
Dennis D. Costello Corporation Counsel	3/4/02 Date
N. Andersen Finance Director	3/4/02 Date

County Board Meeting Date: February 12, 2002

Resolution No. 102-03/02, Resolution Halting the Construction of the New Huber Dorm, was moved for adoption by Supervisor Gigante, seconded by Supervisor Maynard. Supervisor Wenglowsky arrived at 6:38 p.m. during discussion. After some discussion, a motion to call the question and terminate discussion was made by Supervisor Van Dreser, seconded by Supervisor Palzkill. Motion carried by voice votes with Supervisor Gigante and Supervisor Maynard requesting their "No" votes be recorded. A roll call vote was held on approval of the resolution. Total vote: 33; Ayes: 1 – Gigante; Noes: 32 – Arnold, Burwell, Felten, Fischer, C. Grant, J. Grant, Kret, Kuhnke, Lightfield, Logterman, Lothian, Maynard, Mikrut, Miles, Muzatko, Norem, Palzkill, Parker, Polyock, Price, Schaefer, Scharine, R. Shepstone, S. Shepstone, Shroble, Smith, Tilton, Troemel, Van Dreser, Van Dyke, Wenglowsky, Morrison; Absent: 2 – Lohrmann, Pearce. The resolution was not adopted.

Resolution No. 102-03/02

**RESOLUTION HALTING THE CONSTRUCTION
OF THE NEW HUBER DORM**

DEFEATED

WHEREAS, the Huber Dorm presently has the capacity to house Huber prisoners without a new wing being added; and

WHEREAS, the County has and is experiencing financial pressures from the State of Wisconsin and the taxpayers of Walworth County; and

WHEREAS, that Resolution No. 24-05/01 passed on May 8, 2001, stated a cost of the Huber Dorm expansion project to be \$3,594,800; and

WHEREAS, the cost today of the Huber Dorm expansion project is \$4,500,000; and

WHEREAS, no contract has been signed as of March 1, 2002; and

WHEREAS, the new Huber Dorm would require 15 more correctional officers at an estimated annual additional cost to the taxpayers of \$558,555.54; and

WHEREAS, there is no justification for this unnecessary expenditure of taxpayers' money.

NOW, THEREFORE, BE IT RESOLVED, by the WALWORTH COUNTY BOARD OF SUPERVISORS that the Huber Dorm expansion project passed in Resolution No. 24-05/01 be rescinded in its entirety and any separate funding resolutions as they relate to the Huber Dorm expansion also be rescinded.

ADOPTED this 12th day of March, 2002.

Allen L. Morrison
Walworth County Board Chairman

Kimberly S. Bushey
Walworth County Clerk

Policy and Fiscal Note attached.

Sponsored by: Walworth County Supervisor Odell R. Gigante

County Board Meeting Date: March 12, 2002

Approved as to form:

David A. Brett/s/ 3/5/02
County Administrator Date

Gary Rehfeldt 3/5/02
Corporation Counsel Date

N. Andersen 3/5/02
Finance Director Date

Action Required: 2/3 MEMBERSHIP VOTE

POLICY AND FISCAL NOTE

I. Title: Resolution No. 102- 03/02

RESOLUTION HALTING THE CONSTRUCTION OF THE NEW
HUBER DORM

II. Purpose and Policy Impact Statement:

The purpose is to save the taxpayers the money proposed to be
spent.

III. Budget and Fiscal Impact:

Rescinding the resolution to finance the expansion of the Huber
Dorm will save the taxpayers of Walworth County approximately
\$4,500,000.

IV. Committee Consideration:

None. This resolution has been sponsored by Walworth County
Supervisor Odell R. Gigante.

V. Approved as to Form:

David A. Brett/s/ 3/5/02
County Administrator Date

Gary Rehfeldt 3/5/02
Corporation Counsel Date

N. Andersen 3/5/02
Finance Director Date

Resolution No. 90-03/02, Girl Scout Week Proclamation, was moved for adoption on motion by Supervisor Logterman, seconded by Supervisor Felten. The motion passed by voice vote.

Resolution No. 90-03/02

Girl Scout Week Proclamation

WHEREAS, Tuesday, March 12, 2002, marks the 90th anniversary of Girl Scouts of the USA, founded by Juliette Gordon Low in 1912 in Savannah, Georgia; and,

WHEREAS, throughout its long and distinguished history, Girl Scouts – the pre-eminent organization for girls – has inspired millions of girls with the highest ideals of character, conduct, and patriotism; and,

WHEREAS, Girl Scouting will lead businesses and communities to teach girls the skills needed to take active role in math, science and technology careers and to fulfill our country's economic needs; and,

WHEREAS, through Girl Scouting, every girl, everywhere grows strong, gains self-confidence and skills for success, and learns her duty to the world around her; and,

WHEREAS, some 50 million women have enjoyed the benefits of the Girl Scouts program, as an American tradition, for 90 years;

WHEREAS, in Girl Scouts of Badger Council, more that 5,800 girls celebrate their achievements in Girl Scouting, supported by 2,400 adult volunteers;

NOW, THEREFORE, BE IT RESOLVED THAT Allen Morrison, Chair of the Walworth County Board of Supervisors proclaims the week of March 10 – 16 as Girl Scout Week.

Dated this 12th day of March, 2002.

Allen L. Morrison
County Board Chair

Kimberly S. Bushey
County Clerk

Policy and Fiscal Note Attached: Yes No

David A. Bretl/s/ 3/4/02
Administrator Date

Approved as to Form: Dennis D. Costello 3/4/02
Corporation Counsel Date

Reviewed Nicki Andersen (pw) 3/4/02
Budget/Fiscal Impact: Finance Director Date

Circle

Action Required: Majority Vote Two-thirds Vote Other (Please Specify)

Committee
Consideration: _____ Date _____ Vote:

Resolution Introduced By: Chairman Allen Morrison

Resolution No. 90-03/02

Policy and Fiscal Note

- I. Title: Girl Scout Week Proclamation
- II. Purpose and Policy Impact Statement: The purpose of this resolution is raise awareness of the Girl Scout organization and to proclaim the week of March 10 – 16 as Girl Scout Week.
- III. Is this a budgeted item and what is its fiscal impact? This resolution is a proclamation and has no fiscal impact.
- IV. Committee Consideration:
- V. Approved as to Form:

David A. Bretl/s/ 3/4/02
Administrator Date

Dennis D. Costello 3/4/02
Corporation Counsel Date

Nicki Andersen (pw)
Finance Director

3/4/02
Date

Resolution No. 91-03/02, National County Government Week – April 7-13, 2002, was moved for adoption on motion by Supervisor Schaefer, seconded by Supervisor J. Grant. The motion passed by voice vote.

Resolution No. 91-03/02

National County Government Week, April 7 – 13, 2002

WHEREAS, Counties secure America. The terror attacks on September 11 spotlighted the work county officials do 24 hours a day, 7 days a week, 365 days a year.

WHEREAS, Counties are the first to respond to emergency situations and are primarily responsible for planning for disasters.

WHEREAS, County officials keep citizens protected and communities thriving. Due to the planning, cooperation and dedication of counties across America emergency response professionals from all across the nation are able to mobilize and respond quickly and effectively.

WHEREAS, Counties continue to deal with the after affects of September 11 and the ensuing public health threats.

WHEREAS, There are 3,066 counties in the United States, collectively responsible for the well being of more than 230 million residents.

WHEREAS, Counties have a long history of serving and providing for the American people. In this new and trying time, counties will continue to safeguard our way of life, remaining vigilant protectors of our citizens.

WHEREAS, In recognition of the leadership, innovation and valuable service provided by our nation's counties:

NOW, THEREFORE, BE IT RESOLVED BY Walworth County, Wisconsin, Hereby proclaims April 7 – 13, 2002 National County Government Week.

Dated this 12th day of March, 2002.

Allen L. Morrison
County Board Chair

Kimberly S. Bushey
County Clerk

Policy and Fiscal Note Attached: Yes No

	David A. Bretl/s/ Administrator	3/4/02 Date
Approved as to Form: Reviewed	Dennis D. Costello Corporation Counsel	3/4/02 Date
Budget/Fiscal Impact:	Nicki Andersen(pw) Finance Director	3/4/02 Date

Circle
Action Required: Majority Vote Two-thirds Vote Other (Please Specify)

Committee
Consideration: _____ Date _____ Vote:

Resolution Introduced By: Chairman Allen L. Morrison

Resolution No. 91-3/02

Policy and Fiscal Note

- I. Title: National County Government Week, April 7 – 13, 2002
- II. Purpose and Policy Impact Statement: The purpose of this resolution is raise awareness of the County Government and to proclaim the week of April 7 – 13, 2002 National County Government Week.
- IV. Is this a budgeted item and what is its fiscal impact? This resolution is a proclamation and has no fiscal impact.
- IV. Committee Consideration:
- V. Approved as to Form:

	David A. Bretl/s/ Administrator	3/4/02 Date
	Dennis D. Costello Corporation Counsel	3/4/02 Date
	Nicki Andersen(pw) Finance Director	3/4/02 Date

Resolution No. 92-03/02, Resolution in Support of Proposing an Amendment to the Constitution of the United States Restoring Religious Freedom, was moved for adoption on motion by Supervisor Van Dreser, seconded by Supervisor Kuhnke. The motion passed by voice vote.

Walworth County, Wisconsin

Resolution No. 92 – 03/02
Resolution in Support of Proposing an Amendment to
the Constitution of the United States Restoring Religious Freedom

Moved/Sponsored by: Administrative Committee

WHEREAS, our Country was founded on the precepts of freedom, liberty, diversity and the right of people to acknowledge God according to the dictates of conscience; and

WHEREAS, neither the United States nor any State shall establish any official religion, but the people's right to pray and to recognize their religious beliefs, heritage and traditions on public property, including schools, shall not be infringed; and

WHEREAS, the United States and the States shall not compose school prayers, nor require any person to join in prayer or other religious activity; and

WHEREAS, the Walworth County Board of Supervisors urges all cities and counties across the United States to join in an effort to reinstate prayer in the public schools by passing similar resolutions and uniting in a "grass roots" movement for that purpose.

NOW, THEREFORE, BE IT RESOLVED that the Walworth County Board of Supervisors strongly supports House Joint Resolution 81 introduced in the 107th Congress, 1st Session on December 20, 2001.

Allen L. Morrison
County Board Chair

Kimberly S. Bushey
Attest: County Clerk

Policy and Fiscal Note Attached: X . Yes

Approved as to Form:	David A. Bretl County Administrator	3/4/02 Date
	Dennis D. Costello Corporation Counsel	3/4/02 Date
	N. Andersen	3/4/02

Finance Director

Date

Action Required: Majority Vote Two-thirds Vote Other _____

County Board Meeting Date: March 12, 2002

Walworth County, Wisconsin

Policy and Fiscal Note No. 92 – 03/02

I. Title: Resolution in Support of Proposing an Amendment to the Constitution of the United States Restoring Religious Freedom

II. Purpose and Policy Impact Statement: The Walworth County Board of Supervisors strongly supports House Joint Resolution 81 introduced in the 107th Congress, 1st Session on December 20, 2001 which resolution proposes an amendment to the Constitution of the United States restoring religious freedom.

III. Is this a budgeted item and what is its fiscal impact: There is no fiscal impact associated with passage of this resolution.

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

Committee: Administrative

Date: February 21, 2002

V. Approved as to form:

David A. Bretl
County Administrator

3/4/02
Date

Dennis D. Costello
Corporation Counsel

3/4/02
Date

N. Andersen
Finance Director

3/4/02
Date

County Board Meeting Date: March 12, 2002

Resolution No. 93-03/02, Resolution to Designate Non-Lapsing Funds and Specify 2001 Budgets to be Carried Forward and Used for the Same Purpose in 2002, was moved for adoption on motion by Supervisor Scharine, seconded by Supervisor R. Shepstone. The resolution was adopted by unanimous consent on motion by Supervisor Scharine, seconded by Supervisor Kret.

RESOLUTION NO. 93 – 03/02

Resolution to Designate Non-Lapsing Funds and Specify 2001 Budget to be Carried Forward and used for the Same Purpose in 2002

WHEREAS, Wisconsin State Statutes allow appropriations for capital expenditures, or a major repair to continue in force until the purpose for which it was made has been accomplished or abandoned; and certain funds are non-lapsing by previous Board action, and

WHEREAS, departments have identified eligible appropriations;

NOW THEREFORE BE IT RESOLVED by the Walworth County Board of Supervisors that the appropriation balances in the following accounts are hereby carried forward to be used for the same purposes during 2002, and the Finance Director is hereby directed to carry out the provisions of this resolution.

NON-LAPSING BY BOARD ACTION:

Operational Accounts:

001-1708-0000	Environmental Protection Agency Deposits (UWEX)
153-5301-0000	County Land Information Board
009-2390-0000	Risk Mgmt/Claims Fund
200-5420-0000	Debt Service Fund
300-5430-0000	Capital Projects (Unfinished Projects)
455-5500-0000	Lakeland Health Care Center Lakeland Health Care Donated Funds
550-9550-0000	Facilities Management Fund
530-9530-0000	Information Systems Fund
510-7510-0000	Highway Department Operational Funds - Not to exceed \$500,000 Designated Equipment Replacement Fund
720-9720-0000	Health Insurance Fund
760-9760-0000	Workers Compensation Insurance Fund
740-9740-0000	Dental Insurance Fund

Trust and Agency Funds:

811-9811-0000	Dog License Fund
816-9816-0000	Tri-Centennial Trust Fund
821-9821-0000	Arson Trust Fund
841-9841-0000	G. Charter Harrison Scholarship Fund

007-2370-0000	Treasurer's Tax Fund
852-9852-0000	Marriage License Trust Fund
851-9851-0000	Conservation License Fees
861-9861-0000	Occupational Drivers License Fund
863-9863-0000	Probate Court Trust
862-9862-0000	Pending Court Cases
826-9826-0000	State Confiscated-Sheriff
824-9824-0000	Federal Confiscated-Sheriff
881-9881-0000	Sheriff Trust
823-9823-0000	Sheriff Donations Fund
822-9822-0000	County Jail Trust Fund - WSS 53.46
864-9864-0000	Real Estate Transfer Fees - Agency Fund
866-9866-0000	Other Register of Deeds Agency Deposits
871-9871-0000	Planning/Zoning/Sanitation Agency Fund
891-9891-0000	Lakeland School Agency Fund
883-9883-0000	UWEX Agency Fund

DONATIONS DESIGNATED FOR SPECIFIC PROGRAMS:

Sheriff

D.A.R.E. Donation	001-1562-0000	22,044
Crime Prevention Program	001-1563-0000	688
Accident Reconstruction Donation	001-1551-7104	93

MISCELLANEOUS CARRYOVER REQUESTS:

<u>Description</u>	<u>Account Number</u>	<u>Amount</u>	<u>Reason</u>
County Board			
Recording/Amplification Sys	001-1001-9115-C199	25,000	Project scheduled 2002
Administrator			
Employee Moving Reimb	001-1021-5918	5,000	Contractual agreement
Finance			
Laser Printer	001-1031-9113-C199	2,383	Ordered, not received
District Attorney			
Filing System	001-1266-9113-C008	456	Ordered, not received

Register of Deeds

Optical Scanning Equipment	001-1291-9112-C603	1,281	Project in progress
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Land Management

SEWRPC Contract	001-1341-6114	52,000	Contractual agreement
Consult-2020 Land Use Plan	001-1321-6114	11,000	Project scheduled 2002
Permit Program	001-1341-9113-C011	<u>5,000</u>	Project scheduled 2002
		68,000	

Human Resources

Software – Performance Eval	001-1461-9113-C005	8,540	Ordered, not received
Employee ID Card System	001-1461-9113-C006	20,000	Project delayed
Kronos Upgrade	001-1461-9113-C007	30,000	Project delayed
Employee Award/Event	001-1473-7312	<u>8,708</u>	Ordered, not received
		67,248	

Sheriff

Water Softener System	001-1511-9116-C144	16,000	Project in progress
Mutual Aid Box Alarm Sys	001-1531-9115-C067	2,000	Project in progress
Extra Law Enforce Grant	001-1553-5000	1,450	Continue existing grant
Extra Law Enforce Grant	001-1553-1409	(1,450)	Continue existing grant
Laser Printer	001-1567-9113-C193	2,352	Ordered, not received
Laptops (2)	001-1567-9113-C194	14,204	Ordered, not received
Wal Co Metro Grant	001-1567-1433	(16,556)	Funding-computer equip
Click-It Grant	001-1569-5000	1,100	Continue existing grant
Click-It Grant	001-1569-1407	<u>(1,100)</u>	Continue existing grant
		18,000	

UW Extension

Digital Cameras	001-1711-7209	1,307	Ordered, not received
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Courthouse Maintenance

Cthse Fuel Tank Remediation	001-1811-9212-C898	9,620	Project in progress
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Annex Maintenance

New Walk/Step ADA Project	001-1851-9212-C098	8,700	Project in progress ¹
Repair 12" Sewer Annex	001-1851-9212-C998	7,800	Project in progress
* Repair Roof-Public Health	001-1851-9213-C102	<u>31,245</u>	Project in progress
		47,745	

Health & Human Services

Workstations (25)	124-2904-9112-C006	1,457	Ordered, not received ²
Workstations (30)	124-2904-9112-C102	25,260	Ordered, not received ²
Workstations/HSC	124-2904-9112-C904	1,283	Ordered, not received ²
Microfilm Reader/Print	124-2904-9113-C111	6,500	Ordered, not received
Sm Items of Equip-Chairs	124-2904-7104	<u>822</u>	Ordered, not received
		35,322	

Children with Disabilities Education Board

Water Softener	138-3851-9116-C106	3,625	Project in progress
* Heating/HVAC Update	138-3851-9116-C109	13,367	Project scheduled 2002 ³
* Door Replacements	138-3851-9213-C107	6,198	Project in progress
* Window Replacement	138-3851-9213-C108	59,435	Project in progress
* Locker Rm Shower Re	138-3851-9213-C114	15,869	Project in progress
* Boiler Rm Walls	138-3851-9213-C115	19,820	Project in progress
* Canopy Roof	138-3851-9213-C117	16,236	Project in progress
Water Softeners	138-3856-9115-C009	<u>3,625</u>	Project in progress
		138,175	

Land Information

* Mapping Proj (Year 2 of 5)	153-5301-9212-C001	210,584	Project in progress
* Land Info Infrastructure	153-5301-9212-C104	810,584	Project in progress
Mapping Project	153-5301-9212-C901	49,459	Project in progress
Computer & Equipment	153-5302-9113-C007	49,654	Project scheduled 2002
Parcelmapper GIS Applic	153-5302-9113-C105	<u>3,500</u>	Project scheduled 2002
		1,123,781	

Capital Projects

* Communications Tower	300-5433-9115-C004	1,406,366	Project in progress
* Huber Expansion	300-5433-9213-C002	4,102,353	Project in progress
* New Courthouse	300-5434-9213-C003	11,494,996	Project in progress
ADA Renovation	300-5436-9213-C801	22,013	Project in progress ¹
* Chiller Replacement	300-5438-9116-C006	7,349	Project in progress
* HHS Project	300-5439-9213-C001	<u>284,930</u>	Project in progress
		17,318,007	

Lakeland Health Care Center

Portable Files	455-5706-7104	768	Ordered, not received
Heat/AC Valves 78 Bldg	455-5813-9116-C121	7,710	Project in progress
Dishroom Repair	455-5814-9213-C048	20,000	Project in progress ⁴
Front Door Replacement	455-5814-9213-C049	70,831	Project in progress ⁴

Garage Door	455-5814-9213-C050	<u>2,850</u>	Project in progress
		102,159	
Highway Department			
Overhead Door Replacement	510-7722-9213-C186	15,000	Project scheduled 2002
Shed Lot Repair	510-7723-9212-C123	34,250	Project scheduled 2002
Parking Lot Overlay	510-7723-9212-C139	13,732	Project scheduled 2002
Patrol Truck (2)	510-7731-9111-C104	14,297	Project in progress
Truck	510-7731-9111-C185	1,257	Project in progress
Dump Truck	510-7731-9111-C187	30,000	Project in progress
CTH H STH 67 to EAHS	510-8519-9217-C116	20,000	Project in progress ⁵
CTH H Bridge Replacement	510-8519-9217-C132	45,000	Project in progress
* CTH K Construction	510-8522-9217-C101	360,896	Project in progress ⁶
* Relocation/Constr CTH BB	510-8532-9217-C149	82,187	Project in progress
* Construction Bridge ES	510-8534-9217-C901	<u>3,513</u>	Project in progress
		620,132	
Information Systems			
Upgrade Info Tech Infrastruct	530-9532-9115-C001	50,489	Project in progress
LMC Phone Switch Replace	530-9532-9115-C007	5,000	Project in progress
* Upgrade IT Infrastructure	530-9532-9115-C101	215,043	Project in progress
* Upgrade AS/400	530-9532-9115-C102	<u>340,000</u>	Project in progress
		610,532	
Facilities Management			
Signage-County Wide	550-9551-9212-C124	1,948	Project in progress
Steam Lines-Annex	550-9551-9213-C017	66,367	Project in progress
Countywide Key System	550-9551-9213-C103	<u>44,000</u>	Project in progress
		112,315	

* Projects funded with bond proceeds or state trust fund loan; corresponding revenue will be carried forward

¹ Carry Forward & Combine with ADA Renovation in Cap Proj Fund 300-5436-9213-C801 \$30,713.

² Carry Forward & Combine All Workstation Accounts 124-2904-9112-C102 \$28,000.

³ Carry Forward & Combine with 2002 HVAC Project 138-3851-9116-C209 \$94,867.

⁴ Carry Forward & Combine with 2002 Canopy Project 300-5438-9213-C202 \$235,831.

⁵ Carry Forward & Combine with 2002 CTH H Project 510-8519-9217-C203 \$40,000.

David A. Bretl/s/ Administrative Coordinator	3/4/02 Date
Dennis D. Costello Corporation Counsel	3/4/02 Date
Nicki Andersen (pw) Finance Director	3/4/02 Date

Resolution No. 94-03/02, Resolution to Close Fiscal Year 2001, was moved for adoption on motion by Supervisor Muzatko, seconded by Supervisor Schaefer. The resolution was adopted by unanimous consent on motion by Supervisor Van Dreser, seconded by Supervisor Tilton.

RESOLUTION NO. 94-03/02

RESOLUTION TO CLOSE FISCAL YEAR 2001

WHEREAS, there are insufficient appropriations for certain departments in the 2001 budget, adopted November, 2000; and

WHEREAS, it is necessary and warranted that additional appropriations be made from the General Fund for these specific areas, and

WHEREAS, certain departments underspent their 2001 appropriations and said moneys should lapse back to the respective funds, and

WHEREAS, these are unaudited figures,

BE IT RESOLVED, that the amount of \$114,934 be appropriated from the General Fund and applied to the following accounts and that any audit findings requiring an appropriation be handled in a similar manner.

<u>Net Appropriation Necessary</u>	<u>Department</u>	<u>Account Number</u>
\$ 15,892	Clerk of Courts	001-1100-0000
1,566	Corporation Counsel	001-1261-0000
806	District Attorney	001-1265-0000
1,545	Land Conservation	001-1750-0000
<u>26,682</u>	General Government Maintenance	001-1811-0000
\$ 46,491		

BE IT FURTHER RESOLVED, that the over-expended amounts, as listed above, will be offset by excess funds from the following sources which will lapse to the Governmental Funds:

\$ 19,383	County Board	001-1001-0000
16,042	County Clerk	001-1011-0000
112,014	Elections	001-1012-0000
29,857	Administrative Coordinator	001-1020-0000
450,894	Finance	001-1030-0000
107,681	County Treasurer	001-1050-0000
53,945	Coroner	001-1071-0000
103,813	Register of Deeds	001-1291-0000
134,836	Land Management	001-1300-0000
79,580	Human Resources	001-1450-0000
176,091	Sheriff	001-1500-0000
3,067	Veterans	001-1691-0000
18,592	UW Extension	001-1700-0000
99,952	Courthouse Annex	001-1851-0000
681,839	Non-Departmental-General	001-1900-0000
35,000	River Rail	001-1931-0000
19,421	Severance Fund	003-2330-0000
44,230	Contingency Fund	005-2350-0000
4,721	County Parks	001-1941-0000
323,377	Health & Human Services	124-2400-0000
140,390	Children with Disability Board	138-0000-0000
<u>26,312</u>	Land Information	153-5300-0000
2,681,037		

The net increase in the Governmental Funds is \$2,634,546.

BE IT FURTHER RESOLVED, the following summary lists budgeted net profit overages (shortages) for non-lapsing funds. No appropriations are required. Departmental equity will absorb these net changes.

	Budgeted (Profit) or Use of Fund	2001 Actual Funds Needed	Variance to Budget (Excess Funds)
Risk Mgmt/Claims Fund	68,248	(157,884)	(226,132)
Debt Service Fund	3,137,761	3,118,857	(18,904)
Lakeland Health Care Center	1,968,559	698,487	(1,270,072)
Lakeland Ag Complex Fund**	(53,030)	75,521	128,551
Facilities Management Fund	128,020	12,176	(115,844)
Information Systems Fund	181,234	(75,296)	(256,530)
Highway Fund ***	1,467,567	498,485	(969,082)
Health Insurance Fund ****	0	570,904	570,904
Dental Insurance Fund ****	0	(24,977)	(24,977)

Workers Comp Fund **** 0 (101,090) (101,090)

NOTES **Ag Complex Fund was disbanded at end of 2001. The Ag Complex had a deficit retained earnings of \$85,938. However, a total of \$193,415 was transferred back to the General Fund because of previous amounts contributed to the Ag Complex from the General Fund. Starting in 2002, associated revenues and expenses will flow through General Fund.
*** End-of-Year closing entries have not been completed.
****Final adjustments are pending. End-of-year accrual for claims will be based upon final report.

Adopted this 12 day of March, 2002.

Allen L. Morrison
County Board Chair

Kimberly S. Bushey
Attest: County Clerk

Policy and Fiscal Note Attached: Yes No

Approved as to Form:

Dennis D. Costello 3/4/02
Corporation Counsel Date

Nicki Andersen (BM) 3/4/02
Finance Director Date

David A. Bretl/s/ 3/4/02
County Administrator Date

Committee Consideration: Finance Committee Vote 7-0 February 21, 2002

Action Required: Two-thirds Vote

Policy and Fiscal Note

- I. Title: Resolution No. 94-03/02 - 2002 Resolution to Close Fiscal Year 2002
- II. Purpose and Policy Impact Statement: It is the responsibility of the Walworth County Board to review compliance with the adopted budget.
- III. Budget and Fiscal Impact: The net amount of funds which will lapse to the Governmental Fund balances is \$2,634,546.

IV. Committee Consideration:

Finance Committee Vote: 7-0 Date: 2/21/02

V. Approved as to Form:

Dennis D. Costello 3/4/02
Corporation Counsel Date

Nicki Andersen (BM) 3/4/02
Finance Director Date

David A. Bretl/s/ 3/4/02
County Administrator Date

Resolution No. 95-03/02, Initial Resolution Authorizing Not to Exceed \$5,510,000 General Obligation Promissory Notes for Capital Projects, was moved for adoption on motion by Supervisor Norem, seconded by Supervisor Lothian. A motion was made by Gigante, seconded by Maynard, to send this resolution back to committee. A motion to call the question and terminate discussion was made by Supervisor Maynard, seconded by Supervisor Tilton. Motion carried by voice vote. Roll call vote was taken to send resolution back to committee. Total vote: 33; Ayes: 4 – Arnold, Gigante, C. Grant, Maynard; Noes: 29 – Burwell, Felten, Fischer, J. Grant, Kret, Kuhnke, Lightfield, Logterman, Lothian, Mikrut, Miles, Muzatko, Norem, Palzkill, Parker, Polyock, Price, Schaefer, Scharine, R. Shepstone, S. Shepstone, Shroble, Smith, Tilton, Troemel, Van Dreser, Van Dyke, Wenglowisky, Morrison; Absent: 2 – Lohrmann, Pearce. Roll call vote was taken for original motion on resolution. Total vote: 33; Ayes: 29 – Burwell, Felten, Fischer, J. Grant, Kret, Kuhnke, Lightfield, Logterman, Lothian, Mikrut, Miles, Muzatko, Norem, Palzkill, Parker, Polyock, Price, Schaefer, Scharine, R. Shepstone, S. Shepstone, Shroble, Smith, Tilton, Troemel, Van Dreser, Van Dyke, Wenglowisky, Morrison; Noes: 4 – Arnold, Gigante, C. Grant, Maynard; Absent: 2 – Lohrmann, Pearce. The resolution was adopted.

RESOLUTION NO. 95-03/02

INITIAL RESOLUTION AUTHORIZING NOT TO EXCEED \$5,510,000
GENERAL OBLIGATION PROMISSORY NOTES
FOR CAPITAL PROJECTS

WHEREAS, Walworth County, Wisconsin (the "County") is in need of an amount not to exceed \$5,510,000 for the public purpose of financing capital projects, including land information infrastructure, road construction, Huber facility expansion, sewer system improvements at the Annex and other County building improvements, park

improvements, an energy conservation project and construction of a salt dome and tractor shed for the highway department; and

WHEREAS, it is desirable to authorize the issuance of general obligation promissory notes for such purpose pursuant to Chapter 67 of the Wisconsin Statutes;

NOW, THEREFORE BE IT RESOLVED, by the Walworth County Board of Supervisors that the County borrow an amount not to exceed \$5,510,000 by issuing its general obligation promissory notes for the public purpose of financing capital projects, including land information infrastructure, road construction, Huber facility expansion, sewer system improvements at the Annex and other County building improvements, park improvements, an energy conservation project and construction of a salt dome and tractor shed for the highway department. There be and there hereby is levied on all the taxable property in the County a direct, annual tax in such years and in such amounts as are sufficient to pay when due the principal and interest on such notes.

Adopted this 12th day of March, 2002.

Allen L. Morrison
Chairperson

Kimberly S. Bushey
County Clerk

Policy and Fiscal Note attached.

Sponsored by: Finance Committee.

County Board Meeting Date: March 12, 2002.

Approved as to form:

David A. Bretl
County Administrator

2/27/02
Date

Dennis D. Costello
Corporation Counsel

2/27/02
Date

N. Andersen
Finance Director

2/28/02
Date

Action Required: 3/4 vote of members-elect.

Resolution No. 95 - 03/02

Policy and Fiscal Note

I. Title: Initial Resolution Authorizing Not to Exceed \$5,510,000 General Obligation Promissory Notes for Capital Projects

II. Purpose and Policy Impact Statement:

As part of the 2002 budget process, Walworth County established the need for various capital improvement projects. The 2002 Walworth County budget, adopted November 8, 2001 authorized the following projects (excluding the Court Facility) which would be funded, in whole or part, from the issuance of long-term debt:

WALWORTH COUNTY					
CAPITAL IMPROVEMENT PLAN - Bond Projects					
**** Without Court Facility ****					
FY 2002					
Project	2002 Adopted	Funding Source			
		Tax Levy	Existing Financing	Debt Service	Grant/Other
LAND INFO INFRASTRUCTURE	1,010,584	-	10,584	1,000,000	-
ANNEX SEWER SYSTEM REPLACEMENT	392,000	-	-	297,920	94,080
HUBER EXPANSION	500,000	-	-	500,000	-
PROPERTY BARN IMPROVEMENTS	36,800	-	-	36,800	-
HVAC UNIT - COMMUNICATIONS	36,000	-	-	36,000	-
JAIL BATHROOM RENOVATIONS	56,000	-	-	56,000	-
SUMMER BOILER COURTHOUSE	41,000	-	-	41,000	-
WEBSTER HOUSE IMPROVEMENTS	70,000	-	-	70,000	-
BUILDING CANOPY REPLACEMENT	145,000	-	54,000	91,000	-
CLASSROOM COMPUTER CABLING	35,000	-	-	35,000	-
PARKING LOT - PRICE PARK	50,000	-	-	25,000	25,000
FACILITES/TRAILS - PRICE PARK	55,000	-	-	27,500	27,500
PRIVY - PRICE PARKS	35,000	-	-	17,500	17,500
FM SHOP DOOR/WINDOW REPLACE	31,000	-	-	31,000	-
ENERGY CONSERVATION PROJECT	631,300	-	106,532	473,880	50,888
CTH K CONSTRUCTION	1,165,000	-	-	1,165,000	-
ROAD CONSTRUCTION (UNALLOC)	1,435,000	-	-	1,435,000	-
CTH H, STH 67 TO EAHS, ELKHORN	20,000	-	-	20,000	-
WHITEWATER SALT DOME - I	130,000	-	-	130,000	-
WHITEWATER TRACTOR SHED - II	21,000	-	-	21,000	-
	5,895,684	-	171,116	5,509,600	214,968

At their February 21, 2001 meeting, the Walworth County Finance Committee authorized the submission of a resolution to the Walworth County Board of Supervisors that would authorize the issuance of sufficient long-term debt to fund the aforementioned projects. State statutes stipulate that the authorization of long-

term debt requires a vote of ¾ of the members elected to the County Board of Supervisors to allow its exclusion from the 1992 mill rate freeze. Upon authorization, the Finance Committee, in conjunction with the county's financial advisor, will submit a final resolution to the County Board authorizing the sale of notes in an amount not to exceed \$5,510,000. The sale of actual notes will require a majority vote of the County Board.

III. Is This a Budgeted Item and what is its fiscal impact?

As indicated above, the 2002 Capital Improvement Plan included \$5,898,684 in capital projects that will be funded, in whole or part, with the issuance of long term debt. A portion of the projects will be funded as follows: Existing Funds - \$171,116; and Grants or Other Revenue Sources - \$214,968. This resolution will authorize the remaining project balances to be funded with the issuance of \$5,510,000 in long-term debt. The debt will be repaid over a period not to exceed ten years.

IV. Submission of Resolution:

This resolution is sponsored by the Walworth County Finance Committee.

V. Approved as to Form:

David A. Bretl County Administrator	2/27/02 Date
Dennis D. Costello Corporation Counsel	2/27/02 Date
N. Andersen Finance Director	2/28/02 Date

Resolution No. 96-03/02, Adopt Changes in Wages and Benefits for Non-represented Employees for 2002, was moved for adoption on motion by Supervisor Kret, seconded by Supervisor Maynard. The resolution was adopted by unanimous consent on motion by Supervisor Palzkill, seconded by Supervisor Tilton.

RESOLUTION NO. 96-03/02
ADOPT CHANGES IN WAGES AND BENEFITS
FOR NON-REPRESENTED EMPLOYEES for 2002

Moved By: Human Resources Committee

WHEREAS, the Human Resources Committee has reviewed the wage and benefit package for non-represented employees and has considered appropriate adjustments therein for calendar year 2002.

NOW, THEREFORE, BE IT RESOLVED that the compensation package for non-represented employees shall be amended as follows:

1. The Management Pay Plan and Administrative Support Pay Plan for non-represented employees shall be increased by 2.0% effective January 1, 2002 and an additional 2.0% effective July 1, 2002.
2. Effective May 1, 2002 the health benefit plan is amended to establish three levels of benefits. The County shall pay the full premium for the lowest- cost plan for full-time employees. The employee shall have the option of choosing a higher level of benefits and the employee shall pay the premium difference between the lowest cost plan and the level selected. County contributions for part-time employees and/or retirees shall be calculated based on the lowest cost plan.
3. Effective April 1, 2002 the total monthly premium rates for the 3 enrollment options shall be as follows:

	<u>Single</u>	<u>Family</u>	<u>Medicare-1</u>
Standard PPO	\$346.00	\$886.00	\$276.00
PPO Option 1	\$363.30	\$930.30	\$290.00
PPO Option 2	\$380.60	\$974.60	\$304.00

4. Employees shall be enrolled in the Standard PPO unless they elect in writing to buy-up to Option 1 or Option 2. Each year in November employees enrolled in the health plan shall have the opportunity to choose to change their existing coverage between the three plans and the change shall be come effective the following January 1st.
5. Effective for January 2002 coverage, the dental monthly premium caps for non-represented employees shall be increased to the actual rates in effect for 2002.
6. Any grand-fathered employees with personal days in effect at the Lakeland Health Care Center shall be reduced to zero in the same manner applied to employees represented by AFSCME.

BE IT FURTHER RESOLVED that the Personnel Code shall be amended as follows:

[Chapter 311.09 (B)] ... "A general wage adjustment to the non-represented employee pay plans shall normally apply to all employees, except those employees who are red-circled or whose pay rate is frozen administratively. Pay adjustments for red-circled employees will be subject to sub-section 311.04 (B) (3). Pay rates administratively frozen shall be subject to 311.04 (E)"

[Chapter 311.04 (E) - new]... "A department head or the County Administrator may freeze the rate of a non-represented employee for

III. Budget and Fiscal Impact.

Funds to cover the wage increases in 2002 were not included in the 2002 departmental budgets and need to be transferred from the contingency reserve. Total cost of implementing this policy is \$493,861.

IV. Standing Committee Consideration.

The Human Resources Committee on March 1, 2002 on a vote of 5-0 recommended adoption.

The Finance Committee on February 21, 2002 on a vote of 6 to 1 recommended adoption, pending approval of the Human Resource Committee.

V. Approved as to Form.

David A. Bret/s/ County Administrator	3/5/02 Date
Gary Rehfeldt Corporation Counsel	3/5/02 Date
N. Andersen Finance Director	3/5/02 Date

Resolution No. 97-03/02, Extend Federal Act Provisions to the Health Insurance Plan, was moved for adoption on motion by Supervisor Van Dyke, seconded by Supervisor Felten. The motion passed by voice vote.

RESOLUTION NO. 97 -03/02

EXTEND FEDERAL ACT PROVISIONS TO THE HEALTH INSURANCE PLAN

Moved By: Human Resources Committee

WHEREAS, Walworth County pursuant to Resolution 36-07/98 opted-out of health plan coverage requirements of three Federal Acts (the Health Insurance Portability and Accountability Act of 1996, the Newborns and Mothers' Health Protection Act of 1996, and the Health Parity Act of 1996), and

WHEREAS, the current insurance consultant has reviewed the requirements of these Federal Acts and has recommended that the County reverse its prior decision.

NOW, THEREFORE, BE IT RESOLVED that effective April 1, 2002 the health insurance plan shall be amended to include coverage of the aforementioned Federal Acts, and

BE IT FURTHER RESOLVED that a health statement application process for late entrants shall be replaced with a pre-existing condition waiting period for a late entrant of a six month look-back period and an 18 month limitation from the enrollees' effective date.

Dated this 12th day of March, 2002.

Allen L. Morrison
County Board Chair

Kimberly S. Bushey
Attest: County Clerk

Policy and Fiscal Note Attached: Yes

Approved as to Form:

David A. Bretl/s/ County Administrator	3/5/02 Date
Gary Rehfeldt Corporation Counsel	3/5/02 Date
N. Andersen Finance Director	3/4/02 Date

Action Required: Majority Vote Two-thirds vote Other (Specify)

Policy and Fiscal Note

- I. Title. Resolution No. 97-03/02 "Extend Federal Act Provisions To The Health Insurance Plan."
- II. Purpose and Policy Impact.

With the exception of the late entrant provisions, the County's current health plan complies with the Federal Acts. Since the introduction of HIPAA in 1996 most plan administrators are no longer well equipped to deal with medical underwriting required with a health statement application process. By opting to be covered by the Federal Acts, the regulations would clearly establish when coverage is provided, subject to the late entrant waiting period provisions. By complying with HIPAA the stop-loss carrier would not have the opportunity to exclude claims that were paid for a late entrant who was extended coverage through a health statement rather than the waiting period provisions.

- III. Budget and Fiscal Impact.

The proposed change is expected to ease administration of benefits for late entrants and be cost neutral. It may improve our ability to recover excess claims through the stop-loss carrier.

IV. Considered by the following standing committees prior to County Board consideration.

The Human Resources Committee on a vote of 5-0 at their meeting on March 1, 2002, recommends adoption.

V. Approved as to Form.

David A. Bretl/s/ County Administrator	3/5/02 Date
Gary Rehfeldt Corporation Counsel	3/5/02 Date
N. Andersen Finance Director	3/4/02 Date

Resolution No. 98-03/02, Amend 2002 Budget and Transfer a Part-time (0.5 FTE) Position from County Administrator Office to Health and Human Services Department, was moved for adoption on motion by Supervisor Miles, seconded by Supervisor Parker. The resolution was adopted by unanimous consent on motion by Supervisor Kret, seconded by Supervisor Gigante.

Resolution No. 98-03/02
Amend 2002 Budget and Transfer a
Part-time (0.5 FTE) Position from County Administrator Office
To Health and Human Services Department

WHEREAS, the County Administrator's 2002 budget includes a part-time clerk-typist position for clerical support to the Administrator's office and for Emergency Management, and

WHEREAS, the Health and Human Services Department manages the Emergency Management function, and

WHEREAS, the part-time position has been temporarily assigned to the Health and Human Services Department to provide needed clerical support for Emergency Management and central records support, and

directly provide required clerical support for the Emergency Management program.

III. Budget and Fiscal Impact.

The part-time position is funded in the 2002 budget. The budget appropriation would be transferred from work center 001-1021 to 24-2904. The total 2002 appropriation for this position is \$14,554.

IV. Considered by the following committees prior to County Board consideration.

Health and Human Services Board on a majority vote of ___ to ___ at their meeting on February 19, 2002 recommends adoption.

Human Resources Committee on a vote of 5-0 at their meeting on March 1, 2002 recommends adoption.

Finance Committee on a vote of 7 to 0 at their meeting on February 21, 2002 recommends adoption. Pending approval of Human Resources Committee.

Administrative Committee on a vote of 5 to 0 at their meeting on February 21, 2002 recommends adoption.

VI. Reviewed as to Form.

David A. Brett/s/ County Administrator	3/5/02 Date
Gary Rehfeldt Corporation Counsel	3/5/02 Date
N. Andersen Finance Director	3/4/02 Date

Resolution No. 99-03/02, Transfer \$20,000 from the Contingency Fund for an Increase in Life Insurance Premiums, was moved for adoption on motion by Supervisor Kuhnke, seconded by Supervisor Fischer. The resolution was adopted by unanimous consent on motion by Supervisor Kret, seconded by Supervisor Parker.

**Resolution No. 99-03/02
Transfer \$20,000 from the Contingency Fund
for an Increase in Life Insurance Premiums**

1	1209	5813	80	27
1	1251	5813	132	45
1	1261	5813	608	208
1	1266	5813	676	232
1	1267	5813	80	27
1	1291	5813	332	114
1	1311	5813	212	73
1	1321	5813	344	118
1	1341	5813	372	127
1	1353	5813	436	149
1	1461	5813	92	32
1	1462	5813	374	128
1	1463	5813	73	25
1	1464	5813	170	58
1	1466	5813	7	2
1	1511	5813	424	145
1	1512	5813	132	45
1	1521	5813	40	14
1	1522	5813	506	173
1	1523	5813	108	37
1	1531	5813	772	265
1	1541	5813	5,097	1,750
1	1551	5813	1,066	365
1	1557	5813	2	1
1	1562	5813	18	6
1	1563	5813	18	6
1	1566	5813	294	101
1	1567	5813	244	84
1	1691	5813	172	59
1	1701	5813	120	41
1	1709	5813	132	45
1	1711	5813	40	14
1	1751	5813	122	42
1	1754	5813	179	61
1	1756	5813	40	14
1	1758	5813	100	34
1	1766	5813	40	14
				6,253
124	2421	5813	181	62
124	2452	5813	99	34
124	2453	5813	792	271
124	2457	5813	40	14
124	2458	5813	66	23
124	2459	5813	469	161
124	2462	5813	132	45
124	2502	5813	363	124
124	2503	5813	56	19
124	2504	5813	66	23
124	2506	5813	66	23
124	2507	5813	80	27
124	2551	5813	132	45
124	2651	5813	37	13
124	2652	5813	33	11

124	2653	5813	132	45
124	2657	5813	201	69
124	2701	5813	594	204
124	2702	5813	248	85
124	2703	5813	605	207
124	2704	5813	231	79
124	2706	5813	66	23
124	2707	5813	165	57
124	2708	5813	33	11
124	2751	5813	33	11
124	2752	5813	99	34
124	2806	5813	22	8
124	2808	5813	66	23
124	2901	5813	551	189
124	2904	5813	632	217
124	2906	5813	225	77
124	2951	5813	132	45
124	3004	5813	14	5
124	3006	5813	41	14
124	3011	5813	12	4
124	3012	5813	31	11
124	3013	5813	9	3
124	3021	5813	119	41
124	3022	5813	116	40
124	3024	5813	103	35
124	3032	5813	201	69
124	3033	5813	162	56
124	3034	5813	33	11
124	3036	5813	34	12
124	3037	5813	13	4
124	3038	5813	20	7
124	3039	5813	26	9
124	3041	5813	12	4
124	3042	5813	13	4
124	3043	5813	29	10
124	3101	5813	12	4
124	3111	5813	33	11
124	3112	5813	7	2
124	3121	5813	8	3
124	3132	5813	567	194
124	3134	5813	216	74
124	3136	5813	17	6
124	3139	5813	51	17
124	3142	5813	106	36
124	3201	5813	695	238
124	3202	5813	16	5
124	3308	5813	332	114
124	3312	5813	44	15
124	3318	5813	96	33
124	3319	5813	10	3
124	3322	5813	99	34
138	3811	5813	425	146

3,407

138	3812	5813	318	109	
138	3814	5813	1,154	395	
138	3816	5813	1,037	355	
138	3817	5813	173	59	
138	3818	5813	132	45	
138	3819	5813	106	36	
138	3821	5813	265	91	
138	3822	5813	1,194	409	
138	3823	5813	2,268	777	
138	3841	5813	66	23	
138	3842	5813	264	90	
138	3844	5813	264	90	
138	3851	5813	252	86	
138	3852	5813	40	14	
138	3871	5813	172	59	
138	3872	5813	106	36	
138	3876	5813	40	14	
138	3877	5813	66	23	
138	3878	5813	66	23	
138	3882	5813	146	50	
138	3883	5813	304	104	
138	3896	5813	40	14	3,048
153	5302	5813	292	100	100
455	5604	5813	2,966	1,016	
455	5609	5813	2,128	729	
455	5611	5813	612	210	
455	5612	5813	878	301	
455	5614	5813	1,038	356	
455	5616	5813	732	251	
455	5617	5813	1,756	602	
455	5702	5813	132	45	
455	5703	5813	522	179	
455	5704	5813	964	330	
455	5706	5813	172	59	
455	5707	5813	240	82	
455	5801	5813	1,596	547	
455	5821	5813	719	246	
455	5822	5813	333	114	
455	5823	5813	716	245	
455	5902	5813	80	27	5,339
510	7741	5813	2,534	868	868
530	9531	5813	132	45	
530	9532	5813	80	27	
530	9533	5813	1,004	344	
530	9534	5813	132	45	461
550	9551	5813	1,462	501	
550	9556	5813	66	23	524

58,367	20,000.00
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20,000.00

989

A motion was made by Supervisor Norem, seconded by Supervisor Van Dreser, to approve Resolution 87-02/02, Resolution Amending the Budget to Include Additional Funding for the Construction of the Court Facility and Specifying a Location Therefore.

Administrator Bretl reviewed information regarding the negotiations with the City of Elkhorn and concluded that the logical location for the Court Facility is the East Side of the Law Enforcement Center and that it appears that we can go no further with the City. He stated that we have received no offers from the City of Elkhorn. Brian Larson from Ayres and Associates, the architects for the project, presented information and responded to questions regarding the building design and security issues.

Chairman Morrison stated that he had received a letter of intent from the four Circuit Court Judges in Walworth County. Chairman Morrison read the following letter into the record:

Walworth County

Letter of Intent

To the Walworth County Board of Supervisors

This is to inform you that should Walworth County provide adequate court facilities at a location east of the Law Enforcement Center, in the Town of Geneva, the four circuit court judges of Walworth County, Robert J. Kennedy, James L. Carlson, John R. Race, and Michael S. Gibbs, will occupy the new facility as long as it is adequate for court purposes under Wis. Stats. 753.24(2) and Supreme Court Rule 70.38 (6) and (7).

Dated this 26th day of February 2002.

By: James L Carlson
Chief Circuit Court Judge
Walworth County

Supervisor Arnold requested that the Chair recognize Attorney Mike Meurer, a property owner and business owner in the City of Elkhorn. Attorney Meurer expressed concern regarding a number of projects, including the possible court facilities project and their impact on the taxpayers of Walworth County.

After much discussion, debate was terminated on motion by Supervisor Van Dreser, seconded by Supervisor Scharine. The resolution was adopted by roll call vote. Total vote: 33; Ayes: 29 - Burwell, Felten, Fischer, C. Grant, J. Grant, Kret, Kuhnke, Lightfield, Logterman, Lothian, Maynard, Miles, Muzatko, Norem, Palzkill, Parker, Polyock, Price, Schaefer, Scharine, R. Shepstone, S. Shepstone, Shroble, Tilton, Troemel, Van Dreser, Van Dyke, Wenglowisky, Morrison; Noes: 4 - Arnold, Gigante, Mikrut, Smith; Absent: 2 - Lohrmann, Pearce.

Resolution No. 87-02/02

Resolution Amending the Budget to Include Additional Funding for the Construction of the Court Facility and Specifying a Location Therefore

WHEREAS, Resolution 31-09 /00 designated the location of the new court facility on the West side of the Walworth County Law Enforcement Center on a site previously referred to as the "Johnson" property, and

WHEREAS, due to the increased cost of building the new court facility on the Johnson property and the operational inefficiencies of this site, the previously designated location is not in the best interests of the citizens of Walworth County and it is advisable that a new location be designated, and

WHEREAS, Walworth County's 2002 Capital Improvement Plan includes a project budget of \$11,577,000 for a new court facility, and

WHEREAS, delays in implementing this project have resulted in the architect estimating an increase in project costs, and

WHEREAS, the revised cost of the new court facility is estimated to be \$11,601,600, and

WHEREAS, the county previously transferred \$371,600 from the General Fund to the Capital Project Fund to finance a portion of the project, and

WHEREAS the resulting balance of \$11,230,000 is anticipated to be funded from bond proceeds,

NOW THEREFORE BE IT RESOLVED, that the Walworth County Board of Supervisors designate a location on Highway NN, East of the Walworth County Law Enforcement Center and West of the Lakeland Health Care Center, as the location for the new court facility, and

BE IT FURTHER RESOLVED by the Walworth County Board of Supervisors that the total project budget for the new court facility is revised and limited to an amount not to exceed \$11,601,600.

Dated this 12th day of March, 2002.

**Allen L. Morrison
COUNTY BOARD CHAIR**

**Kimberly S. Bushey
ATTEST: COUNTY CLERK**

Policy & Fiscal Note Attached: Yes

Approved as to form:

David A. Brett County Administrator	2/19/02 Date
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Dennis D. Costello Corporation Counsel	2/20/02 Date
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N. Andersen Finance Director	2/19/02 Date
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Action Required: Two-thirds of the Members Elect

County Board Meeting Date: February, 26,2002

Resolution No. 87- 02/02

Policy and Fiscal Note

I. Title: Resolution Amending the Budget to Include Additional Funding for the Construction of the Court Facility and Specifying a Location Therefore

III. Purpose and Policy Impact Statement:

Walworth County has established the necessity for a new court facility. State Supreme Court guidelines released in 1995 indicate the need for improved court security in Walworth County. Additional studies have indicated that the annual cost of securing the current facility is not a long-term, cost-effective solution. Multiple sites for the location of a new facility have been evaluated. Based upon current information, Walworth County Board Chairman Morrison and Public Property Committee Chairman Norem are recommending that the County Board designate a location East of the Law Enforcement Center and West of the Lakeland Health Care Center as the location for a new court facility. It is anticipated that the new facility will improve the efficiency of county operations and provide additional court security.

III. Is This a Budgeted Item and what is its fiscal impact?

The 2002 Capital Improvement Plan included a project budget for a new court facility not to exceed \$11,577,600. The county previously

transferred \$371,600 from the General Fund to the Capital Project Fund to allow the Public Property Committee the ability to initiate preliminary court facility plans. As of December 31, 2001, the county has expended \$82,603.89 on facility planning, resulting in a funded project balance of \$288,996.11. Due to multiple delays, the current estimate for the total project cost is not to exceed \$11,601,600. It is anticipated that the remaining balance of \$11,230,000 will be funded through the issuance of long-term debt.

IV. Submission of Resolution:

This resolution is jointly sponsored by Walworth County Chair Allen Morrison and Public Property Chair William Norem.

V. Approved as to Form:

David A. Bretl County Administrator	2/19/02 Date
Dennis D. Costello Corporation Counsel	2/20/02 Date
N. Andersen Finance Director	2/19/02 Date

A motion was made by Supervisor Muzatko, seconded by Supervisor Van Dreser, to approve Resolution No. 88-02/02, Initial Resolution Authorizing Not To Exceed \$11,230,000 General Obligation Bonds or Promissory Notes for Court Facility. After much discussion, the question was called on motion by Supervisor S. Shepstone, seconded by Supervisor Lothian. A roll call vote was conducted and the resolution was adopted. Total vote: 33; Ayes: 30 - Burwell, Felten, Fischer, C. Grant, J. Grant, Kret, Kuhnke, Lightfield, Logterman, Lothian, Maynard, Miles, Muzatko, Norem, Palzkill, Parker, Polyock, Price, Schaefer, Scharine, R. Shepstone, S. Shepstone, Shroble, Smith, Tilton, Troemel, Van Dreser, Van Dyke, Wenglowsky, Morrison; Noes: 3 - Arnold, Gigante, Mikrut; Absent: 2 - Lohrmann, Pearce.

RESOLUTION NO. 88-02/02

**INITIAL RESOLUTION AUTHORIZING NOT TO EXCEED \$11,230,000
GENERAL OBLIGATION BONDS OR PROMISSORY NOTES
FOR COURT FACILITY**

WHEREAS, Walworth County, Wisconsin (the "County") is in need of an amount not to exceed \$11,230,000 for the public purpose of financing the construction and equipping of a new court facility; and

WHEREAS, it is desirable to authorize the issuance of general obligation bonds or promissory notes for such purpose pursuant to Chapter 67 of the Wisconsin Statutes;

NOW, THEREFORE BE IT RESOLVED, by the Walworth County Board of Supervisors that the County borrow an amount not to exceed \$11,230,000 by issuing its general obligation bonds or promissory notes for the public purpose of financing the construction and equipping of a new court facility. There be and there hereby is levied on all the taxable property in the County a direct, annual tax in such years and in such amounts as are sufficient to pay when due the principal and interest on such bonds or notes.

BE IT FURTHER RESOLVED that all prior resolutions or other actions of the County Board of Supervisors or any parts thereof in conflict or inconsistent with the provisions hereof shall be, and the same are, hereby rescinded insofar as they may conflict or be inconsistent with this resolution.

Adopted this 12th day of ~~February~~ March, 2002.

Allen L. Morrison
Chairperson

Kimberly S. Bushey
County Clerk

Policy and Fiscal Note attached.

Sponsored by: Walworth County Board Chair Allen Morrison and Public Property Chair William Norem

County Board Meeting Date: ~~February 26, 2002~~ March 12, 2002

Approved as to form:	David A. Bretl County Administrator	2/19/02 Date
	Dennis D. Costello Corporation Counsel	2/20/02 Date
	N. Andersen Finance Director	2/19/02 Date

Action Required: 3/4 vote of members-elect.

Resolution No. 88- 02/02

Policy and Fiscal Note

- I. Title: Initial Resolution Authorizing Not to Exceed \$11,230,000 General Obligation Bonds or Promissory Notes for Court Facility

- IV. Purpose and Policy Impact Statement:

Walworth County has established the necessity for a new court facility. Currently, the estimated cost for construction of the new facility is \$11,601,600. The Walworth County Board allocated \$290,000 from the General Fund in the fiscal year 2000 to fund the initial planning for the new facility. An additional \$81,600 in funding was transferred from the General Fund in the 2002 budget. Total funding provided to date is \$371,600. Based upon the estimated life expectancy of this facility, it is recommended that the remaining budget balance of \$11,230,000 be funded through the issuance of long-term debt.

Walworth County Board Chairman Morrison and Public Property Committee Chairman Norem recommend that the County Board authorize the issuance of \$11,230,000 in long-term debt. State statutes stipulate that the authorization of long-term debt requires a vote of $\frac{3}{4}$ of the members elected to the County Board of Supervisors to allow its exclusion from the 1992 mill rate freeze. Upon authorization, it is anticipated that these securities will be issued in multiple series in order to meet spend down requirements of the project and minimize the overall cost to the county. The size and timing of these issues will be based on the recommendation of the Finance Committee, in conjunction with the county's financial advisor. The County Board must approve the future sale of each individual issue, not to exceed \$11,230,00 in the aggregate, with a majority vote.

- III. Is This a Budgeted Item and what is its fiscal impact?

The 2002 Capital Improvement Plan included a project budget not to exceed \$11,577,600 for a new court facility. The county previously transferred \$371,600 from the General Fund to the Capital Project Fund to allow the Public Property Committee the ability to initiate preliminary court facility plans. As of December 31, 2001, the county has expended \$82,603.89 on facility planning, resulting in a funded project balance of \$288,996.11. Due to multiple delays, the current estimate for the total project cost is not to exceed \$11,601,600. This is an increase of 24,000 over the previous estimate. This resolution will authorize the remaining project balance to be funded with the issuance of \$11,230,000 in long-

term debt. It is anticipated that the debt will be repaid over a period not to exceed ten years. The annual impact on the levy will be determined by the size and timing of the individual issues.

IV. Submission of Resolution:

This resolution is sponsored by Walworth County Chair Allen Morrison and Public Property Chair William Norem.

V. Approved as to Form:

David A. Bretl County Administrator	2/19/02 Date
Dennis D. Costello Corporation Counsel	2/20/02 Date
N. Andersen Finance Director	2/19/02 Date

A motion was made by Supervisor Kret, seconded by Supervisor Fischer, to approve Resolution No. 89-02/02, Resolution Designating Finance Director To Declare Official Intent Under Reimbursement Bond Regulations. The resolution was carried by voice vote with 33 Supervisors voting, and one Supervisor requesting that his vote be recorded as a "no" vote. Supervisor Gigante requested that his vote be recorded as a "no" vote.

RESOLUTION NO. 89-02/02

**RESOLUTION DESIGNATING FINANCE DIRECTOR
TO DECLARE OFFICIAL INTENT UNDER
REIMBURSEMENT BOND REGULATIONS**

WHEREAS, the Department of the Treasury has issued final regulations (Treas. Reg. Section 1.150-2) (the "Reimbursement Bond Regulations") that, for the purpose of determining whether interest on obligations of a state or local government is excluded from gross income for federal income tax purposes, permit the use of the proceeds of tax-exempt obligations to reimburse capital expenditures made prior to the date such obligations are issued only if the state or local government, within 60 days of the date of expenditure, declares its official intent to reimburse the expenditure with proceeds of a borrowing;

WHEREAS, the Reimbursement Bond Regulations require that if a current expenditure is to be permanently financed by a later issue of tax-exempt obligations a state or local government must declare its intention to reimburse

itself for the expenditure from proceeds of a borrowing within 60 days from when the expenditure is made (the "Declaration of Official Intent");

WHEREAS, the Reimbursement Bond Regulations permit a state or local government to designate an official or employee to make Declarations of Official Intent on its behalf;

WHEREAS, the County Board of Supervisors (the "Governing Body") of Walworth County, Wisconsin (the "Issuer") deems it to be necessary, desirable and in the best interest of the Issuer to authorize the Finance Director of the Issuer to make a Declaration of Official Intent on its behalf when the Issuer reasonably expects to reimburse itself from the proceeds of a borrowing for certain expenditures for a specific property, project or program which it pays from other funds prior to the receipt of the proceeds of the borrowing with respect to such expenditures; and

WHEREAS, the Governing Body hereby finds and determines that designating the Finance Director as the official or employee of the Issuer with the authority to make Declarations of Official Intent will facilitate compliance with the Reimbursement Bond Regulations.

NOW, THEREFORE, BE IT RESOLVED by the Governing Body of the Issuer, pursuant to Treas. Reg. Section 1.150-2(e)(1), that:

Section 1. Authorization to Declare Official Intent. The Finance Director of the Issuer is hereby authorized and designated to make Declarations of Official Intent on behalf of the County pursuant to the above-referenced Reimbursement Bond Regulations.

Section 2. Form of Declaration. Any such Declaration of Official Intent shall be made in substantially the form attached hereto.

Section 3. Public Availability. Any Declaration of Official Intent shall be maintained in the files of the Issuer and shall be made available for public inspection in compliance with applicable State law governing the availability of records of official acts of the Governing Body including Subchapter II of Chapter 19 of the Wisconsin Statutes (the "Public Records Law").

Section 4. Further Authorizations. The Finance Director is further authorized to take such other actions as may be necessary or desirable to comply or evidence compliance with the Reimbursement Bond Regulations.

Section 5. Effective Date. This Resolution shall take effect immediately upon its adoption and approval.

Adopted, this 12th day of ~~February, 2002.~~ March, 2002.

Allen L. Morrison
Chairperson

Kimberly S. Bushey
County Clerk

(SEAL)

Policy and Fiscal Note attached.

Sponsored by: Walworth County Board Chair Allen Morrison and Public
Property Chair William Norem.

County Board Meeting Date: ~~February 26, 2002.~~ March 12, 2002

Approved as to form:	David A. Brett County Administrator	2/19/02 Date
	Dennis D. Costello Corporation Counsel	2/20/02 Date
	N. Andersen Finance Director	2/19/02 Date

Action Required: Majority Vote

NO. 89

DECLARATION OF OFFICIAL INTENT

This is a Declaration of Official Intent of Walworth County, Wisconsin (the "Issuer") to reimburse an expenditure with proceeds of a borrowing or borrowings authorized by the Issuer. This Declaration is made under and pursuant to Treas. Reg. Section 1.150-2. The undersigned has been designated as an official or employee authorized by the Issuer to make this Declaration of Official Intent pursuant to a Resolution adopted on February 26, 2002. This Declaration of Official Intent is a public record maintained in the files of the Issuer and is available for public inspection pursuant to Subchapter II of Chapter 19 of the Wisconsin Statutes.

The undersigned hereby declares that it is the reasonable expectation of the Issuer to use proceeds of a borrowing or borrowings to be incurred by the

Issuer to reimburse expenditures for the property, project or program or from the fund(s)/account(s) described below:

1. Project description: _____

(Provide a general functional description of the property, project or program for which the expenditure to be reimbursed is paid, e.g. "___ building program", "highway capital improvement program", "hospital equipment acquisition", "combined utility improvement program", etc.)

OR

2. Identify fund(s)/account(s): _____

(Provide a general functional description of the purpose of the fund or account from which the expenditure to be reimbursed is paid, e.g. "construction fund program" and "parks and recreation fund" and "highway fund".)

The maximum principal amount of the borrowing or borrowings to be incurred to reimburse expenditures for the above-described purposes is reasonably expected, on the date hereof, to be \$_____.

The Issuer intends to reimburse itself from borrowed funds within eighteen (18) months, (3 years if the Issuer is a "small issuer") after the later of (a) the date the expenditure is paid or (b) the date the facility is placed in service, but in no event more than 3 years after the expenditure is paid.

No money from sources other than the anticipated borrowing or borrowings is, or is reasonably expected to be, reserved, allocated on a long-term basis, or otherwise set aside by the Issuer with respect to the expenditure, pursuant to the budgetary and financial circumstances of the Issuer as of the date of this Declaration.

Dated this ____ day of _____, ____.

By: _____
Finance Director

Resolution No. 89 - 02/02

Policy and Fiscal Note

- I. Title: Resolution Designating Finance Director to Declare Official Intent Under Reimbursement Bond Regulations

- V. Purpose and Policy Impact Statement:

Counties, cities, villages, towns, school districts and other governmental units often will pay capital costs out of available cash in anticipation of long-term financing with tax exempt bonds. Under regulations effective for bonds issued after June 30, 1993, the Department of the Treasury allows local governments the opportunity to reimburse themselves from bond proceeds for items previously expended under certain conditions. In general, the municipality must declare its reasonable intent to reimburse within 60 days after the date that the expenditure is made. Without this declaration of intent, the ability to obtain permanent tax –exempt financing for that expenditure is lost. Preliminary expenditures in an amount not in excess of 20% of the aggregate issue price of the issue may be financed even if paid before a declaration of intent is made. Preliminary expenditures include architectural, engineering, surveying, soil testing, reimbursement bond issuance, and similar costs that are incurred prior to commencement of acquisition, construction or rehabilitation of a project, but do not include land acquisition, site preparation, and similar costs incident to commencement of construction.

Generally, the reimbursement bonds must be issued not later than 18 months after the later of (a) the date on which the expenditure is made or (b) the date the financed property is placed in service or abandoned, but in no event later than 3 year after the expenditure is made. The expenditure to be reimbursed must be capital expenditures, costs of issuance for a bond, extraordinary nonrecurring items, a grant, a qualified student loan, qualified mortgage loan, or qualified veteran’s mortgage loan.

- III. Is This a Budgeted Item and what is its fiscal impact?

Once bonds have been authorized, this resolution will allow the county to have the flexibility to contract for goods and services, as authorized by the bond, prior to its actual issuance. This flexibility will allow segments of the project to begin earlier than might be feasible if we had to wait for the actual sale of the bond(s). This flexibility should minimize arbitrage problems. The county’s General Fund has sufficient funds to allow for short-term advances of capital funds.

IV. Submission of Resolution:

This resolution is sponsored by Walworth County Chair Allen Morrison and Public Property Chair William Norem.

V. Approved as to Form:

David A. Bretl County Administrator	2/19/02 Date
Dennis D. Costello Corporation Counsel	2/20/02 Date
N. Andersen Finance Director	2/19/02 Date

Correspondence and communications were received. Supervisor J. Grant received correspondence regarding the Gateway Technical College Board of Directors. The new Huber Dorm ground-breaking ceremony is to be held at 10:00 a.m. on March 13, 2002. Supervisors C. Grant, S. Shepstone, and Troemel addressed the Board & thanked everyone they had worked with for so many years. A pancake breakfast will be held on April 21, 2002 as a fundraiser for special equipment needs at Lakeland School. The County Board orientation meeting will be held on April 9, 2002 at 5:00 p.m.

On motion by Supervisor Miles, seconded by Supervisor Kret, the Board adjourned at 8:30 p.m. The next regularly scheduled meeting of the Walworth County Board of Supervisors is Tuesday, April 16, 2002 – 6:00 p.m.

Kimberly S. Bushey
County Clerk

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 March 12, 2002 meeting.

THE APRIL 9, 2002
SPECIAL ORIENTATION SESSION
OF THE
WALWORTH COUNTY BOARD OF SUPERVISORS

Supervisor Ann Lohrmann welcomed the County Board of Supervisors and each Supervisor and Supervisor-elect introduced him/herself. The meeting was conducted at the Health and Human Services Center Conference Room 'E' located at W4051 County Road NN, Elkhorn. All Supervisors were present except Supervisors Lightfield and Wenglowksy.

Chairperson Morrison made an announcement regarding the upcoming County Dinner set for April 30, 2002 at the Monte Carlo Room in Elkhorn. County Administrator David Bretl introduced staff and reviewed the upcoming schedule of orientation meetings.

County Administrator David Bretl, as well as Supervisors Felten and Gigante, conducted a brief overview of the County Board Committee Structure and Rules of Procedure.

Land Management Director Gene Kovacs, Planning Manager Neal Frauenfelder, Associate Planner Matt Weidensee and Assistant Corporation Counsel Michael Cotter conducted an Overview of County Zoning Approval Process.

Corporation Counsel Dennis Costello gave a presentation regarding ethics and conflict of interest. Costello gave an overview of the operations of the Corporation Counsel office and a brief review of a Code of Behavior document which was distributed to the Board. Costello did note that this document had not been formally approved by the County Board. Corporation Counsel distributed a document entitled "National Symbol" and reviewed it with the Board.

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 April 9, 2002 meeting.