

THE APRIL 16, 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. The oath of office was administered by the Honorable James Carlson. Pastor Joel Deaner-Rogers from the Elkhorn First United Methodist Church presented the invocation. Roll call was read with all Supervisors present. A quorum was established.

COUNTY SUPERVISORY DISTRICTS

Dist. #

- |   |                     |
|---|---------------------|
| 1. Town of East Troy – Wards 1,2,3,4,5<br>Village of Mukwonago – Ward 9                               | Dell Gigante        |
| 2. Town of East Troy – Ward 6<br>Village of East Troy – Wards 1,2,3,4                                 | Joyce I. Ketchpaw   |
| 3. Town of LaFayette – Wards 1 & 2<br>Town of Troy – Wards 1,2,3                                      | William M. Norem    |
| 4. Town of LaGrange – Wards 1,2,3<br>Town of Whitewater – Wards 1 & 2<br>City of Whitewater – Ward 12 | Ann Lohrmann        |
| 5. City of Whitewater – Wards 1,2,3   | Gerald J. Shroble   |
| 6. City of Whitewater – Wards 4 & 8   | Bill R. Miles       |
| 7. Town of Whitewater – Ward 3<br>City of Whitewater – Wards 5,6,7                                    | Jerry A. Grant      |
| 8. Town of Darien – Wards 1 & 6<br>Town of Richmond – Wards 1 & 3<br>Village of Darien – Wards 1 & 2  | Richard Kuhnke, Sr. |
| 9. Town of Richmond – Ward 2<br>Town of Sugar Creek – Wards 1,2,3,4                                   | Robert W. Arnold    |
| 10. Town of Sugar Creek – Ward 5<br>City of Elkhorn – Wards 6,7,8,9,11                                | Betty Felten        |
| 11. City of Elkhorn – Wards 1,2,3,4,5,10  | Larry D. Hilbelink  |

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|--|----------------------|
| 12. Town of Geneva – Ward 3<br>Town of LaFayette – Ward 3<br>Town of Spring Prairie – Wards 1,2,3<br>City of Burlington – Ward 17<br>City of Elkhorn – Wards 12 & 13 | Roy T. Lightfield    |
| 13. Town of Lyons – Wards 1,2,3,4,5,6<br>Town of Spring Prairie – Ward 4   | Joseph H. Schaefer   |
| 14. Town of Geneva – Wards 1,2,4,5,6,7,8   | Charlotte Peterson   |
| 15. Town of Delavan – Ward 1<br>Town of Linn – Wards 3 & 5<br>Village of Williams Bay – Wards 1,2,3  | Thomas A. Lothian    |
| 16. Town of Delavan – Wards 2,3,4,6<br>City of Delavan – Ward 9  | Dorothy C. Burwell   |
| 17. City of Delavan – Wards 5,6,7,8  | Joseph C. Guido      |
| 18. Town of Darien – Wards 2 & 3<br>City of Delavan – Wards 1,2,3,4  | Lawrence E. Scharine |
| 19. Town of Darien – Wards 4 & 5<br>Town of Delavan – Ward 5<br>Town of Sharon – Ward 1<br>Village of Sharon – Wards 1 & 2   | Allen L. Morrison    |
| 20. Town of Walworth – Wards 2 & 3<br>Village of Walworth – Wards 1,2,3  | Jerome P. Palzkill   |
| 21. Town of Linn – Wards 1 & 2<br>Town of Walworth – Wards 1 & 4<br>Village of Fontana – Wards 1,2,3   | Allan J. Polyock     |
| 22. City of Lake Geneva – Wards 1,2,3,4  | Nancy Russell        |
| 23. Town of Linn – Ward 4<br>City of Lake Geneva – Wards 5,6,7,8   | Robert Shepstone     |
| 24. Town of Bloomfield – Wards 1,2,3,4,6   | Peter Wenglowsky     |
| 25. Town of Bloomfield – Wards 5 & 7<br>Village of Genoa City – Wards 1,2,3  | Pauline Parker       |

On motion by Supervisor Gigante, seconded by Supervisor Schaefer, the agenda was approved as presented. Chairman Morrison requested public comment. None was received. Chairman Morrison called for communications and matters to be referred. None was received.

The Chairman advised the Board that anyone presently serving on the Lakeland Nursing Home Board of Trustees, Children with Disabilities Education Board, Land Management Board and Health and Human Services Board who no longer desired to serve, must submit a written resignation. County Clerk Bushey distributed letter of resignation forms.

Election for Chairperson was held at this time. The Clerk explained the procedure that would be followed. A candidate must receive a majority of the votes (13), to be seated. Chairman Morrison appointed Kim Bushey and Michele Kilpin to serve as ballot clerks. Chairman Morrison turned the Chair over to County Clerk Bushey to conduct the election for Chairperson. County Clerk Bushey announced that nominations for Chairperson were now open. On motion by Supervisor Scharine, seconded by Supervisor Kuhnke, Supervisor Morrison was nominated for County Board Chairperson. On motion by Supervisor Burwell, seconded by Supervisor Wenglowsky, Supervisor Lothian was nominated for position of County Board Chairperson. On motion by Supervisor Schaefer, seconded by Supervisor Felten, Supervisor Norem was nominated for County Board Chairperson. On motion by Supervisor Gigante, seconded by Supervisor Arnold, Supervisor Lohrmann was nominated for County Board Chairperson. County Clerk Bushey called for any other nominations. None were received. On motion by Supervisor Scharine, seconded by Supervisor Miles, the nominations were closed. The four candidates for County Board Chairperson each had an opportunity to address the Board.

The Board was reminded that, according to the rules of election developed and distributed to the Board by County Administrator David Bretl, the Chair and Vice-Chair must receive a majority of the votes cast to be elected to the office. On motion by Supervisor Guido, seconded by Supervisor Gigante, the rules of the election distributed by County Administrator David Bretl were approved.

Ballots were distributed to the Board of Supervisors for the office of County Board Chairperson. The ballots were cast and collected by County Clerk Bushey and Michele Kilpin. Supervisor Morrison received 6 votes, Supervisor Lothian received 6 votes, Supervisor Norem received 9 votes, and Supervisor Lohrmann received 4 votes.

Supervisor Lohrmann withdrew her name as a candidate for Chairperson, and a second ballot was distributed and collected. Supervisor Morrison received 5 votes, Supervisor Lothian received 8 votes, and Supervisor Norem received 12 votes.

Supervisor Morrison withdrew his name as a candidate for Chairperson, and a third ballot was distributed. Supervisor Lothian received 12 votes and Supervisor Norem received 13 votes.

Supervisor Norem was declared the elected Chairperson of the Walworth County Board of Supervisors. Supervisor Lothian asked that all votes cast for him be designated to Chairperson Norem, thus giving the chairperson the needed support of the entire Board. Chairperson Norem thanked the County Board for their support.

Election for Vice-chairperson was conducted. Chairman Norem opened nominations for Vice-chairperson. On motion by Supervisor Lothian, seconded by Supervisor Guido, Supervisor Burwell was nominated for position of Vice-chair. On motion by Supervisor Gigante, seconded by Supervisor Polyock, Supervisor Lohrmann was nominated for position of Vice-chair. On motion by Supervisor Miles, seconded by Supervisor Shepstone, Supervisor Grant was nominated for position of Vice-chair. On motion by Supervisor Schaefer, seconded by Supervisor Ketchpaw, the nominations were closed. Each candidate spoke before the Board. Supervisor Burwell received 5 votes, Supervisor Lohrmann received 9 votes, and Supervisor Grant received 11 votes. Supervisor Burwell withdrew her name as a candidate for Vice-chairperson, and a second ballot was held. Supervisor Lohrmann received 10 votes and Supervisor Grant received 15 votes. Supervisor Grant was declared the elected Vice-chairperson of the Walworth County Board of Supervisors.

Chairman Norem opened nominations for the Nominating Committee. He informed the Supervisors that the Chair and Vice-chair were already considered members of this committee pursuant to Section 2.09.010 of the County Board Rules. The remaining members of the five-member Nominating Committee shall be elected at large. On motion by Supervisor Scharine, seconded by Supervisor Schaefer, Supervisor Felten was nominated. On motion by Supervisor Felten, seconded by Supervisor Miles, Supervisor Scharine was nominated. On motion by Supervisor Arnold, seconded by Supervisor Polyock, Supervisor Lohrmann was nominated. On motion by Supervisor Gigante, seconded by Supervisor Lohrmann, Supervisor Polyock was nominated. On motion by Supervisor Grant, seconded by Supervisor Lohrmann, Supervisor Ketchpaw was nominated. On motion by Supervisor Schaefer, seconded by Supervisor Lothian, Supervisor Morrison was nominated. On motion by Supervisor Parker, seconded by Supervisor Morrison, Supervisor Burwell was nominated. On motion by Supervisor Wenglowisky, seconded by Supervisor Burwell, Supervisor Lothian was nominated. Chairman Norem asked if there were any other nominations. A motion was offered by Supervisor Schaefer, seconded by Supervisor Gigante, to close nominations. No further nominations were received and the Chairman declared the nominations closed. The results of the balloting are as follows: Felten – 2, Scharine – 2, Lohrmann – 6, Polyock – 1, Ketchpaw – 2, Morrison – 4, Burwell – 3, Lothian – 5. The following Supervisors were elected to the

Nominating Committee: Lohrmann, Morrison, Lothian. The Nominating Committee will be meeting on Wednesday, April 17, 2002, at 9 a.m. at the Health & Human Services Auditorium.

Supervisor Gigante reminded everyone that the breakfast to benefit Lakeland School is on April 21, 2002.

On motion by Supervisor Gigante, seconded by Supervisor Lohrmann, the Board meeting was adjourned. The next regularly scheduled meeting of the Walworth County Board of Supervisors is Thursday, April 18, 2002 at 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 April 16, 2002 meeting.

THE APRIL 18, 2002 SESSION  
OF THE  
WALWORTH COUNTY BOARD OF SUPERVISORS

The Walworth County Board of Supervisors was called to order by Chairman Norem at 6:00 p.m. at the Walworth County Courthouse, 100 W. Walworth St., Elkhorn, Wisconsin.

Reverend Joel Deaner-Rogers, Pastor of the First United Methodist Church, Elkhorn, Wisconsin, presented the invocation.

Roll call was read with all Supervisors present except Supervisor Schaefer who had been excused and Supervisor Wenglowsky who indicated that he would be late. A quorum was established.

There were no withdrawals from the agenda.

A motion was offered by Supervisor Gigante, seconded by Supervisor Grant, to approve the evening's agenda. A motion was made by Supervisor Polyock, seconded by Supervisor Gigante, to separate the Allan J. Polyock, Town of Linn report, from the balance of the Zoning Amendments and act on it following action on the balance of the Report of Zoning Amendments. Supervisor Polyock explained that he must abstain from voting on the Polyock zoning amendment and would be leaving the room during the discussion and action on the item. The motion to separate the item carried and the agenda was approved as amended.

On motion by Supervisor Morrison, seconded by Supervisor Gigante, the minutes of the March 12, 2002 Session were approved as printed.

Chairman Norem requested public comment. There was no public comment.

Supervisor Morrison recognized Andrea Lazzeroni from the Walworth County Human Resources Department. Lazzeroni called the Board's attention to the Report on the Walworth County Employee Recognition Program which is included in the packet. Lazzeroni recognized Jean Annessi from Human Resources, who recently passed away, for her efforts in developing this program and noted that her family would be receiving one of the awards in her honor.

Chairman Norem opened nominations for the Lakeland Health Care Center Board of Trustees. On motion by Supervisor Lohrmann, seconded by Supervisor Felten, the following Supervisors were nominated for new terms on the Lakeland Health Care Center Board of Trustees:

Supervisor Arnold-Term ending January 3, 2003

Supervisor Lothian-Term ending January 5, 2004

Supervisor Schaefer-Term ending January 3, 2005

On motion by Felten, seconded by Lohrmann, nominations for Lakeland Health Care Center Board of Trustees were closed and a unanimous ballot was cast.

Chairman Norem opened nominations for the Children with Disabilities Education Board. On motion by Supervisor Gigante, seconded by Supervisor Grant, the following Supervisors were nominated for new terms on the Children with Disabilities Education Board:

Supervisor Shepstone-Term ending April 30, 2005

Supervisor Guido-Term ending April 30, 2005

Chairman Norem-Term ending April 30, 2004

Supervisor Scharine-Term ending April 30, 2003

Supervisor Wenglowisky-Term ending April 30, 2004

On motion by Supervisor Gigante, seconded by Supervisor Russell, the nominations for the Children with Disabilities Education Board were closed and a unanimous ballot was cast.

On motion by Supervisor Scharine, seconded by Supervisor Miles, Paula Ynocencio and Franklin Stoneburner were re-appointed to the Health and Human Services Board with terms to expire April 30, 2005.

There were no claims. The following communication items that had been included in the packet were noted by the County Clerk:

Report of County Administrator David Bretl was placed on file.

Communications Regarding Loss Control Credit Point System was referred to Corporation Counsel.

Communications Regarding Jeanette Polyock Farm was referred to Land Management Committee.

Communications Regarding WCA Convention Ideas Form was referred to Executive Committee.

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

B.R. Amon & Sons, Inc. (Terry L. Larson, App.), Town of East Troy  
Michael Fields Agricultural Institute, Inc. (Christopher M. Mann, App.),  
Town of East Troy  
Christopher M. Mann, Town of 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:

Charlotte Loth (Thomas and Karen Heuerman, App.), Town of Troy, rezone from A-2 to A-5

Larry W. and Patricia S. Peterson, Town of Troy, rezone from A-1 to R-1

Robin and Patricia White, Town of Spring Prairie, rezone from A-2 to C-2

Thomas C. Jacobs (Jesse Jacobs, App.), Town of Linn, rezone from C-4 to R-4 and B-1

Craig N. and Michele R. Gordon, Town of Walworth, rezone from C-1 and A-1 to C-1 and C-2

Bernard P. Kaufmann, Town of Delavan, rezone from C-1, C-4, B-5 and C-2 to B-5, C-4, and C-1

Above petitions referred March 18, 2002.

Dated this 18th day of March, 2002

Kimberly S. Bushey  
County Clerk

On motion by Supervisor Morrison, seconded by Supervisor Kuhnke, the following petitions to rezone were approved as presented. At this time, Supervisor Polyock excused himself from the room. On motion by Supervisor Grant, seconded by Supervisor Gigante, the petition of Allan J. Polyock, Town of Linn was denied as recommended by the Land Management Committee.

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. Land Management Committee - Text Amendment To Subdivision Control Ordinance, Walworth County, Wisconsin, Section 6.2.

Recommendation: Said petition be approved.

2. John Druszczak (Dennis D. Migut, App.) Town of Bloomfield - filed a petition on the 26<sup>th</sup> day of October, 2001, to rezone from R-1 Single Family Residence District (unsewered) to R-3 Two Family Residence District (sewered or unsewered).

Recommendation: Said petition be approved.

3. Lester Johnson (Ed Kowalski, App.) Town of Richmond - filed a petition on the 7<sup>th</sup> day of November, 2001 to rezone from A-1 Prime Agricultural Land District to A-4 Agricultural Related Manufacturing, Warehousing and Marketing District.

Part of Tax Parcel #C R 100005B

Part of the SW1/4 of Section 1, Town 3 North, Range 15 East, Town of Richmond, Walworth County, Wisconsin, described as follows:

Commencing at the Northwest corner of Certified Survey Map No. 2519, recorded in Vol. 12 of Walworth County Certified Surveys on Page 266, as Document No. 295845; thence along the Easterly and Southerly line of County Highway "P", N 01DEG 29MIN 58SEC W, 209.61 feet; thence along said highway, 507.32 feet along the arc of a curve to the right having a radius of 671.73 feet and a chord which bears N 20DEG 08MIN 13SEC E, 495.35 feet; thence N 48DEG 13MIN 36SEC W, 12.00 feet along said highway; thence N 41DEG 48MIN 02SEC E, 80.36 feet along said highway to the Point of Beginning; thence continue N 41DEG 48MIN 02SEC E, 500.00 feet; thence S 48DEG 11MIN 58SEC E, 700.00 feet; thence S 41DEG 48MIN 02SEC W, 500.00 feet; thence N 48DEG 11MIN 58SEC W, 700.00 feet to the Point of Beginning. Containing 8.04 acres of land more or less.

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

- 1) The lack of response for requested information by the Committee
- 2) The original proposal was too large for what was necessary for the nursery.
- 3) The plan was speculative
- 4) The parcel is properly zoned as is.

4. Melvina Palkowitz (Mr. & Mrs. Theodore Kautzman, App.) Town of East Troy - filed a petition on the 9<sup>th</sup> day of January, 2002 to rezone from A-1 Agricultural Land District to A-5 Agricultural-Rural Residential District.

Recommendation: Said petition be approved.

- 1) The farmland is separate from larger lands.
- 2) The land is currently not farmed.
- 3) It is not prime farmland.

5. Whitewater Limestone, Inc., Town of Whitewater - filed a petition on the 4<sup>th</sup> day of December, 2001 to rezone from A-3 Agricultural Land Holding District to M-3 Mineral Extraction District.

Recommendation: Said petition be approved.

6. Patricia McIntyre, Evelyn Inga McIntyre, and Evelyn McIntyre (Patricia Davies McIntyre, App.), Town of Richmond - filed a petition on the 21<sup>st</sup> day of December, 2001 to rezone from R-1 Single Family Residence District (unsewered) to B-3 Waterfront Business District.

Recommendation: Said petition be approved.  
The use is not changing and the applicant is bringing the property into conformance with the ordinance.

7. Doris Michealson & Brian Handke, Town of Sugar Creek - filed a petition on the 8<sup>th</sup> day of January to rezone from M-1 Industrial District to A-5 Agricultural-Rural Residential District.

Recommendation: Said petition be approved.

8. Maria Galgano-Chadha, Town of Geneva - filed a petition on the 8<sup>th</sup> day of January, 2002 to rezone from A-1 Prime Agricultural Land District to A-2 Agricultural Land District.

Recommendation: said petition be approved.  
The site has been used historically as a horse operation.  
The rezone is consistent with the comprehensive plan.

9. Allan J. Polyock, Town of Linn - filed a petition on the 2<sup>nd</sup> day of January, 2002 to rezone from A-1 Prime Agricultural Land District to C-2 Upland Resource Conservation District.

Tax Parcel #I L 3300008B

All of Tax Parcel #I L 3300008B excepting all lands currently zoned C-4.

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

1. It is prime farmland.
2. It is consistent with the comprehensive plan as zoned.
3. The parcel does not meet the description of C-2 per the zoning ordinance.
4. The request is not consistent with surrounding zoning.

10. Thomas C. Jacobs (Otto Jacobs Co., App.), Town of Bloomfield - filed a petition on the 9<sup>th</sup> day of January, 2002 to rezone from M-3 Mineral Extraction

District and A-2 Agricultural Land District to M-3 Mineral Extraction District, C-2 Upland Resource Conservation District, C-4 Lowland Resource Conservation District (Shoreland), and C-1 Lowland Resource Conservation District.

Recommendation: Said petition be approved.

11. Helen M. Gifford (Bloomfield Cemetery Assn., App.), Town of Bloomfield - filed a petition on the 9<sup>th</sup> day of January, 2002 to rezone from A-2 Agricultural Land District to P-2 Institutional Park District.

Recommendation: Said petition be approved.

12. Cora Hammarstrom, Town of Bloomfield - filed a petition on the 10<sup>th</sup> day of January, 2002 to rezone from C-3 Conservancy-Residential District to A-2 Agricultural Land District.

Recommendation: Said petition be approved.

13. Douglas Ridge (Mann Bros., Inc., App.), Town of Whitewater - filed a petition on the 6<sup>th</sup> day of February, 2002 to rezone from A-3 Agricultural Land Holding District to M-3 Mineral Extraction District.

Recommendation: Said petition be approved.

14. Richard & Pamela Kraus Trust and Roger & Sally Gransee (Mann Bros., Inc., App.), Town of Whitewater - filed a petition on the 6<sup>th</sup> day of February, 2002 to rezone from A-1 Prime Agricultural Land District to M-3 Mineral Extraction 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 use is temporary and the site shall be rezoned back to A-1 upon restoration.

15. Eugene J. Frodl and Donna M. Frodl (Mann Bros., Inc., App.), Town of Whitewater - filed a petition on the 6<sup>th</sup> day of February, 2002 to rezone from A-1 Prime Agricultural Land District to M-3 Mineral Extraction 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 use is temporary and the site shall be rezoned back to A-1 upon restoration.

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. Land Management Committee  
Text Amendment To Subdivision Control Ordinance, Walworth County, Wisconsin, Section 6.2.

To Amend The Subdivision Control Ordinance, Walworth County, Wisconsin, Section 6.2 In The Following Respects:

Text Amendment to Section 6.2 of the Subdivision Control Ordinance, Walworth County, Wisconsin.

Insert after A List of Soil Types shall be shown . . . on the face of the Preliminary Plat or C.S.M. as follows:

Additions underscored; deletions crossed out.

Register of Deeds recording area  
Pursuant to s59.43(2m)(a)(3) of the Wisconsin Statutes, an area in the upper right corner of the first sheet of the Certified Survey Map, outside of the 1.5 inch binding margin, at least 3 inches by 3 inches, is left blank for recording information.

Location sketch

A small drawing of the section or governmental subdivision of the section in which the Certified Survey Map lies with the location of the Certified Survey Map indicated thereon. The drawing or sketch shall be oriented on the sheet in the same direction as the main drawing.

2. John Druszczak (Dennis D. Migut, App.) Town of Bloomfield - to amend said zoning maps from R-1 Single Family Residence District (unsewered) to R-3 Two Family Residence District (sewered or unsewered) on the following described lands:

Part of Tax Parcel #MPL 01203

PARCEL 1: Lots 5558 thru 5560 and Lots 5566 thru 5569, all in Block 101 of Section 3 Pell Lake Subdivision, being part of Section 15, Township 1 North, Range 18 East of the 4<sup>th</sup> Principal Meridian, Bloomfield Township, Walworth County, Wisconsin.

4. Melvina Palkowitz (Mr. & Mrs. Theodore Kautzman, App.) Town of East Troy - to amend said zoning maps from A-1 Agricultural Land District to A-5 Agricultural-Rural Residential District on the following described lands:

Tax Parcel #P ET1400006A

- 1) The farmland is separate from larger lands.
- 2) The land is currently not farmed.
- 3) It is not prime farmland.

5. Whitewater Limestone, Inc., Town of Whitewater - to amend said zoning maps from A-3 Agricultural Land Holding District to M-3 Mineral Extraction District on the following described lands:

Part of Tax Parcel #D W 900004

A parcel of land located in the Southwest  $\frac{1}{4}$  of Section 9, Town 4 North, Range 15 East, Walworth County, Wisconsin, described as follows: Commence at the West  $\frac{1}{4}$  of said Section 9; thence S  $0^{\circ}56'05''$  W along the West line of said Section 9, 692.29 feet; thence N  $89^{\circ}42'40''$  E 655.36 feet; thence S  $0^{\circ}56'59''$  W 365.06 feet to the Northerly line of relocated United States Highway "12"; thence along the arc of a curve to the right along said right-of-way line, whose chord bears N  $68^{\circ}24'15''$  W 664.88 feet, having a radius of 2345.80 feet and a central angle of  $16^{\circ}17'40''$ , 667.13 feet; thence N  $89^{\circ}03'55''$  W 33.00 feet to a point in the West line of said Section 9; thence N  $0^{\circ}56'05''$  E along said Section line 116.47 feet to the Point of Beginning. Said parcel contains 3.77 acres of land more or less.

6. Patricia McIntyre, Evelyn Inga McIntyre, and Evelyn McIntyre (Patricia Davies McIntyre, App.), Town of Richmond - to amend said zoning maps from R-1 Single Family Residence District (unsewered) to B-3 Waterfront Business District on the following described lands:

Part of Tax Parcel #C R 1300003A

Beginning at a point 145 feet West and 30 feet North of the NW corner of Lot 4, Block L of Crystal Bowl Subdivision; thence South 89°46'54" West 175.00 feet; thence North 0°00'00" East 269.32 feet; thence North 89°42'00" East 230.00 feet; thence North 11°04'20" West 50.9 feet; thence North 89°42'00" East 80.00 feet; thence South 0°02'28" West 100.31 feet; thence North 89°57'32" West 135.00 feet; thence South 0°02'28" West 200.00 feet; thence South 89°57'38" East 10.00 feet; thence South 0°02'22" West 20.00 feet to the place of beginning. Containing 55,173 square feet (2.267 acres).

The use is not changing and the applicant is bringing the property into conformance with the ordinance.

7. Doris Michealson & Brian Handke, Town of Sugar Creek - to amend said zoning maps from M-1 Industrial District to A-5 Agricultural-Rural Residential District on the following described lands:

Tax Parcel #GA 49700001

SE1/4 – SW1/4 Sec 25, T3N, R16E, 1.205 A, m/l out of G SC25-8.

8. Maria Galgano-Chadha, Town of Geneva - to amend said zoning maps from A-1 Prime Agricultural Land District to A-2 Agricultural Land District on the following described lands:

Tax Parcel #JA293900001

A parcel of land located in the Southwest ¼ and the Southeast ¼ of the Northwest ¼ of Section 14, Town 2 North, Range 17 East, Walworth County, Wisconsin, more particularly described as follows: Commencing at a concrete County monument found marking the West ¼ corner of said Section 14; thence along the South line of said Northwest ¼, S 87 DEG 34MIN 32SEC E, 1311.99 feet; thence perpendicular to said South line, N 02DEG 25MIN 28SEC E, 46.33 feet to the Northerly right of way line of County Trunk Highway "NN" and the point of beginning; thence N 01DEG 2MIN 11SEC E, 473.95 feet; thence S 85DEG 35MIN 53SEC E, 179.65 feet; thence N 66DEG 57MIN 00SEC E, 113.92 feet thence S 88 DEG 38MIN 33SEC E, 36.26 feet; thence S 64DEG 13MIN 17SEC E, 149.37 feet; thence S 85DEG 35MIN 53SEC E, 300.03 feet; thence S 00DEG 52MIN 41SEC W, 458.07 feet to the Northerly right of way line of said County Trunk Highway "NN"; thence along said Northerly line, 23.44 feet along the arc of

a curve to the left having a radius of 657.00 feet and a chord which bears N 87DEG 21MIN 17SEC W, 23.43 feet; thence continue along said Northerly line, N 88DEG 22MIN 36SEC W, 592.05 feet; thence continue along said Northerly line, 149.56 feet along the arc of a curve to the right having a radius of 547.00 feet and a chord which bears N 80DEG 32MIN 38SEC W, 149.09 feet to the point of beginning. Containing 368,701 square feet (8.46 acres) of land, more or less.

The site has been used historically as a horse operation.  
The rezone is consistent with the comprehensive plan.

10. Thomas C. Jacobs (Otto Jacobs Co., App.), Town of Bloomfield - to amend said zoning ordinance from M-3 Mineral Extraction District and A-2 Agricultural Land District to M-3 Mineral Extraction District, C-2 Upland Resource Conservation District, C-4 Lowland Resource Conservation District (Shoreland), and C-1 Lowland Resource Conservation District on the following described lands:

Part of Tax Parcel #MB 700007 and part of MB 700006

Parcel A, M-3 to C-2 Lands located in part of Section 7, Town 1 North, Range 18 East, Walworth County, Wisconsin, more particularly described as follows: Commencing at the South  $\frac{1}{4}$  of said Section 7; thence along the South line of the Southwest  $\frac{1}{4}$  of said Section 7, S 87DEG 20MIN 59SEC W, 282.00 feet to the Point of Beginning; thence continue along said South line, S 87 DEG 20MIN 59SEC W, 817.00 feet; thence N 07DEG 13MIN 37SEC E, 570.00 feet; thence N 83DEG 43MIN 37SEC E, 565.00 feet; thence S 46DEG 13MIN 48SEC E, 225.36 feet; thence S 02DEG 39MIN 00SEC E, 434.00 feet to the Point of Beginning.

Parcel B, A-2 to C-2 Lands located in part of Section 7, Town 1 North, Range 18 East, Walworth County, Wisconsin, more particularly described as follows: Commencing at the South  $\frac{1}{4}$  of said Section 7; thence along the South line of the Southwest  $\frac{1}{4}$  of said Section 7, S 87DEG 20MIN 59SEC W, 282.00 feet to the Point of Beginning; thence N 02DEG 39MIN 00SEC W, 434.00 feet; thence N 46DEG 13MIN 48SEC W, 225.36 feet; thence S 83DEG 43MIN 37SEC W, 85.55 feet; thence N 01DEG 37MIN 16SEC W, 305.90 feet; thence S 86DEG 35MIN 38SEC E, 527.32 feet to the East line of the Southwest  $\frac{1}{4}$  of said Section 7; thence along said East line, S 02DEG 09MIN 52SEC E, 578.09 feet; thence 427.77 feet along the arc of a curve to the left having a radius of 282.00 feet and a chord which bears S 44DEG 27MIN 54SEC W, 387.92 feet to the Point of Beginning.

Parcel C, A-2 to M-3 Lands located in part of Section 7, Town 1 North, Range 18 East, Walworth County, Wisconsin, more particularly described as follows: Commencing at the South  $\frac{1}{4}$  of said Section 7; thence along the East line of the Southwest  $\frac{1}{4}$  of said Section 7, N 02DEG 09MIN 52SEC W, 842.09 feet to the

Point of Beginning; thence N 86DEG 35MIN 38SEC W, 527.32 feet; thence N 01DEG 37MIN 16SEC W, 420.00 feet; thence N 86DEG 08MIN 32SEC E, 521.07 feet to the East line of the Southwest ¼ of said Section 7; thence along said East line, S 02DEG 09MIN 52SEC E, 486.57 feet to the Point of Beginning.

Parcel D, A-2 to M-3 Lands located in part of Section 7, Town 1 North, Range 18 East, Walworth County, Wisconsin, more particularly described as follows: Commencing at the South ¼ of said Section 7; thence along the East line of the Southwest ¼ of said Section 7, N 02DEG 09MIN 52SEC W, 922.09 feet to the Point of Beginning; thence continue along said East line, N 02DEG 09MIN 52SEC W, 529.87 feet; thence N 63DEG 19MIN 22SEC E, 171.09 feet; thence S 61DEG 36MIN 41SEC E, 387.76 feet; thence S 22DEG 10MIN 28SEC W, 431.37 feet; thence S 51DEG 42MIN 08SEC W, 166.94 feet; thence N 65DEG 47MIN 54SEC W, 197.53 feet to the Point of Beginning.

Parcel E, A-2 to C-4 Lands located in part of Section 7, Town 1 North, Range 18 East, Walworth County, Wisconsin, more particularly described as follows: Beginning at the South ¼ of said Section 7; thence along the South line of the Southwest ¼ of said Section 7, S 87DEG 20MIN 59SEC W, 282.00 feet; thence 427.77 feet along the arc of a curve to the right having a radius of 282.00 feet and a chord which bears N 44DEG 27MIN 54SEC E, 387.92 feet to the East line of the Southwest ¼ of said Section 7; thence along said East line, S 02DEG 09MIN 52SEC E, 264.00 feet to the Point of Beginning.

Parcel F, A-2 to C-1 Lands located in part of Section 7, Town 1 North, Range 18 East, Walworth County, Wisconsin, more particularly described as follows: Commencing at the South ¼ of said Section 7; thence along the East line of the Southwest ¼ of said Section 7, N 02DEG 09MIN 52SEC W, 1451.96 feet; thence N 63DEG 19MIN 22SEC E, 737.78 feet; thence S 36DEG 29MIN 52SEC E, 94.20 feet; thence S 56DEG 04MIN 25SEC W, 323.54 feet; thence S 22DEG 10MIN 28SEC W, 280.00 feet; thence N 61DEG 36MIN 41SEC W, 387.76 feet to the Point of Beginning.

11. Helen M. Gifford (Bloomfield Cemetery Assn., App.), Town of Bloomfield - to amend said zoning maps from A-2 Agricultural Land District to P-2 Institutional Park District on the following described lands:

Part of Tax Parcel #MB 2200002A

A proposed rezone of a parcel of land located in the Southeast ¼ of Section 22, T1N, R18E, Walworth County, Wisconsin, described as follows: Beginning at the South ¼ corner of said Section 22, Thence N50°30'00"W 967.48 feet; thence N39°31'05"E 339.08 feet; thence N50°30'15"W 415.37 feet; thence N39°27'35"E 151.34 feet; thence S40°16'05"E 1163.19 feet; thence S00°30'25"E 370.45 feet to the Place of Beginning, containing 7.71 acres of land excluding that portion currently zoned P-2.

12. Cora Hammarstrom, Town of Bloomfield - to amend said zoning maps from C-3 Conservancy-Residential District to A-2 Agricultural Land District on the following described lands:

Part of Tax Parcel #MB 3300002

Located in part of the Southwest  $\frac{1}{4}$  of Section 33, Town 1 North, Range 18 East, Walworth County, Wisconsin, more particularly described as follows:

Commencing at the center of said Section 33 (T1N, R18E); thence along the North line of said Southwest  $\frac{1}{4}$ , N 89DEG 43MIN 22SEC W, 662.08 feet to the Northwest corner of Certified Survey Map No. 1070; thence along the West line of said Certified Survey, S 00DEG 30MIN 25SEC W, 260.57 feet to the Point of Beginning; thence continue S 00DEG 30MIN 25SEC W, 220.00 feet to the Northeast corner of Certified Survey Map No. 532; thence along the North line of said Certified Survey, N 89DEG 35MIN 47SEC W, 524.61 feet to the Easterly right of way line of County Trunk Highway "B"; thence along said Highway, N 28DEG 38MIN 53SEC W, 187.44 feet; thence continue along said Highway, 251.76 feet along the arc of a curve to the left having a radius of 1025.29 feet and a chord which bears N 35DEG 41MIN 40SEC W, 251.13 feet; thence S 89DEG 35MIN 47SEC E, 195.13 feet; thence 154.91 feet along the arc of a curve to the right having a radius of 1175.29 feet and a chord which bears S 32DEG 26MIN 06SEC E, 154.80 feet; thence S 28DEG 38MIN 53SEC E, 19.11 feet; thence S 89DEG 35MIN 47SEC E, 475.62 feet to the Point of Beginning. Containing 155,869 square feet (3.58 acres) of land, or more or less.

13. Douglas Ridge (Mann Bros., Inc., App.), Town of Whitewater - to amend said zoning maps from A-3 Agricultural Land Holding District to M-3 Mineral Extraction District on the following described lands:

Part of Tax Parcel #D W 900001

A parcel of land located in Section 9, Town 4 North, Range 15 East, described as follows:

Commencing at the Northeast corner of the Southeast  $\frac{1}{4}$  of said Section 9, as identified by a concrete monument with steel rod; thence South  $00^{\circ}30'09''$ West, 417.73 feet along the East line of the Southeast  $\frac{1}{4}$  of said Section 9; thence South  $86^{\circ}19'22''$ West, 847.56 feet to the point of beginning; thence continuing South  $86^{\circ}19'22''$ West, 478.23 feet; thence along a curve of northerly convexity 868.45 feet, said curve having a radius of 2641.07 feet and a chord of length 865.54 feet, bearing South  $76^{\circ}54'12''$ West; thence South  $67^{\circ}28'57''$ West, 415.33 feet; thence North  $04^{\circ}13'06''$ West, 772.10; thence North  $88^{\circ}04'30''$ East, 1764.65 feet; thence South  $00^{\circ}30'09''$ West, , 443.67 feet to the point of beginning.

This proposed M-3 Mineral Extraction area contains 21.7 acres, more or less. All of the above located in the Town of Whitewater, Walworth County, State of Wisconsin.

Note: The proposed M-3 Mineral Extraction area legal description above is based upon best available information, and is not the result of an actual field survey.

14. Richard & Pamela Kraus Trust and Roger & Sally Gransee (Mann Bros., Inc., App.), Town of Whitewater - to amend said zoning maps from A-1 Prime Agricultural Land District to M-3 Mineral Extraction District on the following described lands:

Part of Tax Parcel #D W 2000006

A parcel of land located in Section 20, Town 4 North, Range 15 East, described as follows: Commencing at the South ¼ corner of said Section 20, identified by a concrete monument with a brass cap; thence along the South line of said Section 20, South 88°17'29" West, 663.54 feet; thence North 01°42'38" West, 200.00 feet to the point of beginning; thence South 88°17'29" West, 406.67 feet; thence North 57°36'18" West, 590.52 feet; thence North 07°50'36" West, 943.81 feet; thence North 30°24'26" West, 319.38 feet; thence North 02°23'15" East, 400.06 feet; thence North 82°05'47" East, 1345.80 feet; thence South 85°17'54" East, 351.97 feet; thence South 00°12'11" West, 293.33 feet; thence South 16°44'50" West, 229.08 feet; thence South 03°57'48" East, 103.09 feet; thence South 41°42'59" West, 276.10 feet; thence South 00°12'35" West, 641.51 feet; thence South 23°05'05" West, 660.31 feet to the point of beginning.

This proposed M-3 Mineral Extraction area contains 59.97 acres, more or less. All of the above located in the Town of Whitewater, Walworth County, State of Wisconsin.

Note: The proposed M-3 Mineral Extraction area legal description above is based upon best available information, and is not the result of an actual field survey.

The use is temporary and the site shall be rezoned back to A-1 upon restoration.

15. Eugene J. Frodl and Donna M. Frodl (Mann Bros., Inc., App.)  
Town of Whitewater - to amend said zoning maps from A-1 Prime Agricultural Land District to M-3 Mineral Extraction District on the following described lands:

Part of Tax Parcel #D W 3200001

A parcel of land located in Section 32, Town 4 North, Range 15 East, described as follows:

Commencing at the East corner of said Section 32; thence along the South line of the Northeast ¼ of said Section 32, South 88°05'19" West, 2049.38 feet to the point of beginning; thence continuing along said South line, South 88°05'19" West, 834.44 feet; thence North 01°54'05" East, 218.80 feet; thence North 12°37'49" West, 100.00 feet; thence North 33°11'11" West, 213.60 feet; thence North 12°37'49" West, 900.00 feet; thence North 09°21'32" West, 684.01 feet; thence North 06°59'09" East, 142.95 feet; thence North 87°46'03" East, 687.25 feet; thence South 14°34'52" East, 2261.82 feet to the point of beginning.

This proposed M-3 Mineral Extraction area contains 40.2 acres, more or less. All of the above located in the Town of Whitewater, Walworth County, State of Wisconsin.

Note: The proposed M-3 Mineral Extraction area legal description above is based upon best available information, and is not the result of an actual field survey.

The rezone is temporary and the site shall be rezoned back to A-1 upon restoration.

ATTEST this 18th day of April, 2002.

William M. Norem  
County Board Chairman

ATTEST this 18th day of April, 2002.

Kimberly S. Bushey  
County Clerk

Ordinance No. 224-04/02, An Ordinance Amending Ordinance No. 221-02/02 at Chapter 6, Article 1, Sec. 6-3, Walworth County Code of Ordinances: "Abatement Review Authority", was moved for adoption by Supervisor Grant, seconded by Supervisor Felten. The ordinance was adopted by unanimous consent by Supervisor Felten, seconded by Supervisor Scharine.

ORDINANCE NO. 224-04/02

AN ORDINANCE AMENDING 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; and

WHEREAS, the Walworth County Board of Supervisors eliminated the Public Protection Committee.

NOW, THEREFORE, BE IT ORDAINED, by the Walworth County Board of Supervisors that the Walworth County Code of Ordinances is hereby amended at Chapter 6, Article I, Sec. 6-3, which section shall read as follows:

The Walworth County Administrator shall appoint a Walworth County Board Member who 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 WALWORTH 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 18<sup>th</sup> day of April, 2002.

~~ALLEN L. MORRISON~~ William M. Norem  
County Board Chairman

KIMBERLY S. BUSHEY  
ATTEST: County Clerk

Policy and Fiscal Note is attached.

Committee Action: Public Protection Committee. Date: 3-19-02 Vote: Unanimous.

County Board Meeting Date: April 18, 2002  
Published May 9, 2002.

Approved as to Form:	David A. Bretl County Administrator	4/10/02 Date
	Dennis D. Costello Corporation Counsel	4/10/02 Date
	N. Andersen Finance Director	4/10/02 Date

Action Required: Two-Thirds Vote

POLICY AND FISCAL NOTE

I. Title: ORDINANCE No. 224-04/02

AN ORDINANCE AMENDING 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 County Board person hearing the appeal.

IV. Committee Consideration and Date of Referral:

Public Protection Committee. Date: 3-19-02 Vote:  
Unanimous.

V. Approved as to Form:

David A. Bretl County Administrator	4/10/02 Date
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Dennis D. Costello  
Corporation Counsel

4/10/02  
Date

N. Andersen  
Finance Director

4/10/02  
Date

On motion by Supervisor Polyock, seconded by Supervisor Ketchpaw, Resolution No. 02-04/02, Encourage Enactment of Legislation to Allow Additional Court Costs For Use To Establish Court Security Fund Statewide, was moved for adoption. The resolution was adopted by unanimous consent on motion by Supervisor Burwell, seconded by Supervisor Felten.

#### RESOLUTION NO. 02-04/02

#### ENCOURAGE ENACTMENT OF LEGISLATION TO ALLOW ADDITIONAL COURT COSTS FOR USE TO ESTABLISH COURT SECURITY FUND STATEWIDE

WHEREAS, court security issues are now more important than ever; and

WHEREAS, Walworth County is seeking ways to fund new security measures in Walworth County to assist in compliance with Supreme Court Rule 70.39; and

WHEREAS, the states of Texas, Illinois and Iowa have implemented or are in the process of implementing a procedure that establishes a security fee as a court cost for individuals who have committed crimes for the purpose of assisting and paying for courthouse security; and

WHEREAS, Texas Code of Criminal Procedure Article 102.017 provides that a defendant convicted of a felony offense pay a \$5.00 security fee as a court cost and that a misdemeanor offender pay a \$3.00 fee, with such fees being deposited in a security fund which is used for the purpose of providing security services for court buildings including x-ray machines, metal detectors, electronic locking systems, security personnel, alarms, bullet-proof glass, etc. and

WHEREAS, the state of Illinois has established a \$15.00 security fee per action with the funds to be collected from that fee to be used for similar purposes; and

WHEREAS, Wisconsin Statutes do not presently allow for counties to charge such a security fee; and

WHEREAS, if legislation were enacted similar to Texas or Illinois, counties could establish a set fee to be paid directly to the county as a court cost to create security funds, the proceeds of which could be used for courthouse security.

NOW, THEREFORE, BE IT RESOLVED by the Walworth County Board of Supervisors that it hereby goes on record as encouraging the State Legislature and Governor to enact legislation that would allow an additional court cost for all cases filed in the Clerk of Circuit Courts Office to be used to establish a local county security fund for the purpose of increasing courthouse security.

BE IT FURTHER RESOLVED by the Walworth County Board of Supervisors that it hereby directs the Walworth County Clerk to transmit this resolution to all legislators representing Walworth County constituents, to Governor Scott McCallum, to the Wisconsin Counties Association, to the Wisconsin Sheriff's Association, and the Wisconsin Clerks of Circuit Court Association.

This resolution is sponsored by Walworth County Chair Allen Morrison and the Finance Committee (March 21, 2002).

Policy and Fiscal Note Attached: Yes

Approved as to Form:

David A. Bretl County Administrator	4/7/02 Date
Gary Rehfeldt Corporation Counsel	4/5/02 Date
Nicki Andersen (pw) Finance Director	4/5/02 Date

Action Required: Majority Vote

County Board Meeting Date: April 18, 2002

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William M. Norem  
County Board Chairman

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Kimberly S. Bushey  
Attest: County Clerk

Walworth County, Wisconsin

Policy and Fiscal Note No.02-04/02

- I. Title: Encourage Enactment of Legislation to Allow Additional Court Costs for Use to Establish Court Security Fund Statewide

- II. Purpose and Policy Impact Statement: All the counties in the state have been addressing security issues in their respective counties. Some of these issues are seriously impacted and restricted by budget constraints.
- III. Is this a budgeted item and what is its fiscal impact: If this legislation was passed, the impact on the Walworth County budget would be as follows:
  - A) Fee of \$5.00 for Felony Cases and \$3.00 for Misdemeanor Cases  
Approximately \$7, 500 + per year
  - B) Fee of \$15.00 per action (Criminal/Misdemeanor Cases)  
Approximately \$20,000 per year
  - C) The cost of the mailing of the resolution is taken from the County Board budget.

IV. Submission of Resolution:

This resolution is jointly sponsored by Walworth County Chair Allen Morrison and the Finance Committee

V. Approved as to Form:

David A. Bretl County Administrator	4/7/02 Date
Gary Rehfeldt Corporation Counsel	4/5/02 Date
Nicki Andersen (pw) Finance Director	4/5/02 Date

Resolution No. 03-04/02, Resolution to Transfer \$22,000 from the Contingency Fund to Replace Failed Floor at Lakeland Health Care Center, was moved for adoption by Supervisor Morrison, seconded by Supervisor Lothian. The resolution was adopted by unanimous consent on motion by Supervisor Gigante, seconded by Supervisor Burwell.

Resolution No. 03-04/02  
Resolution to Transfer \$22,000 from the Contingency Fund to Replace Failed  
Floor at Lakeland Health Care Center

Whereas, The Lakeland Health Care Center consists of two buildings, one built in 1962 and an addition in 1978; and

Whereas, The buildings have mechanical connection points with various hallways and walls; and

Whereas, On March 1, 2002 at 12:30 P.M., Facilities Management received an emergency call from Lakeland Health Care Center Staff regarding an in process floor failure in the main west connection hallway; and

Whereas, It was observed that the floor was physically raising, creating an immediate safety hazard for residents, staff, and visitors; and

Whereas, Architectural and Structural Engineering firms were dispatched to the location to determine the cause and extent of the damages; and

Whereas, Those firms determined that the quarry tile bond had failed, creating horizontal stress which was relieved by the tile raising approximately two inches, creating an unsafe hump; and

Whereas, These firms have determined that the building is structurally safe; and

Whereas, The broken sections of floor have to be replaced to ensure a safe environment for residents, staff, and visitors at an estimated cost of \$22,000 (Twenty-two Thousand Dollars); and

Whereas, due to the unforeseen nature of this problem, no funds were budgeted for the repair.

NOW, THEREFORE, BE IT RESOLVED, by the Walworth County Board of Supervisors that the sum of \$22,000 (Twenty-two Thousand Dollars) be transferred from the contingency fund to the appropriate account to pay for the repair of the failed floor at the Lakeland Health Care Center.

Dated this 18<sup>th</sup> day of April 2002.

William H. Norem  
County Board Chair

Kimberly S. Bushey  
ATTEST: County Clerk

Policy and Fiscal Note Attached: Yes

David A. Bretl  
County Administrator

4/10/02  
Date

Approved as to Form:	Dennis D. Costello Corporation Counsel	4/9/02 Date
	N. Andersen Finance Director	4/10/02 Date

Action Required: 2/3 majority of members elect

Resolution No. 03-04/02

Policy and Fiscal Note

- I. Title: Resolution to Transfer \$22,000 from the Contingency Fund to Replace Failed Floor at Lakeland Health Care Center
- II. Purpose and Policy Impact Statement: The purpose of this resolution is for the County to fund the replacement of the failed floor section in the main west hallway between the 1962 and 1978 buildings of the Lakeland Health Care Center, which will provide a safe environment for residents, staff, and visitors.
- III. Is this a budgeted item and what is the fiscal impact? This request is not a budgeted item and would require a transfer of \$22,000 (Twenty-Two Thousand Dollars) from the Contingency Fund to complete the project. As of March 14, 2002, the Contingency Fund contains \$301,717 for general purposes.
- IV. Committee Consideration:

Public Property Committee	Vote: 6-0	Date: March 18, 2002
Finance Committee	Vote: 7-0	Date: March 21, 2002
- V. Approved as to Form:

David A. Bretl County Administrator	4/10/02 Date
Dennis D. Costello Corporation Counsel	4/9/02 Date
N. Andersen Finance Director	4/10/02 Date

Resolution No. 04-04/02, Outdoor Recreation Aids for White River Recreation Trail, was moved for adoption by Supervisor Arnold, seconded by Supervisor Felten. Much discussion ensued, with views being expressed both for and against the bike trail, and questions being raised. Highway Commissioner Brian DuPont was present to answer questions.

Supervisor Wenglowisky arrived at 6:25 p.m.

Supervisor Lightfield introduced Sam Gonzales, N4144 Highway NN, Elkhorn, who spoke in opposition to the resolution and expressed concern about his legal right as an adjacent property owner to the right-of-way.

A motion was offered by Supervisor Gigante, seconded by Supervisor Polyock, to send this resolution back to committee. A motion by Supervisor Grant, seconded by Supervisor Polyock, to call the question on sending the resolution back to committee was withdrawn. A roll call vote was conducted on sending the resolution back to committee. Total vote: 24; Ayes: 5 – Gigante, Kuhnke, Lightfield, Lothian, Polyock; Noes: 19 – Arnold, Burwell, Felten, Grant, Guido, Hilbelink, Ketchpaw, Lohrmann, Miles, Morrison, Palzkill, Parker, Peterson, Russell, Scharine, Shepstone, Shroble, Wenglowisky, Norem; Absent: 1 – Schaefer. The motion failed.

Supervisor Guido introduced John Karcher, citizen of the City of Elkhorn, who spoke in support of this resolution. An amendment to the resolution was proposed on motion by Supervisor Lothian, seconded by Supervisor Polyock. The proposal included the following amendments: Remove paragraphs 10 and 11, and change the beginning of the 12<sup>th</sup> paragraph to “NOW, THEREFORE, BE IT RESOLVED”. The amendment failed by voice vote. The question was called on motion by Supervisor Scharine, seconded by Supervisor Wenglowisky, and a roll call vote regarding calling the question was conducted. Total vote: 24; Ayes: 23 – Arnold, Burwell, Felten, Gigante, Grant, Guido, Hilbelink, Kuhnke, Lightfield, Lohrmann, Lothian, Miles, Morrison, Palzkill, Parker, Peterson, Polyock, Russell, Scharine, Shepstone, Shroble, Wenglowisky, Norem; Noes: 1 – Ketchpaw; Absent: 1 – Schaefer. Debate was ended.

A roll call vote was conducted regarding the passage of Resolution 04-04/02. Total vote: 24; Ayes: 16 – Arnold, Burwell, Felten, Grant, Guido, Hilbelink, Lohrmann, Miles, Morrison, Parker, Peterson, Russell, Scharine, Shepstone, Shroble, Wenglowisky; Noes: 8 – Gigante, Ketchpaw, Kuhnke, Lightfield, Lothian, Palzkill, Polyock, Norem; Absent: 1 – Schaefer. The resolution failed.

RESOLUTION NO. 04-04/02

**DEFEATED**

OUTDOOR RECREATION AIDS FOR WHITE RIVER RECREATION TRAIL

WHEREAS, Walworth County is interested in developing lands for public outdoor recreation purposes as described in the application to the Wisconsin Department of Natural Resources for a Recreational Trails Grant for the White River Trail; and

WHEREAS, the Wisconsin Department of Natural Resources has requested a partnership with the County to enter into an agreement for the County to improve and maintain a trail facility on an abandoned railroad right of way between Elkhorn and Burlington; and

WHEREAS, the acquisition of these lands was accomplished by the Department of Natural Resources from the Wisconsin Department of Transportation; and

WHEREAS, the County has received a cost sharing commitment from the City of Elkhorn for trail construction and annual maintenance; and

WHEREAS, the County has received a commitment from the Walworth County Snowmobile Alliance to provide signage and bridge improvements as well as maintain the trail for snowmobile use; and

WHEREAS, the White River Bicycle Club has committed to assist in patrolling the trail and provide volunteers for maintenance projects; and

WHEREAS, the County Transportation and Parks Committee and Administrative Committee have approved the request from the Highway Commissioner to apply for the Recreational Trails Grant; and

WHEREAS, financial aid is required to carry out the project; and

WHEREAS, an application for a Wisconsin Department of Natural Resources Recreational Trail grant requires a resolution of support from the County board; and

WHEREAS, the improvements proposed by the Highway Commissioner to provide a gravel surface in the amount of \$130,000 are required to meet acceptable bicycle standards.

NOW, THEREFORE, BE IT RESOLVED that upon acceptance of the Recreation Trails Grant, Walworth County will budget \$130,000 to complete the proposed improvements to the White River Trail to provide public access in the 2003 capital budget; and

BE IT FURTHER RESOLVED THAT the Highway Commissioner is authorized to act on behalf of Walworth County to:

- Submit an application to the State of Wisconsin Department of Natural Resources for \$65,000 in aid that may be available as a 50% reimbursement for the project; and
- Submit a reimbursement request to the City of Elkhorn for an equivalent share of the local funds required for this project; and
- Sign documents including the Trail Agreement with the Department of Natural Resources; and
- Take necessary action to undertake, direct and complete the approved project.

BE IT FURTHER RESOLVED that Walworth County will comply with state or federal rules for the programs; may perform force account work; will maintain the completed project in an attractive, inviting and safe manner; will keep the facilities open to the general public during reasonable hours consistent with the type of facility; and will obtain from the State of Wisconsin Department of Natural Resources or the National Park Service approval in writing before any change is made in the use of the project site.

Dated this \_\_\_\_\_ day of \_\_\_\_\_, 2002.

\_\_\_\_\_  
County Board Chair

\_\_\_\_\_  
Attest: County Clerk

Policy and Fiscal Note Attached: \_\_\_\_\_ Yes \_\_\_\_\_ No

David A. Bretl  
County Administrator  
4/10/02  
Date

Approved as to Form:

Dennis D. Costello  
Corporation Counsel  
4/10/02  
Date

Reviewed  
Budget/Fiscal Impact:

Nicki Andersen (pw)  
Finance Director  
4/10/02  
Date

Circle  
Action Required:  
(Please Specify)

Majority Vote      Two-thirds Vote      Other

Committee  
Consideration:

Transportation and Parks

Date Sept. 17, 2001 Vote: 4 – 2

Administrative Committee

Date Oct. 18, 2001 Vote: 5 - 0

## Resolution Introduced by Transportation and Parks Committee

### Policy and Fiscal Note

- I. Title: Resolution Authorizing Application for Outdoor Recreational Aid for the White River Recreational Trail.
- II. Purpose and Policy Impact Statement: The Wisconsin Department of Natural Resources has requested that Walworth County enter into an agreement to improve and maintain a trail facility on an abandoned railroad right-of-way between Elkhorn and Burlington. The Park Advisory Committee reviewed the issues regarding the trail and recommended that Walworth County develop the 12-mile trail facility for biking, hiking and snowmobiling in cooperation with the City of Elkhorn, Walworth County Snowmobile Clubs and the White River Bicycle Club. The committee recommended that the county apply to the Wisconsin Department of Natural Resources for trail facility development which this resolution would support and the County should sell state recreation trail passes to support the ongoing maintenance for the trail. The Transportation and Parks Committee approved the recommendations and forwarded to the Administrative Committee, which approved them and requested the following additional information: 1. Cost of law enforcement associated with the trail. 2. Financial commitment from the Towns. 3. Written commitment from Snowmobile Organization to participate in costs. 4. Cost estimate for maintenance of the trail and options for privatizing this function. This information is provided under separate cover.
- III. Is this a budgeted item and what is its fiscal impact: There are no funds in the 2002 budget for trail development or maintenance. The application deadline for the Stewardship grant is May 1, 2002 with expected grant award to be in September 2002. The Highway Department would recommend a capital budget of \$130,000.00 to make improvements to the trail with anticipated reimbursement of \$65,000.00 from the Stewardship grant and \$32,500.00 from the City of Elkhorn, leaving a net cost to the County of \$32,500.00. In addition, an operating budget of \$5,000.00 for maintenance of the trail would be included in the Highway Department budget. These monies would be utilized to provide a new gravel surface to the 12-mile long trail. The Walworth County Snowmobile Alliance is committed to rehabilitating the existing bridges to provide for decking and railing which would be required before opening the trail. The Walworth County Highway Department will arrange to sell State trail passes; 70% of

pass income can be used for County expenses on maintenance of trails. Based on the petition circulated in support of the trail, if 500 trail passes were sold at \$10.00 each, the County would receive 70% for a total of \$3,500.00 to offset County operating costs.

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

Transportation and Parks	September 17, 2001
Administrative Committee	October 18, 2001

V. Committee Consideration:

Transportation and Parks Committee	Vote: 4-2
Administrative Committee	Vote: 5-0

VI. Approved as to Form:

David A. Bretl	4/10/02
County Administrator	Date

Dennis D. Costello	4/10/02
Corporation Counsel	Date

Nicki Andersen (pw)	4/10/02
Finance Director	Date

Resolution No. 05-04/02, Resolution Disposing of Excess County Highway "X" Right-of Way, was moved for adoption by Supervisor Kuhnke, seconded by Supervisor Polyock. On motion by Supervisor Polyock, seconded by Supervisor Arnold, the following amendments were proposed. In the first paragraph, change "Walworth County" to "the State of Wisconsin Department of Transportation". Between paragraph one and paragraph two, insert an additional paragraph, to read: "WHEREAS, the State of Wisconsin transferred jurisdiction of this roadway to Walworth County; and". In the final "WHEREAS" paragraph, delete the last sentence, which reads: "The original cost of the land was \$4,925.00." The resolution, as amended, passed by voice vote.

RESOLUTION No. 05-4/02

RESOLUTION DISPOSING OF  
EXCESS COUNTY HIGHWAY "X" RIGHT-OF-WAY

AMENDED

WHEREAS, in 1974, ~~Walworth County~~ the State of Wisconsin Department of Transportation obtained a 100 foot right-of-way on County Highway X in the west ½ of section 33 and part of the east ½ of section 32,

township 2 north, range 15 east, Town of Darien, Walworth County. The purpose was to provide for an overhead embankment and bridge over an old railroad, but was never needed; and

WHEREAS, the State of Wisconsin transferred jurisdiction of this roadway to Walworth County; and

WHEREAS, Agrilink Foods desires to expand its plant operations, but is restricted by the setback from the 100 foot right-of-way; and

WHEREAS, a 33 foot right-of-way is sufficient for Highway X and, in fact, exists at the northeast end of the 100 foot right-of-way, and the Town of Darien has approved Agrilink Foods' expansion project; and

WHEREAS, it is in the County's best interest to sell off this 1.97 acre strip of land, constituting the excess right-of-way, to Agrilink Foods for \$5,400.00. ~~The original cost of the land was \$4,925.00.~~

NOW, THEREFORE, BE IT RESOLVED, by the WALWORTH COUNTY BOARD OF SUPERVISORS that the excess Highway X right-of-way consisting of approximately 1.97 acres, which abuts the property in the Town of Darien owned by Agrilink Foods, be sold to Agrilink Foods for \$5,400.00; and,

BE IT FURTHER RESOLVED, by the WALWORTH COUNTY BOARD OF SUPERVISORS, that the Walworth County Clerk is authorized to sign a Quit Claim Deed for the transfer of the excess right-of-way of County Highway X to Agrilink Foods in exchange for \$5,400.00.

ADOPTED this 18<sup>th</sup> day of April, 2002.

William M. Norem  
Walworth County Board Chairman

Kimberly S. Bushey  
Walworth County Clerk

Policy and Fiscal Note attached.

Sponsored by: Highway Committee  
Vote: 5-1.

Date: February 18, 2002.

County Board Meeting Date: April 18<sup>th</sup>, 2002

Approved as to form:	David A. Bretl County Administrator	4/10/07 (Date)
	Dennis D. Costello Corporation Counsel	4/10/02 (Date)

Nicki Andersen (pw)  
Finance Director

4/10/02  
(Date)

Action Required: Majority Vote

POLICY AND FISCAL NOTE

I. Title: RESOLUTION No. 05-04/02

RESOLUTION DISPOSING OF EXCESS  
COUNTY HIGHWAY "X" RIGHT-OF-WAY

II. Purpose and Policy Impact Statement:

The purpose is to dispose of excess land owned by Walworth  
County which is right-of-way on Highway "X".

III. Budget and Fiscal Impact:

The sale of the excess land will produce \$5,400.00 in general fund  
revenue.

IV. Committee Consideration:

Highway Committee. Date: February 18, 2002. Vote:  
5-1.

V. Approved as to Form:

David A. Bretl 4/10/07  
County Administrator (Date)

Dennis D. Costello 4/10/02  
Corporation Counsel (Date)

Nicki Andersen (pw) 4/10/02  
Finance Director (Date)

Resolution No. 06-04/02, Amend 2002 Budget of the Children With  
Disabilities Education Board And Increase a Part-time Interpreter Position to Full-  
time, was moved for adoption by Supervisor Gigante, seconded by Supervisor  
Ketchpaw. Richard Turk of Lakeland School addressed the Board in order to

present additional details regarding this resolution, answer questions, and speak in favor of adoption of this resolution. A motion for unanimous consent offered by Supervisor Palzkill, seconded by Supervisor Scharine, failed by voice vote, with Supervisor Arnold recording a "no" vote. A roll call vote was conducted. Total vote: 24; Ayes: 23 – Burwell, Felten, Gigante, Grant, Guido, Hilbelink, Ketchpaw, Kuhnke, Lightfield, Lohrmann, Lothian, Miles, Morrison, Palzkill, Parker, Peterson, Polyock, Russell, Scharine, Shepstone, Shroble, Wenglowsky, Norem; Noes: 1 – Arnold; Absent: 1 – Schaefer. The resolution was adopted.

Resolution No. 06-04/02  
 Amend 2002 Budget of the Children With Disabilities Education Board  
 And Increase a Part-time Interpreter Position to Full-time

WHEREAS, the adopted 2002 budget for the Children With Disabilities education Board includes funding for a part-time (0.6) interpreter position (#25265), and

WHEREAS, a recently completed individual education plan for a student requires the County to provide full-time interpreter services.

NOW, THEREFORE, BE IT RESOLVED that the 2002 budget is amended to increase the part-time interpreter position to full-time, to be partially funded by the deletion of a part-time interpreter position (#25275), and

BE IT FURTHER RESOLVED that the sum of \$ 12,058 to cover the increased cost of fringe benefits and wages shall be accounted for through the availability of dollars accrued during the vacancy of position #25004 (educational programmer).

Dated this ~~12<sup>th</sup> day of March, 2002~~ 18<sup>th</sup> day of April, 2002.

William M. Norem  
 County Board Chair

Kimberly S. Bushey  
 Attest: County Clerk

Policy and Fiscal Note Attached:        X   Yes                           No

Reviewed By:	David A. Bretl County Administrator	4/10/02 Date
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Approved as to Form:	Dennis D. Costello Corporation Counsel	4/10/02 Date
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Reviewed for Budget/Fiscal Impact:	Nicki Andersen (pw) FinanceDirector	4/10/02 Date
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Action Required: Majority Vote  
(Specify)

Two-thirds Vote

Other

Policy and Fiscal Note

I. Title: Resolution No. 06-04/02, "Amend 2002 Budget of the Children With Disabilities Education board and increase a Part-time Interpreter Position to Full-time."

II. Purpose and Policy Impact. The individual education plan for a student of the Children With Disabilities Education Board now requires full-time interpreter staff support. The position is currently budgeted at part-time. Another part-time paraprofessional position is vacant, but at a lower rate and without benefits.

III. Budget and Fiscal Impact

Expense:

Full-time interpreter position cost	\$ 40,534
Less budget for position #25265	-20,622
Less budget for position #25275	<u>- 7,854</u>

Funds Required \$ 12,058

Source of Funds:	Position #25004 Salary	\$ 55,000/207 day
	contract Daily Rate	\$ 265.70
	59 days @ 265.70/day	\$ 15,676.30

Current budget dollars accrued (\$ 15,676.30) during position  
# 25004 vacancy will cover Funds Required.

IV. Considered by the following committees prior to County Board consideration.

Children With Disabilities Education Board on a vote of 5 to 0 at their meeting on February 18, 2002 recommends adoption.

Human Resources Committee on a vote of 4 to 1 at their meeting on February 20, 2002 recommends adoption.

Finance Committee on a vote of 6 to 1 at their meeting on February 21, 2002 recommends adoption.

V. Reviewed as to Form.

David A. Bretl  
County Administrator

4/10/02  
Date

Dennis D. Costello  
Corporation Counsel

4/10/02  
Date

Nicki Andersen (pw)  
FinanceDirector

4/10/02  
Date

CWDEB Res 03/02

Full-time Hours	Acct No	Rate	#25265 Full-time Annual Cost	#25265 Current Budget	Acct No	#25275 Current Budget	Funds Required
Hours			1400	-840		-588	
Wages	3817-5611	16.56	23,184	(11,668)	3823-5611	(6,721)	4,795
Health	5811		12,335	-6492	5811	0	5843
Dental	5812		912	-456	5812	0	456
Life	5813		40	-40	5813	0	-
LTD	5818		155	0	5818	0	155
WRS	5814		2,087	-1,050	5814	-605	432
SS	5815		1,774	-892	5815	-514	368
WCMP	5817		48	-24	5817	-14	10
			\$ 40,534	\$ (20,622)		\$ (7,854)	\$ 12,058

Supervisor Lothian announced that there would be a Pancake Breakfast fund-raiser at Lakeland School on Sunday, April 21, 2002 from 7 a.m. to 1 p.m. He encouraged attendance.

Resolution No. 07-04/02, Thank You for Service to Citizens of Walworth County, and Approval of County Board Working Calendar, was moved for adoption by Supervisor Burwell, seconded by Supervisor Morrison. The resolution and Working Calendar were adopted by unanimous consent on motion by Supervisor Arnold, seconded by Supervisor Morrison.

Resolution No. 07-04/02

Thank You for Service to Citizens of Walworth County

WHEREAS, the Walworth County Board of Supervisors duly assembled this 18<sup>th</sup> day of April, 2002, for the purpose of conducting the business of governing this county, wishes to recognize the contributions of:

Jim Fischer  
 Charles Grant  
 Donald B. Kret  
 Duwane Logterman  
 Bonita J. Maynard  
 Stanley Mikrut  
 Stanley A. Muzatko  
 Mary Ann Pearce  
 Elizabeth F. Price  
 Alex Smith  
 Sheldon O. Shepstone  
 Robert W. Tilton  
 Kurt Troemel  
 Jim Van Dreser Jr.  
 Jean Van Dyke

WHEREAS, the above-named individuals have contributed many hours of their time and talent for the betterment of Walworth County.

NOW, THEREFORE, BE IT RESOLVED that the Walworth County Board of Supervisors does appreciate the past involvement by these individuals.

BE IT FURTHER RESOLVED THAT the Walworth County Board of Supervisors wishes to extend to each warm wishes for good health and good luck in their future endeavors, and that a copy of this resolution be forwarded to each.

Dated this 18<sup>th</sup> day of April, 2002.

William M. Norem  
 County Board Chair

Kimberly S. Bushey  
 County Clerk

Policy and Fiscal Note Attached:  Yes  No

David A. Bretl  
 County Administrator  
 4/10/02  
 Date

Approved as to Form: Dennis D. Costello  
 Corporation Counsel  
 4/10/02  
 Date

Reviewed  
 Budget/Fiscal Impact: Nicki Andersen (pw)  
 Finance Director  
 4/10/02  
 Date

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



5:00 p.m., Tuesday, July 9, 2002- Orientation Meeting prior to regular County Board Meeting  
 6:00 p.m., Tuesday, July 9, 2002  
 NACO-July 12-16<sup>th</sup>, 2002  
 5:00 p.m., Tuesday, August 13, 2002- Orientation Meeting prior to regular County Board Meeting  
 6:00 p.m., Tuesday, August 13, 2002  
 \*6:00 p.m., Thursday, September 12, 2002  
 \*Fall Primary Election September 10, 2002  
 WCA Convention-September 22-25, 2002  
 6:00 p.m., Tuesday, October 8, 2002  
 \*6:00 p.m., Thursday, October 24, 2002-Public Budget Hearing  
 \*Finance Proposed Date for Public Budget Hearing  
 \*6:00 p.m., Monday, November 4, 2002  
 \*Finance Proposed Date  
 General Election-November 5, 2002  
 5:00 p.m., Tuesday, December 10, 2002- Orientation Meeting prior to regular County Board Meeting  
 6:00 p.m., Tuesday, December 10, 2002  
 6:00 p.m., Tuesday, January 14, 2003  
 Winter Highway Conference-January 27-29, 2003-Portage County (Stevens Point)  
 WCA Legislative Exchange-February 4-5, 2003 (tentative)  
 6:00 p.m., Tuesday, February 11, 2003  
 Tuesday, February 18, 2003 SPRING PRIMARY ELECTION  
 6:00 p.m., Tuesday, March 11, 2003- \*(Student Government Day)  
 Tuesday, April 1, 2003 SPRING ELECTION  
 6:00 p.m., Tuesday, April 15, 2003

\*Indicates meeting date or time has been altered due to potential conflicts.

Resolution No. 08-04/02, Proclamation Proclaiming April Child Abuse Prevention Month in Walworth County, was moved for adoption by Supervisor Felten, seconded by Supervisor Ketchpaw. The resolution was adopted by unanimous consent on motion by Supervisor Gigante, seconded by Supervisor Shepstone.

RESOLUTION NO. 08-04/02

PROCLAMATION

WHEREAS, child abuse is a problem affecting the entire community, and finding solutions to that problem depends on the involvement of people throughout the community; and

WHEREAS, approximately 3,000,000 children are reported as having been abused or neglected in this country each year; and

WHEREAS, the effects of child abuse are felt by whole communities, and the problem of child abuse needs to be addressed by the entire community; and

WHEREAS, effective child abuse prevention programs succeed because of partnerships created among social services agencies, schools, religious and civic organizations, law enforcement agencies, and the business community; and

WHEREAS, all citizens should become more aware of the negative effects of child abuse and of the means of preventing child abuse, and should become involved in supporting parents in raising their children in a safe, nurturing environment.

NOW, THEREFORE, BE IT RESOLVED that the Walworth County Board of Supervisors proclaims April as "Child Abuse Prevention Month" in Walworth County and calls upon all citizens, community agencies, religious and civic organizations, medical facilities, and businesses to increase their participation in efforts to prevent child abuse, thereby strengthening the communities in which we live.

Dated this 18<sup>th</sup> day of April, 2002.

William M. Norem  
County Board Chair

Kimberly S. Bushey  
County Clerk

Policy and Fiscal Note Attached: \_\_\_\_\_ Yes \_\_\_\_\_ No

David A. Bretl  
County Administrator  
4/1/02  
Date

Approved as to Form: Gary Rehfeldt  
Corporation Counsel  
4/2/02  
Date

Reviewed Budget/Fiscal Impact: N. Andersen  
Finance Director  
4/2/02  
Date

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

Committee Consideration: \_\_\_\_\_ Date: \_\_\_\_\_ Vote: \_\_\_\_\_

#### POLICY & FISCAL NOTE

I. Title: Resolution No. 8-04/02

II. Purpose & Policy Impact Statement:

To proclaim April, 2002 as "Child Abuse Prevention Month" in Walworth County.

III. Is This a Budgeted Item?

No

IV. Fiscal Impact:

There is no fiscal impact for this proclamation.

V. Referred to the following standing committee for consideration:

Health & Human Services Board

VI. Reviewed as to Form:

David A. Bretl County Administrator	4/1/02 Date
Gary Rehfeldt Corporation Counsel	4/2/02 Date
N. Andersen Finance Director	4/2/02 Date

Resolution No. 09-04/02, Fix Elected Officer Salaries for 2003-2004, was adopted by voice vote on motion by Supervisor Kuhnke, seconded by Supervisor Miles.

RESOLUTION NO. 09-04/2002  
FIX ELECTED COUNTY OFFICER SALARIES FOR 2003-2004

Moved By: Human Resources Committee

WHEREAS, the Human Resources Committee has reviewed current duties and salaries for county elected officers as set by the County Board, and

WHEREAS, the County Board is required to adopt any changes in salaries for elected officers prior to the filing of nomination papers in June 2002, and

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

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

	<u>2002 Salary</u>	<u>First Monday in January 2003</u>	<u>First Monday in <u>January</u> <u>2004</u></u>
Clerk of Courts	\$56,784	\$58,488	\$60,242
County Clerk	\$48,672	\$50,132	\$51,636
County Treasurer	\$48,672	\$50,132	\$51,636
Register of Deeds	\$48,672	\$50,132	\$51,636
Sheriff	\$74,414	\$76,646	\$78,946
Coroner (part-time)	\$31,460	\$32,404	\$33,376

BE IT FURTHER RESOLVED that the salary set for the Sheriff shall be \$81,314 effective the first Monday in January 2005, and \$83,754 the first Monday in January 2006; and

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

BE IT FURTHER RESOLVED that each elected county office is declared to be full-time, except for the office of Coroner, and

BE IT FURTHER RESOLVED that budgets for subsequent years' budgets shall be set at sufficient funding levels to cover these salaries and all related benefits.

Dated this 18th day of April, 2002.

William M. Norem  
County Board Chair

Kimberly S. Bushey  
Attest: County Clerk

Policy and Fiscal Note Attached: Yes

Approved as to Form:

David A. Bret  
County Administrator

4/10/02  
Date

Dennis D. Costello  
Corporation Counsel

4/10/02  
Date

N. Andersen  
Finance Director

4/10/02  
Date

Action Required:  
(Specify)

Majority Vote

Two-thirds vote

Other

#### Policy and Fiscal Note

I. Title. Resolution No. 09-04/02 FIX ELECTED COUNTY OFFICER SALARIES FOR 2003-2004.

II. Purpose and Policy Impact.

WI Stat. §59.22 (1) requires the County Board to set the salaries for elected county officers prior to the earliest time (June 1, 2002) for filing nomination papers for any elective office. The compensation may not be decreased during the officer's term and must remain for ensuing terms unless changed by the board. 61 AG 209 prohibits the Board from adopting a salary plan for elected county officers related to the experience of the officeholder.

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

	<u>2002 Salary</u>	<u>2003 Salary</u>	<u>2004 Salary</u>
Clerk of Courts	\$56,784	\$58,488	\$60,242
Coroner (part-time)	\$31,460	\$32,404	\$33,376
County Clerk	\$48,672	\$50,132	\$51,636
County Treasurer	\$48,672	\$50,132	\$51,636
Register of Deeds	\$48,672	\$50,132	\$51,636
Sheriff	\$74,414	\$76,646	\$78,946
Total	\$308,674	\$317,934	\$327,472
Increase Amount	N/A	3.0%	3.0%

III. Budget and Fiscal Impact.

The proposed salaries would become effective the first Monday of January 2003 and the first Monday of January 2004 (except Sheriff which office

has a 4-year term). Funding for salaries and fringe benefits would be included in future years budgets.

IV. Considered by the following standing committees prior to County Board consideration.

The Human Resources Committee on a vote of 6-0 at their meeting on March 20, 2002, recommends adoption.

V. Approved as to Form.

David A. Bretl County Administrator	4/10/02 Date
Dennis D. Costello Corporation Counsel	4/10/02 Date
N. Andersen Finance Director	4/10/02 Date

Resolution No. 10-04/02, Ratify the 2002-2004 Health and Human Service Professional Employees' Collective Bargaining Agreement, was moved for adoption by Supervisor Lothian, seconded by Supervisor Morrison. The resolution was adopted unanimously by voice vote.

RESOLUTION NO. 10-04/02  
Ratify the 2002-2004 Health & Human Service Professional Employees'  
Collective Bargaining Agreement

WHEREAS, the Human Resources Committee and Health & Human Service Professional Employees' Association bargaining representatives have reached tentative agreement on a three-year successor agreement to the collective bargaining agreements which expired on December 31, 2001, and

WHEREAS, the Human Resources Committee recommends ratification of the tentative agreement (copies attached hereto) 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 agreement reached with the Health & Human Service Professional Employees' Association, and

BE IT FURTHER RESOLVED that a revised three-tier schedule of health care benefits shall be implemented effective May 1, 2002 for all persons covered by the labor contract, 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 18<sup>th</sup> day of April, 2002.

William M. Norem  
County Board Chair

Kimberly S. Bushey  
Attest: County Clerk

Policy and Fiscal Note Attached: Yes

Approved as to Form:	David A. Bretl County Administrator	4/10/02 Date
	Dennis D. Costello Corporation Counsel	4/10/02 Date
	Nicki Andersen (pw) Finance Director	4/10/02 Date

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

#### Policy and Fiscal Note

I. Title. Resolution No. 10-04/02, "Ratify The 2002-2004 Health & Human Service Professional Employees' Association Collective Bargaining Agreement."

II. Purpose and Policy Impact.

Ratification of the tentative agreement is subject to final approval of the County Board following ratification by the Union prior to the Board's action. 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 Health & Human Service Professional Employees' agreement are:

➤ Three-year agreement.



H&HS Professional Employees' Association  
 Labor Contract for 2002  
 Transfer from Contingency

3% 9.0% 7.65%

Department	Fund	W/C	AFSCME				Total
			5611 Budget	5611 Cr Wages	Cr 5814 WRS	Cr 5815 SocSec	
Prevention Services	124	2421	32,166	965	87	74	1,126
DD Case Mngt	124	2452	42,888	1,287	116	98	1,501
Adult Case Mngt	124	2453	343,104	10,293	926	787	12,006
Guardianship	124	2458	42,888	1,287	116	98	1,501
Child Case Mngt	124	2459	265,231	7,957	716	609	9,282
Court Services	124	2502	175,728	5,272	474	403	6,149
IDP Assessment	124	2503	10,676	320	29	24	373
Assessment	124	2504	42,888	1,287	116	98	1,501
Child Foster Homes	124	2657	120,479	3,614	325	276	4,215
MH Outpt.	124	2701	275,740	8,272	744	633	9,649
AODA Outpt.	124	2702	79,271	2,378	214	182	2,774
Child Abuse	124	2704	146,757	4,403	396	337	5,136
Youth Restitution	124	2706	42,888	1,287	116	98	1,501
Juvenile Crt Intake	124	2707	18,093	543	49	42	634
Early Intervention	124	2708	18,093	543	49	42	634
Alzheimers	124	2806	14,583	437	39	33	509
Community Options	124	2808	29,640	889	80	68	1,037
Tobacco Control	124	3004	9,020	271	24	21	316
Tuberculosis Control	124	3006	26,122	784	71	60	915
Healthcheck	124	3011	7,913	237	21	18	276
Maternal Child Health	124	3012	19,964	599	54	46	699
CVD Risk Reduction	124	3013	6,431	193	17	15	225
Pub. Hlth. Clinics	124	3033	108,439	3,253	293	249	3,795
Pub. Hlth. Home Visits	124	3034	22,800	684	62	52	798
Communicable Disease	124	3036	18,821	565	51	43	659
Prenatal Care Coord	124	3038	14,110	423	38	32	493
Women's Cancer	124	3039	18,019	541	49	41	631
Child Lead	124	3042	9,422	283	25	22	330
Parent Connections	124	3043	19,373	581	52	44	677
Info & Referral	124	3136	10,722	322	29	25	376
Senior Activity	124	3312	28,304	849	76	65	990
			2,020,573	60,619	5,454	4,635	\$ 70,708 Credit
Contingency	005	2350					\$ 70,708 Debit

Resolution No. 01-04/02, Resolution Authorizing the Submittal of a State Grant Application for a "Clean Sweep" Household Hazardous Waste Collection Program, was moved for adoption by Supervisor Ketchpaw, seconded by

Supervisor Shepstone. Larry Price, Facilities Management Department, was present to discuss this program and answer questions. The question was called on motion by Supervisor Gigante, seconded by Supervisor Shepstone. The question was called unanimously by voice vote. A motion for unanimous consent by Supervisor Scharine, seconded by Supervisor Lightfield, failed. A roll call vote was conducted. Total vote: 24; Ayes: 18 – Arnold, Burwell, Grant, Guido, Ketchpaw, Kuhnke, Lightfield, Lohrmann, Miles, Morrison, Palzkill, Parker, Peterson, Russell, Scharine, Shepstone, Shroble, Wenglowksy; Noes: 6 – Felten, Gigante, Hilbelink, Lothian, Polyock, Norem; Absent: 1 – Schaefer. The resolution was adopted.

Resolution No. 01-04/02

**RESOLUTION AUTHORIZING THE SUBMITTAL OF A STATE GRANT APPLICATION FOR A "CLEAN SWEEP" HOUSEHOLD HAZARDOUS WASTE COLLECTION PROGRAM FOR WALWORTH COUNTY**

WHEREAS, Walworth County recognizes that some household products contain hazardous chemicals, are difficult to dispose of, and may endanger public health and the environment if disposed of improperly; and

WHEREAS, the aim of "Clean Sweep" is to divert household hazardous wastes from municipal landfills, sewers, and septic systems by offering a designated day for the collection and disposal of hazardous household products, and

WHEREAS, Walworth County recognizes the benefits of this type of program and is committed to conducting annual Clean Sweep programs subject to public response and the appropriation of funding; and

WHEREAS, the Department of Natural Resources provides grant funds of up to \$15,000 for Household Hazardous Waste Clean Sweep programs; and

WHEREAS, the Solid Waste Division of the Facilities Management Department is planning to conduct a Household Clean Sweep program in 2003, and is proposing to budget \$42,000 for hazardous waste contractor services and \$11,750 for other program costs; and

WHEREAS, the total net cost to the Solid Waste Division 2003 budget for this program would be approximately \$24,250, because of the \$15,000 Department of Natural Resources state grant, and \$14,500 Troy Area Landfill Fund revenue.

NOW THEREFORE, BE IT RESOLVED, that the Walworth County Board of Supervisors authorizes the Solid Waste Division to submit an application for a Household Hazardous Waste Clean Sweep Grant and upon acceptance of the grant, include the expected revenue and expenses in the Solid Waste Division

2003 budget with the intent of conducting a Household Clean Sweep program for Walworth County in 2003; and

BE IT FURTHER RESOLVED, that the Solid Waste Division will carry out all activities described in the state grant applications, will allow employees from the DNR to inspect the Clean Sweep program site, will maintain records documenting all expenditures made and revenue received during the program, and will submit a final report to the DNR describing all program activities, achievements, and problems.

Dated this 18th day of April, 2002

William M. Norem  
County Board Chair

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

David A. Bretl  
Administrator  
4/10/02  
Date

Approved as to Form: Dennis D. Costello  
Corporation Counsel  
4/10/02  
Date

Reviewed Budget/Fiscal Impact: Nicki Andersen (pw)  
Finance Director  
4/10/02  
Date

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

Committee Consideration: Solid Waste Management Board Date: 3-18-02  
Vote: Approved upon vote of 6-0

Resolution Introduced by the Walworth County Solid Waste Management Board

Policy and Fiscal Note

TITLE:

Resolution No. 01-04/02 Authorizing the submittal of a state grant application for a "Clean Sweep" Household Hazardous Waste collection program for Walworth County.

PURPOSE AND POLICY IMPACT STATEMENT:

The purpose of the resolution is to obtain approval to submit a state grant application for Household Hazardous Waste Clean Sweep grant funding, and

authorize the Solid Waste Division to include expected revenue and expenses in its 2003 budget with the intent of conducting a Household Clean Sweep program in 2003.

The resolution is being presented now because the state Household Hazardous Waste Clean Sweep grant program requires that an approved resolution be included with the grant application. The Household Clean Sweep grant application is due on July 2, 2002.

**FISCAL IMPACT:**

The resolution would authorize including \$42,000 for hazardous waste contract costs and \$11,750 for other program costs in the 2003 Solid Waste Division budget. Total expenses for the Household Clean Sweep program is projected to be \$53,750.

Household Clean Sweep program grant funding would provide \$15,000 of revenue. The Troy Area Landfill Fund would provide additional revenue in the amount of \$14,500. Total revenue for the Household Clean Sweep program is projected to be \$29,500.

Revenue and expense amounts for the Household Clean Sweep program have been included in the Solid Waste Division budget on a yearly basis from 1997 through 2001, and again in 2002. Complete revenue and expense account comparisons for budget years 2002 and 2003 are as follows:

	Budget Year 2002	Budget Year 2003
<b>Revenue:</b>	<b>As Approved:</b>	<b>As Proposed:</b>
Household State Grant (550-9557-2009)	\$15,000	\$15,000
City of Whitewater (550-9557-3149)	\$ 7,000	\$ -0-
Landfill Tipping Fees – Troy (550-9557-3532)	\$14,500	\$14,500
Agricultural State Grant (550-9558-2009)	\$ 21,500	\$ -0-
<b>Total Revenue:</b>	<b>\$ 58,000</b>	<b>\$ 29,500</b>
<b>Expenses:</b>		
Haz Waste Contractor (550-9557-6199)	\$ 43,000	\$ 42,000
Haz Waste Contractor (550-9558-6199)	\$ 21,000	\$ -0-
Other Prog Costs (550-9557-6409, 7000's & 8000's)	\$ 11,900	\$ 11,750
Other Prog Costs (550-9558-6409, 7000's & 8000's)	\$ 3,900	\$ -0-

Total Expenses	\$ 79,800	\$ 53,750
Net Cost of Program	\$21,800	\$ 24,250
Increase from budget year 2002 to 2003		\$2,450

**ADDITIONAL KEY INFORMATION:**

The Solid Waste Division conducts Clean Sweep programs to ensure that household hazardous waste products are disposed of properly. Many types of household hazardous waste products cannot be thrown away in the regular trash and Walworth County residents have no disposal option available other than a Clean Sweep program. The aim of Clean Sweep is to divert household hazardous wastes from municipal landfills, sewers, and septic systems.

The Household Clean Sweep program is specifically aimed at hazardous wastes generated by single family households, and does not collect hazardous wastes generated by small industries, institutions, or agricultural activities.

The Walworth County Solid Waste Management Plan recommends that the "County Solid Waste Management Department continue a program for the collection of household hazardous wastes."

The Walworth County Public Property Committee approved a motion at their December 18, 2000 meeting upon vote of 5-2 "to apply for a grant to perform the Clean Sweep program annually provided grant funds are available."

The Solid Waste Division has conducted Household Hazardous Waste Clean Sweep programs in 1992, 1995, 1997, 1998, 1999, and 2000. A joint Household and Agricultural Clean Sweep program for Walworth County is scheduled for late spring 2002.

Walworth County's previous programs have been very successful. On average, 76% of those who have attend Walworth County programs, have been first-time participants. The household program has collected a total of 105,717 pounds of hazardous waste from Walworth County residents, which is an average of 17,620 pounds per program. The 2000 Clean Sweep program collected 23,342 pounds of hazardous waste.

State surveys show that at least 25 counties have conducted three or more Household Clean Sweep programs and continue to collect large amounts of waste chemicals. Eight Wisconsin counties have established permanent household hazardous waste collection programs.

Additional Household Clean Sweep programs are needed because Walworth County residents generate household hazardous waste on a continual basis, and alternative disposal options are not available.

**COMMITTEE CONSIDERATION:**

March 18, 2002 Solid Waste Management Board - Approved: Upon a vote of 6-0

**APPROVED AS TO FORM:**

David A. Bretl Administrator	4/10/02 Date
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Dennis D. Costello Corporation Counsel	4/10/02 Date
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Nicki Andersen (pw) Finance Director	4/10/02 Date
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Resolution No. 11-04/02, A Resolution Nominating Members to the Various Committees of the County Board, was moved for adoption by Supervisor Morrison, seconded by Supervisor Lohrmann. The resolution was adopted by voice vote.

**RESOLUTION NO. 11-04/02  
A Resolution Nominating Members  
to the Various Committees of the County Board**

Moved By: Nominating Committee

WHEREAS, Ordinance 222-02/02 sets forth the procedure for nominating and appointing members to the various committees of the County Board; and

WHEREAS, said Ordinance requires the Nominating Committee to nominate members for appointment and election by the full Board; and

WHEREAS, the Nominating Committee convened on April 17, 2002 and carefully considered the matter of committee appointments, taking into account the interest and background of the nominees and the best interest of Walworth County:

NOW THEREFORE BE IT RESOLVED, that the Walworth County Board does hereby approve the nominations of the Nominating Committee and does appoint the below-listed individuals to the committees, for the terms and in the positions listed as follows, and upon passage of this resolution the nominating committee officially dissolves.

Unless otherwise specified all terms will expire on the Third Tuesday in April 2004.

Functional Committees

Committee: Executive Committee

# of Members: 7 (Including County Board Chair)

Fixed Term/yr: Conditioned

Chairperson Norem
Wenglowsky
Grant
Ketchpaw
Gigante
Lightfield
Parker

Committee: Finance

# of Members: 7 (Including County Board Chair)

Fixed Term/yr Conditioned

Chairperson Norem
Lothian
Lohrmann
Arnold
Schaefer
Scharine
Russell

Committee: Human Resources

# of Members: 7

Fixed Term/yr None

Burwell
Guido
Felten
Peterson
Miles
Kuhnke
Morrison

Committee: Public Property

# of Member: 5

Fixed Term/yr none

Shepstone
Shroble
Palzkill
Polyock
Hilbelink

**Statutory Committees**

Committee: Land Management

# of Members: 7 including (5 County Board Supervisors)

Fixed Term/yr Yes/7yr

Term Ending: June 30th--\*\*\*\*\*

Term end	Previous Committee Member	New Committee Members
6/30/07	Maynard	Palzkill
6/30/08	Van Dyke	Kuhnke
6/30/05	Muzatko	Peterson
6/30/06	Tilton	Hilbelink
6/30/08	Van Dreser	Russell

Committee: Health and Human Services Board

# of Members 9 (5 Shall be County Board Supervisors)

Fixed Term/yr 3 years

Term ending	Previous Board Member	Term ending	New Board Member
4/30/02	Kret	4/30/05	Ketchpaw
4/30/03	Miles	4/30/03	Miles
4/30/04	Parker	4/30/04	Felten
4/30/02	Price	4/30/05	Parker
4/30/04	Van Dreser	4/30/04	Morrison

Committee: Highway Committee

# of Members 5

Fixed Term/yr None

Norem
Gigante
Polyock
Lohrmann
Shroble

Committee: Agriculture and Extension Education Committee  
 # of Members: 5 (Includes 3 County Board Supervisors who also serve on the Land Conservation Committee)  
 Fixed Term/yr: None

Lightfield
Grant
Burwell

Committee: Land Conservation Committee  
 # of Members: 5 (Includes the 3 Board Supervisors who also serve on the AEE Committee)  
 Fixed Term/yr: None

Lightfield
Grant
Burwell

Committee: Lakeland Health Care Center Board of Trustees  
 # of Members: 5 (Including 3 County Board Supervisors)  
 Fixed Term/yr: yes/3yr  
 Elected by Board:

Previous Term Ending	Previous County Bd. Member	New Term Ending	New Board Member
4/28/02	Burwell-resign	1/6/03	Arnold
4/28/04	Mikrut-vacant	1/5/04	Lothian
4/28/02	Schaefer-resign	1/3/05	Schaefer
4/28/04	S. Shepstone-vacant		-----
4/28/03	Troemel-vacant		-----

Committee: Children with Disabilities Education Board  
 # of Members: 5 (Including County Board Chairperson)  
 Fixed Term/yr: Yes/3 yr.ELECTION  
 Elected by Board:

Term Ending	Previous Member	Term Ending	New Board Member
4/30/02	Kuhnke-resigned	4/30/05	Shepstone
4/30/02	Price-vacant	4/30/05	Guido
4/30/04	S. Shepstone	4/30/04	Chairperson Norem
4/30/03	Troemel-vacant	4/30/03	Scharine
4/30/04	Wenglowsky	4/30/04	Wenglowsky

William M. Norem  
County Board Chairman

Kimberly S. Bushey  
County Clerk

Policy and Fiscal Note Attached:  Yes  No

Approved as to Form:

David A. Bretl  
County Administrator  
4/17/02  
Date

Dennis Costello  
Corporation Counsel  
4/17/02  
Date

Nicole Andersen  
Finance Director  
4/18/02  
Date

Action Required: Majority  Vote Other

County Board Meeting Date: 04/18/2002

Approved by Nominating Committee 04/17/2002

Resolution No. 11-04/02

Policy and Fiscal Note

- I. Title: RESOLUTION NO. 11-04/02-A Resolution Nominating Members to the Various Committees of the County Board
- II. Purpose and Policy Impact Statement: The purpose of this resolution is to recommend and nominate County Board Supervisors to the various committees of the County Board.
- III. Is this a budgeted item and what is its fiscal impact? This resolution has no fiscal impact.
- IV. Committee Consideration:
- V. Approved as to Form:

David A. Bretl  
County Administrator  
4/17/02  
Date



THE APRIL 29, 2002 SPECIAL MEETING  
OF THE  
WALWORTH COUNTY BOARD OF SUPERVISORS

The Walworth County Board of Supervisors was called to order by Chairman Norem at 6:00 p.m. at the Walworth County Courthouse, 100 W. Walworth St., Elkhorn, Wisconsin. Roll call was read with all Supervisors except Supervisors Lothian, Morrison, Schaefer and Wenglowisky present. A quorum was established. Chairman Norem requested any withdrawals from the agenda. There were no withdrawals.

On motion by Supervisor Gigante, seconded by Supervisor Felten, the agenda was approved as presented. Chairman Norem requested public comment. None was received.

Resolution 12-04/02, Resolution for Outdoor Recreation Aids for White River Recreational Trail, was moved for adoption on motion by Supervisor Scharine, seconded by Supervisor Grant. Supervisor Guido recognized Melissa Cook from the Wisconsin Department of Natural Resources (DNR). She said that the DNR is the primary state agency for rail to trail development. Cook distributed information on Trails and Greenways, which describes the benefits derived by counties from trails and said that the deadline for grant submission was May 1, 2002. Cook said that the total project cost was estimated at \$130,000 with \$65,000 to come from the DNR grant and \$32,500 to come from a local match by the City of Elkhorn, leaving \$32,500 in cost to the county. Cook said that there was citizen and club support for the project. Cook also said that there were other ways for funds to be generated to help offset the county cost, including private donations and sale of trail passes. Trail passes sell for \$10 per year and, of this \$10 fee, \$7 would come back to the county. She also said that both the White River Bicycle Club and the Snowmobile Alliance would assist in care and maintenance of the trail. Cook informed the Supervisors that, because the State of Wisconsin believed that the trail would be a reality, they have already made payments in lieu of taxes to the Towns of Geneva and Lyons.

Melissa Cook also stated that if the adjacent property owners wanted to sue for compensation, they may do so, but they would be suing the State of Wisconsin because the State of Wisconsin owns the land and it will be operated as a state trail in partnership with Walworth County.

Melissa Cook went on to say that the State of Wisconsin's intent was to rail bank the rail right-of-ways and that they would not revert to another use but be preserved and held in perpetuity. The intention is such that, should rail wish to return to the area, the corridor has been preserved. She also indicated that the State of Wisconsin has one of the best "recreational immunity clauses." This covers both the property owners and Walworth County. She said recreational

immunity would not apply if landowners charge a fee to access their land or if they do something malicious to injure someone who comes on their land.

Supervisors Guido and Russell, the sponsors of this resolution, spoke in support of the resolution. Supervisor Guido expressed thanks to Corporation Counsel Dennis Costello, Highway Commissioner Brian DuPont, County Clerk Kim Bushey, County Administrator David Bretl, Chairman William Norem and their staffs for their assistance in the process of conducting this special meeting.

Supervisor Guido recognized Mike Hurlburt, Town of LaGrange resident and President of the White River Bicycle Trail Bicycle Club. Hurlburt said he needed the County to lend them the funds to make the trail a reality, with the funds to be repaid by the club in approximately a year. He expressed concern over the current illegal use of the trail.

Supervisor Arnold recognized Ellen Holly, W5108 Wandawega Drive, Elkhorn, who spoke in favor of the resolution and said that she had relocated to Walworth County specifically for the recreational opportunities the area had to offer.

Supervisor Lightfield recognized Dave Clawson, N4245 County Road NN. Clawson, who is an adjacent landowner, expressed concerns regarding noise from snowmobiles, trespassing, loss of privacy, crime, loss of property value and landowners' rights.

Supervisor Polyock recognized Bill Jacques, N6009 Bowers Road, Elkhorn. Jacques is an adjacent landowner who expressed concern regarding the financial aspects of the project as well as safety issues on the adjacent roadway.

Supervisor Gigante expressed concern regarding the financial position of the county and the funding of Lakeland School.

Supervisor Gigante recognized Jerry Bjorge, who resides north of East Troy at N9192 Stringers Bridge Road. He is a member of the Snowmobile Alliance, spoke in favor of the project, and stated that the snowmobilers will cost the county nothing. He did express concern regarding the speed and noise factors but indicated that legislation is being worked on to rectify these problems. He said that the Alliance already had sufficient signage to sign the trail and said that they have the manpower and equipment to groom the snowmobile trails.

Chairman Norem said that he had not previously supported the resolution because all the facts weren't available but that he was supporting this resolution this evening. Norem suggested that if the resolution passed that he would set up a small committee to offer oversight to the project.

Supervisor Grant supported the resolution but added that he felt that ATV's should be added as a potential user of the trail. Supervisor Russell recognized Donna Earl, N6097 Hodunk Rd., Elkhorn, who presented a letter from Boy Scout Troop #240 of Elkhorn, supporting the resolution.

Supervisor Hilbelink spoke in support of the resolution and recognized Scott Jones, 607 Centralia Street, Elkhorn, who spoke in favor of the project. A motion was made by Gigante, seconded by Lohrmann, to amend the resolution to indicate that the costs of the trail and its maintenance and improvements would be covered by the Snowmobile Alliance and other organizations and remove references to the county's budgeting for this project. Supervisor Grant noted that this amendment may have the effect of eliminating the possibility of the grant since the application must show the \$130,000 county commitment in order to receive the grant. On motion by Lohrmann, seconded by Arnold, the question was called. A roll call vote was conducted on the amendment. Total Vote: 21; Ayes: 1 – Gigante; Noes: 20 – Arnold, Burwell, Felten, Grant, Guido, Hilbelink, Ketchpaw, Kuhnke, Lightfield, Lohrmann, Miles, Palzkill, Parker, Peterson, Polyock, Russell, Scharine, Shepstone, Shroble, Norem; Absent: 4 – Lothian, Morrison, Schaefer, Wenglowksy. The amendment failed.

Chairman Norem recognized Dave Dickerson, 170 Seymour Street, Sharon, who supported the resolution but added that he supports the all-inclusive use of the trails for bicyclists, snowmobiles, and ATV's.

Supervisor Polyock recognized Bill Jacques, N6009 Bowers Road, Elkhorn, who expressed concern regarding safety issues that pertain to increased traffic on the roadway.

Supervisor Peterson said that she had received concerns from constituents who indicated that they had not been provided with the information on this trail.

Chairman Norem recognized John Bush, W7476 Taylor Road, Delavan, who represents horse owners. He indicated that their various organizations are involved in the rebuilding of trails in the Kettle Moraine and would be interested in using the trail and asked that consideration be given to the horse owners.

Supervisor Lightfield recognized Jim Simons, N6292 Paradise Drive in the Town of Spring Prairie who spoke in favor of the resolution. Simons is the Chairman of the Town of Spring Prairie, a director of the Wisconsin State Horse Council, a member of the Wisconsin State Horse Council Equine Foundation and a member of Swift Riders. He indicated he was supportive of the horsemen's use of the trail but recognized this was not part of the current resolution. He still offered his support of the resolution to benefit the residents of Walworth County.

The question was called on Resolution No. 12-04/02 by Supervisor Hilbelink, second by Supervisor Lohrmann. A roll call vote was conducted. Total Vote: 21; Ayes: 17 – Arnold, Burwell, Felten, Grant, Guido, Hilbelink, Ketchpaw, Lohrmann, Miles, Palzkill, Parker, Peterson, Russell, Scharine, Shepstone, Shroble, Norem; Noes: 4 – Gigante, Kuhnke, Lightfield, Polyock; Absent: 4 – Lothian, Morrison, Schaefer, Wenglowsky. The resolution was adopted.

RESOLUTION No. 12- 04/02

RESOLUTION FOR OUTDOOR RECREATION AIDS  
FOR WHITE RIVER RECREATIONAL TRAIL

WHEREAS, the Wisconsin Department of Natural Resources has requested a partnership with the County to enter into an agreement for the County to improve and maintain a trail facility on an abandoned railroad right-of-way between Elkhorn and Burlington known as the White River Trail; and

WHEREAS, the County has received a cost sharing commitment from the City of Elkhorn for trail construction and annual maintenance; and

WHEREAS, the 2010 plan of SEWRPC, adopted by Walworth County, for parks on open space provides for this bicycle way; and

WHEREAS, the County has received a commitment from the Walworth County Snowmobile Alliance to provide signage and bridge improvements as well as maintain the trail for snowmobile use; and

WHEREAS, the White River Bicycle Club has committed to assist in patrolling the trail and provide volunteers for maintenance projects; and

WHEREAS, the County Transportation and Parks Committee and Administrative Committee have approved the request from the Highway Commissioner to apply for the Recreational Trails Grant; and

WHEREAS, the total project cost for the improvements is estimated at \$130,000.00. Of that amount Walworth County's commitment would be \$32,500.00, of which \$20,000 will be an in-kind match of Highway Department labor and equipment.

NOW, THEREFORE, BE IT RESOLVED, by the WALWORTH COUNTY BOARD OF SUPERVISORS that upon acceptance of the Recreation Trails Grant, Walworth County will budget an amount not to exceed \$32,500.00 for its share of the completion of the proposed improvements to the White River Trail; and

BE IT FURTHER RESOLVED, that the Highway Commissioner is authorized to act on behalf of Walworth County to:

- a. Submit an application to the State of Wisconsin Department of Natural Resources for aid that may be available as a 50 percent reimbursement for the project; and
- b. Submit a reimbursement request to the City of Elkhorn for an equivalent share of the local funds required for this project; and
- c. Sign documents including the Trail Agreement with the Department of Natural Resources; and
- d. Take necessary action to undertake, direct and complete the approved project; and
- e. To submit a budget request for year 2003, allocating existing staff for maintenance of the trail, in an amount not to exceed \$5,000, including revenue from trail pass fees; and
- f. To limit the trail use to biking, hiking, and snowmobiling.

BE IT FURTHER RESOLVED, that Walworth County will comply with state or federal rules for the programs; will maintain the completed project in attractive, inviting and safe manner; will keep the facilities open to the general public during reasonable hours consistent with the type of facility; and will obtain from the State of Wisconsin Department of Natural Resources or the National Park Service approval in writing before any change is made in the use of the project.

ADOPTED this 29<sup>th</sup> day of April, 2002.

William M. Norem  
Walworth County Board Chairman

Kimberly S. Bushey  
Walworth County Clerk

Policy and Fiscal Note attached.

Sponsored by: Supervisor Joseph Guido and Supervisor Nancy Russell

County Board Meeting Date: April 29, 2002

Approved as to form:

David A. Bretl  
County Administrator

4/25/02  
Date

Dennis D. Costello  
Corporation Counsel

4/25/02  
Date

Nicki Andersen (pw)  
Finance Director

4/25/02  
Date

Action Required: Two-Thirds Vote.

POLICY AND FISCAL NOTE

I. Title: RESOLUTION No. 12- 04/02

RESOLUTION FOR OUTDOOR RECREATION AIDS  
FOR WHITE RIVER RECREATIONAL TRAIL

II. Purpose and Policy Impact Statement:

The Wisconsin Department of Natural Resources has requested that Walworth County enter into an agreement to improve and maintain trail facility on an abandoned railroad right-of-way between Elkhorn and Burlington. The Park Advisory Committee reviewed the issues regarding the trail and recommended that Walworth County develop the 12-mile trail facility for biking, hiking and snowmobiling in cooperation with the City of Elkhorn, Walworth County Snowmobile Clubs, and the White River Bicycle Club. The Committee recommended that the County apply to the Wisconsin Department of Natural Resources for trail facility development which this resolution would support and the County should sell state recreation trail passes to support the ongoing maintenance for the trail. The Transportation and Parks Committee approved the recommendations and forwarded to the Administrative Committee, which approved them and requested the following additional information: (1) Cost of law enforcement associated with the trail; (2) Financial commitment from the towns; (3) Written commitment from snowmobile organizations to participate in costs; and (4) Cost estimate for maintenance of the trail and options for privatizing this function. This information is provided under separate cover.

III. Budget and Fiscal Impact:

The 2002 budget does not include funds for trail development or maintenance. The application deadline for the Stewardship grant is May 1, 2002, with expected grant award to be in September 2002. The estimated total project cost is \$130,000. The Highway

Department will allocate \$20,000 of its 2003 wage and benefit budget to the White River Recreational project. The Highway Department will request a 2003 capital budget of \$110,000.00 to make improvements to the trail. The project expense will be offset with an anticipated reimbursement of \$65,000.00 from the Stewardship grant and \$32,500.00 from the City of Elkhorn, leaving a net cost to the County of \$32,500.00. In addition, a 2003 operating budget of \$5,000.00 for maintenance of the trail will be requested. The operating expense budget will be offset by an estimated \$3,500 in trail pass revenue.

Trail maintenance includes new gravel surface to the 12-mile long trail. The Walworth County Snowmobile Alliance is committed to rehabilitating the existing bridges to provide for decking and railing which would be required before opening the trail. The Walworth County Highway Department will sell state trail passes; 70 percent of pass income can be used for County expenses on maintenance of trails. Trail pass revenue of \$3,500 is based upon the sale of an estimated 500 trail passes at \$10.00 each.

IV. Committee Consideration:

None.

Sponsored by Supervisor Nancy Russell and Supervisor Joseph Guido.

V. Approved as to Form:

David A. Bretl	4/25/02
County Administrator	Date

Dennis D. Costello	4/25/02
Corporation Counsel	Date

Nicki Andersen (pw)	4/25/02
Finance Director	Date

**CLARIFICATION  
OF POLICY AND FISCAL NOTE  
REGARDING WHITE RIVER RECREATIONAL TRAIL RESOLUTION**

This project is anticipated to cost \$130,000. State grant money is available to share that cost. It is anticipated that the state grant will pay for one-half of the cost. That will leave \$65,000. Of that amount, the City of Elkhorn will

pay one-half, or \$32,500. If the state grant is less than one-half, the City of Elkhorn will pay an increased share, up to \$50,000.

The County share would also be reduced by the use of Highway Department labor and equipment, which would already have been budgeted. The value of this "in-kind" work is estimated at \$20,000. That would leave Walworth County with a net expense of \$12,500.

There is also a possibility that private companies will donate gravel, labor, equipment, and other supplies, which would further reduce the County's cost.

The annual maintenance of the trail would require a budgeted amount of \$5,000 in addition to any income received from trail passes. The sale of trail passes could produce a net income of \$3,500.

On motion by Supervisor Gigante, seconded by Supervisor Shepstone, the meeting was adjourned at 7:30 p.m. The next regularly scheduled meeting of the Walworth County Board of Supervisors is Tuesday, May 14, 2002 at 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 April 29, 2002 meeting.

THE MAY 14, 2002  
SPECIAL ORIENTATION SESSION  
OF THE  
WALWORTH COUNTY BOARD OF SUPERVISORS

Chairman Norem welcomed the County Board of Supervisors. Roll call was conducted, with all Supervisors present except Supervisors Lightfield, Miles, Morrison, Scharine, Shroble and Wenglowksy.

County Administrator David Bretl introduced Finance Director Nicki Andersen. Andersen introduced Finance Department staff Peggy Watson, Budget Manager, and Stacie Johnson, Budget Analyst, and stated that if she was not available that Supervisors could feel free to contact either of these staff members. Finance Director Andersen said that it was the Finance Department's job to insure that the integrity of any financial information for the County is accurate and complete.

Andersen reviewed a Power Point presentation regarding the Finance Department and the County Budget process. Andersen stated that the budget document fulfills three distinct purposes. The budget is a legal document and it is required by law that the county adopt a budget annually. It is a planning document and includes a five-year capital improvement plan. The document is also used for fiscal control.

Finance Director Andersen distributed a packet to the Board entitled "Walworth County Budget Process Flow" and reviewed the budget process with the Board. The state has set a mill rate freeze on the County's operating levy; Walworth County's operating levy cap is approximately \$4.60. We are mandated to keep our mill rate below this level. With a couple of exceptions, the only way the county can increase this cap is to go to referendum. The only way to increase our levy is through growth in the county's equalized value. The equalized value statistics are available annually in August.

Finance Director Andersen said that salary and fringe benefit expenses make up half of the County's expense budget. Capital items are defined as items which are valued at \$2,000 or more and have a long-term life of over two years. The County has adopted a five-year Capital Plan. Andersen recommended that the Board review the plan that was distributed so that members may be familiar with the types of items that are included.

Finance Director Andersen said that the county does have a statutory limit on the issuance of debt; that limit is 5% of the equalized value or, as of December 31, 2001, approximately \$297,000,000. The County has currently issued \$30,000,000 of debt and according to Andersen the County anticipates issuing another \$7,300,000 this year.



THE MAY 14, 2002 SESSION  
OF THE  
WALWORTH COUNTY BOARD OF SUPERVISORS

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

Supervisor Gigante requested that his resolutions be sent back to the respective committees.

On motion by Supervisor Felten, seconded by Supervisor Shepstone, the evening's agenda was approved.

On motion by Supervisor Gigante, seconded by Supervisor Hilbelink, the minutes of the April 9, 2002 Session were approved as printed. On motion by Supervisor Grant, seconded by Supervisor Morrison, the minutes of the April 16, 2002 Session were approved as printed. On motion by Supervisor Felten, seconded by Supervisor Russell, the minutes of the April 18, 2002 Session were approved as printed. Kimberly S. Bushey, County Clerk, noted that the minutes of April 18, 2002 regarding the White River Recreation Trail would be corrected to reflect the name of John Karcher of Elkhorn, not Mike Karcher. On motion by Supervisor Ketchpaw, seconded by Supervisor Russell, the minutes of the April 29, 2002 Session were approved as printed.

Chairman Norem requested public comment. There was no public comment.

Chairman Norem called on Supervisor Morrison for the special order of business. Supervisor Morrison introduced guest speaker Phil Evenson, Executive Director of Southeastern Wisconsin Regional Planning Commission (SEWRPC). Mr. Evenson made a slide presentation and explained SEWRPC. SEWRPC consists of seven county regions: Ozaukee, Washington, Milwaukee, Waukesha, Walworth, Racine and Kenosha. Mr. Evenson presented an overview of essential functions and services of SEWRPC.

Supervisor Lohrmann asked questions regarding costs for Walworth County and the tax levy provided by SEWRPC on August 1<sup>st</sup> of each year. Gene Kovacs, Director of Land Management, thanked SEWRPC. SEWRPC has worked with Walworth County on digital zoning maps, ordinances and helped with legal aspects. SEWRPC has provided great assistance with wetland determination and environmental corridors. Mr. Kovacs thanked Phil Evenson and the rest of his staff.

On motion by Supervisor Hilbelink, seconded by Supervisor Gigante, William Miles, unanimously recommended by the Executive Committee, was re-appointed to the Wisconsin River Rail Transit Commission for a term to expire April 30, 2005.



Res. No. 14-05/02, Resolution Dedicating the Revised Plat of Survey for Oakwood Cemetery, sponsored by Supervisor Morrison, was referred to the Land Management Committee.

Res. No. 15-05/02, Resolution to Rescind the Septic Tank Maintenance Fee, sponsored by Supervisor Gigante, was referred to the Finance Committee.

Res. No. 16-05/02, Resolution to Eliminate Nine Corporal Positions at the Walworth County Sheriff's Department, sponsored by Supervisor Gigante, was referred to the Human Resources Committee.

Res. No. 17-05/02, Resolution to Create a Task Force to Study Walworth County's Tax Structure, sponsored by Supervisor Gigante, was referred to the Finance Committee.

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

Text Amendment to Section 6.2 of the Subdivision Control Ordinance  
John Druszczak (Dennis D. Migut, App.), Town of Bloomfield  
Cora Hammarstrom, Town of Bloomfield  
Helen M. Gifford (Bloomfield Cemetery Assn., App.), Town of Bloomfield  
Thomas C. Jacobs (Otto Jacobs Co., App.), Town of Bloomfield  
Melvina Palkowitz (Mr. & Mrs. Theodore Kautzman, App.), Town of East Troy  
Maria Galgano-Chadha, Town of Geneva  
Patricia McIntyre, Evelyn Inga McIntyre & Evelyn McIntyre (Patricia Davies McIntyre, App.), Town of Richmond  
Doris Michealson & Brian Handke, Town of Sugar Creek  
Whitewater Limestone, Inc., Town of Whitewater  
Douglas Ridge (Mann Bros., Inc., App.), Town of Whitewater  
Richard & Pamela Kraus Trust and Roger & Sally Gransee (Mann Bros., Inc., App.), Town of Whitewater  
Eugene J. & Donna Frodl (Mann Bros., Inc., App.), Town of Whitewater

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

Hidden Valley Properties, LLC, Town of Lafayette, rezone from B-5 and C-4 to R-1, C-2 and C-4  
James and Eileen Dempsey, Town of Sugar Creek, rezone from A-1 to A-5  
F. W. and Rose E. Agnew Trust (Allen C. Hicks, App.), Town of Whitewater, rezone from A-1 to A-5  
Ralph and Laurie Giorno (Mann Bros., Inc., App.), Town of Whitewater, rezone from A-1 to M-3  
Oak Hills Development, LLC, Town of East Troy, rezone from A-1 to C-2  
Bloomfield Storage LLP, Town of Bloomfield, rezone from R-1 to B-2

Above petitions referred April 17, 2002.

Supervisor Lohrmann expressed concern that the new Land Management Committee had not seen the Text Amendment and felt they should have input before making decisions. She wanted the Text Amendment to the Zoning Ordinance and Shoreland Zoning Ordinance pulled out for discussion and sent back to committee. Supervisor Kuhnke notified the Board that the rezone for Sal Dimiceli should read 60 acres of A-2 instead of A-1. On motion by Supervisor Grant, seconded by Supervisor Morrison, the following Land Management Committee-Report of Proposed Amendments was approved as presented.

Supervisor Lohrmann wants more information provided in the packet regarding text amendments, she would like full information before making a decision. On motion by Supervisor Lohrmann, seconded by Supervisor Gigante, the Text Amendment to the Zoning Ordinance and Shoreland Zoning Ordinance Sections 1, 2, 3, 4, 5, 6, 7, 9, 11 and 13 will be held over to the next County Board meeting.

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 59.69(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. Robert C. and Cheryl A. Williams, Town of LaGrange filed a petition on the 5<sup>th</sup> day of February, 2002, to rezone from A-1 Prime Agricultural Land District To C-2 Upland Resource Conservation District.

Recommendation: Said Petition be modified and approved to extend to the east tree line. The approval was based on the findings that 35 percent of the rezone area is Class VI soils and that it is not prime farmland.

2. Robert J. Burie, Town of Lafayette filed a petition on the on the 30th day of January, 2002 to rezone from A-2 Agricultural Land District to A-5 Agricultural-Rural Residential District the following described lands:

Tax Parcel #KA321300001

Lot 1 of Certified Survey Map No. 3213, a Certified Survey Map of part of the Northeast ¼ of the Northwest ¼ of Section 11, Town 3 North, Range 27 East, Town of Lafayette, Walworth County, Wisconsin.

Recommendation: Said Petition Be Denied Based On the Following Reasons:

1. Economic need should not be used as a basis for decision.
2. The land is properly zoned as A-2.
3. A-5 zoning is not consistent with the surrounding zoning.
4. The applicant has the ability to petition interpretation of second residence before the Board of Adjustment.

3. Kathleen Fox, Town of Spring Prairie filed a petition on the 29<sup>th</sup> day of January, 2002 to rezone from A-1 Prime Agricultural Land District & R-1 Single Family Residence District (Unsewered) To A-5 Agricultural-Rural Residential District.

Recommendation: Said petition be approved. The rezone was approved after the appropriate findings were made as required by State Farmland Preservation Program s91.77(1) Wis. Stats. The rezone resolves concerns regarding a remnant R-1 portion of the parcel and straightens out lot lines on the agricultural field.

4. Salvatore J. Dimiceli, Sr., Trust, Town of Geneva filed a petition on the 4<sup>th</sup> day of February, 2002, From A-2 Agricultural Land District & A-1 Prime Agricultural Land District To C-2 Upland Resource Conservation 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 parcel is not prime agricultural farmland and the rezone is consistent with the Comprehensive Land Use Plan.

#### 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. Robert C. and Cheryl A. Williams, Town of LaGrange - To Amend Said Zoning Maps From A-1 Prime Agricultural Land District To C-2 Upland Resource Conservation District On The Following Described Lands:

Part of Tax Parcel #H LG 100001

A proposed rezone of a parcel of land located in the Northeast  $\frac{1}{4}$  of the Northwest  $\frac{1}{4}$  and the Northwest  $\frac{1}{4}$  of the Northeast  $\frac{1}{4}$  of Section 1, T4N, R16E, Walworth County, Wisconsin, described as follows: Beginning at the North  $\frac{1}{4}$  corner of said Section 1, thence N89°16'55"E 658.33 feet; thence S00°20'50"W 1095.20 feet; thence N88°44'15"W 703.38 feet; thence N01°08'35"E 1071.41 feet; thence N89°43'55"E 30.18 feet to the Place of Beginning, containing 17.30 acres of land.

The approval was based on the findings that 35 percent of the rezone area is Class VI soils and that it is not prime farmland.

3. Kathleen Fox, Town of Spring Prairie - To Amend Said Zoning Maps From A-1 Prime Agricultural Land District & R-1 Single Family Residence District (Unsewered) To A-5 Agricultural-Rural Residential District On The Following Described Lands:

Tax Parcel #O SP 100003

A parcel of land located in the Northwest  $\frac{1}{4}$  of Section 1, Town 3 North, Range 18 East, Town of Spring Prairie, Walworth County, Wisconsin, described as follows:

Commence at the Center  $\frac{1}{4}$  Corner of said Section 1; thence North 1°53'33" West, along the East line of said Northwest  $\frac{1}{4}$  and the centerline of Bell School Road, 297.68 feet to the Northeast Corner of Tax Parcel O SP 100007 and the Point of Beginning; thence South 89°46'56" West, along the North line of said Tax Parcel, 218.63 feet;; thence North 1°53'33" West, along said North line, 65.33 feet; thence South 89°46'56" West, along said North line, 136.13 feet to the Northwest corner of said Tax Parcel O SP 100007; thence North 1°53'33" West 87 feet; thence North 89°46'56" East 354.76 feet; thence South 1°53'33" East, along said East line of the Northwest  $\frac{1}{4}$  and centerline of Bell School Road, 152.33 feet to the Point of Beginning.

The rezone was approved after the appropriate findings were made as required by State Farmland Preservation Program s91.77(1) Wis. Stats. The rezone resolves concerns regarding a remnant R-1 portion of the parcel and straightens out lot lines on the agricultural field.

4. Salvatore J. Dimiceli, Sr., Trust, Town of Geneva - To Amend Said Zoning Maps From A-2 Agricultural Land District & A-1 Prime Agricultural Land District To C-2 Upland Resource Conservation District On The Following Described Lands:

Tax Parcel #'s J G 1300010 and J G 2400001B

A parcel of land located in the Southeast ¼ of Section 13, Town 2 North, Range 17 East, and in the Northeast ¼ of Section 24, Town 2 North, Range 17 East, Town of Geneva, Walworth County, Wisconsin.

Commencing at the E1/4 of said Section 13, said point being the Point of Beginning; thence S00°46'52"E, a distance of 355.92 feet; thence S79°22'15"W, a distance of 599.73 feet; thence S10°13'09"W, a distance of 1325.42 feet; thence S01°00'51"E, a distance of 993.12 feet to a point in the center line of Krueger Road; thence S58°00'24"W along said center line, a distance of 1298.09 feet; thence S58°17'49"W, a distance of 274.65 feet; thence N00°30'04"W, a distance of 795.50 feet; thence S89°37'26"W to the North-South ¼ line of Section 24, town and range aforesaid, a distance of 428.69 feet to the south ¼ corner of Section 13; thence N00°29'25.24"W along the west line of SW1/4 of Section 13, a distance of 134.11 feet; thence N01°03'20"W, a distance of 2629.44 feet to the NW corner of the SW1/4 of said Section 13; thence N89°07'18"E, a distance of 2622.28 feet to the Point of Beginning; said described tract containing 5948924.6 square feet, more or less, excluding all areas currently zoned C-2.

The parcel is not prime agricultural farmland and the rezone is consistent with the Comprehensive Land Use Plan.

ATTEST this 14th day of May, 2002.  
William M. Norem  
County Board Chairman

ATTEST this 14th day of May, 2002.  
Kimberly S. Bushey  
County Clerk

Finance Committee

On motion by Supervisor Arnold, seconded by Supervisor Ketchpaw, Resolution No. 13-05/02, Resolution to Increase Fees for Service of Process, was adopted by voice vote.

RESOLUTION No. 13-05/02

Resolution to Increase Fees for Service of Process

WHEREAS, Wisconsin State Statute Sec 814.70(1) allows the Sheriff to charge a fee for service or attempted service of a summons or any other process for commencement of an action, a writ, an order of injunction, a subpoena or any other order and

WHEREAS, State Statute Sec 814.705 (1)(a) allows the Walworth County Board of Supervisors to establish higher fees for collection by the sheriff

NOW, THEREFORE, BE IT RESOLVED, by the WALWORTH COUNTY BOARD OF SUPERVISORS that the mileage fee used by the Walworth County Sheriff's Department be increased from 25 cents a mile to 36.5 cents a mile; and,

ADOPTED this 14th day of May, 2002.

William M. Norem  
Walworth County Board Chairman

Kimberly S. Bushey  
Walworth County Clerk

Policy and Fiscal Note attached.

Sponsored by: Finance Committee

County Board Meeting Date: May 14, 2002

Approved as to form:

David A. Bretl  
County Administrator

4/30/02  
Date

Dennis D. Costello  
Corporation Counsel

Date

N. Andersen  
Finance Director

4/30/02  
Date

Action Required: Majority Vote

#### POLICY AND FISCAL NOTE

- I. Title: Increase of Fees for Service of Process  
RESOLUTION No. 13- 05/02

Resolution to Increase Fees for Service of Process

- II. Purpose and Policy Impact Statement:

To increase Sheriff's fees to recover expenses. This increase is in comparison to the Federal mileage allowance. This increase would be implemented immediately upon approval by the County Board.

III. Budget and Fiscal Impact:

Approval of this resolution will generate a revenue increase to offset Sheriff's Department expenses. The increase for this year is anticipated to be \$3,750.00, based upon past annual mileage. The anticipated increase would be \$8,500 for the year 2003.

IV. Committee Consideration:

Finance Committee April 25, 2002

Vote: 7-0

V. Approved as to Form:

David A. Bretl County Administrator	4/30/02 Date
Dennis D. Costello Corporation Counsel	4/30/02 Date
N. Andersen Finance Director	4/30/02 Date

Public Property Committee

Ordinance No. 225-05/02, An Ordinance Amending Chapter 30 of the Walworth County Code of Ordinances Relating to Finance, was moved for adoption by Supervisor Polyock, seconded by Supervisor Felten. Supervisor Grant stated that it should be the responsibility of the Public Property Committee to dispose of excess property. Supervisor Lohrmann stated the Finance Committee was a better place for it and not Public Property Committee. Supervisor Lohrmann used the "in rem" process for foreclosure of properties with delinquent taxes as an example. County Administrator David Bretl explained the ordinance and the process to initiate it so departments could dispose of junk surplus and property that has been stockpiling. Supervisor Polyock stated that we need "timely" disposition of property. Chairman Norem expressed his concern over any delay. The question was called by Supervisor Gigante, seconded by Supervisor Polyock. The ordinance was adopted by voice vote, with Supervisor Grant requesting his "no" vote be recorded.

ORDINANCE NO. 225 – 05/02 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 VI of Chapter 30 of the Walworth County Code of Ordinances is hereby amended so as to create Section 30-262 thereof to read as follows:

“Sec. 30-262. Surplus Property

(a) The purpose of this ordinance is to:

1. Provide for the timely disposition of surplus property;
2. Maximize the County’s return on its investment in surplus property consistent with the cost of disposing of the property;
3. Ensure public confidence in process used to dispose of surplus property.

(b) Definitions

1. *Personal property* shall mean all movable assets owned by the County which are not real property, money, investments or public documents.
2. *Real property* shall mean all land and structures of a permanent nature owned by the County.
3. *Surplus property* shall mean all property, determined pursuant to paragraph (d), to no longer be useful to the County.

(c) This ordinance shall not apply to the following:

1. Unclaimed funds and personal property for which different procedures are specified by section 59.66 of the Wisconsin Statutes.
2. Real property obtained by the County through in Rem tax procedures.
3. Property, the disposition of which is governed by state or federal requirements.
4. Donated property required to be held by the County for a special purpose.

(d) Property shall be declared surplus as follows:

1. In the case of all real property and personal property, the estimated value of which is \$20,000 or greater, by resolution of the County Board.
2. In the case of personal property, the estimated value of which is less than \$20,000 but more than \$500, by the Finance Committee.
3. In the case of personal property, the estimated value of which is \$500 or less, by appropriate County staff in accordance with procedures developed pursuant to paragraph (j).
4. The County Administrator shall ensure that all departments are made aware of property intended to be declared surplus in the event such department has use for the property.

(e) Unless otherwise specified by resolution of the County Board or Finance Committee, surplus property shall be disposed of in the manner most advantageous to the County in one of the following manners, consistent with procedures developed pursuant to paragraph (j).

1. Competitive bid
2. Public Auction
3. Trade-in, in consideration for the acquisition of similar property where bid documents specified such treatment.

(f) Notwithstanding (e), if it is determined by the County Administrator that the estimated cost of disposing of surplus property exceeds the value which could be reasonably obtained pursuant to (e) 1, 2 or 3, said property may be disposed of as refuse in the manner most advantageous to the County.

(g) Surplus property may be donated to another government agency or non-profit organization upon a finding by the appropriate authority specified in paragraph (d) that such donation will serve a public purpose. Notwithstanding sub-paragraph (d) 3, donations of personal property, the estimated value of which is \$500 or less, shall require action of the Finance Committee.

(h) No surplus property may be acquired by any County employee or official except at public auction.

(i) Proceeds received from the disposal of surplus property shall be deposited with the County Treasurer and recorded in the appropriate account as determined by the Finance Director.

(j) The County Administrator is authorized to develop procedures to carry out the intent of this section.

(k) The disposition of surplus property will be reported to the County Clerk who will execute any documents which may be required, provided such action has been conducted in accordance with this section. The County Clerk shall notify the Finance Director of all property declared surplus.

BE IT FURTHER ORDAINED by the Walworth County Board of Supervisors that all previous ordinances and resolutions pertaining to the disposition of surplus property are hereby superceded.

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 14<sup>th</sup> day of May 2002.

William M. Norem  
County Board Chairman

Kimberly S. Bushey  
Attest: County Clerk



the Land Conservation Committee. She will serve in whatever capacity the Board decides. Corporation Counsel Dennis Costello gave his opinion on the County Board Chairperson making certain committee appointments. Chairman Norem stated he certainly would serve on each of these committees but felt it may be more advantageous for other members to serve on some of the committees. Supervisor Gigante made a motion to amend the resolution to allow the County Board Chairman to establish committees and make appointments. There was no second to this motion. On motion by Supervisor Gigante, seconded by Supervisor Schaefer, the question was called and debate was ended by voice vote. A roll call vote was conducted on the original motion. Total Vote: 23; Ayes: 11 - Arnold, Gigante, Grant, Guido, Hilbelink, Ketchpaw, Lohrmann, Peterson, Polyock, Schaefer, Norem; Noes: 12 – Burwell, Felten, Kuhnke, Lightfield, Lothian, Miles, Morrison, Palzkill, Parker, Russell, Shepstone, Shroble; Absent: 2 – Scharine, Wenglowsky. The motion failed.

Walworth County, Wisconsin  
Ordinance No. 226 – 05/02

**DEFEATED**

Ordinance No. 222-02/02 Amending Section 2.02.010 of the Code of Ordinances So As To Permit One Supervisor to Chair Both the Agriculture and Extension Education Committee and the Land Conservation Committee and To Permit the County Board Chairperson To Appoint Supervisors to Certain Standing Committees of the County Board

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

PART 1: THAT Section 2.02.010 of the Walworth County Code of Ordinances is hereby amended so as to repeal paragraph (c) thereof in its entirety and recreate it to read as follows:

“ (c) Committee Leadership. 1. 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. 2. Notwithstanding paragraph 1, the same Supervisor may serve as chairperson of both the Agriculture and Extension Education Committee and the Land Conservation Committee.”

PART 2: BE IT FURTHER ORDAINED THAT Section 2.02.010 of the Walworth County Code of Ordinances is hereby amended so as to repeal paragraph (e) thereof in its entirety and recreate it to read as follows:

“ (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. Those three Supervisors appointed to the Agriculture and Extension Education Committee shall also serve on the Land Conservation Committee. 3. Notwithstanding any provision to the contrary, the County Board Chairperson may appoint a Supervisor to serve in his or her place on any standing committee to which the chairperson is assigned except the Executive Committee. Such appointment shall be subject to confirmation by a majority of the members of the County Board.”

PART 3. BE IT FURTHER ORDAINED THAT the effective date of this ordinance shall be upon passage and publication.

PASSED AND ADOPTED by the Board of Supervisors of Walworth County, Wisconsin this 14<sup>th</sup> day of May 2002.

\_\_\_\_\_  
William M. Norem  
County Board Chair

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

Action Required: 2/3 Membership

Walworth County, Wisconsin  
Policy and Fiscal Note No. 226-05/02

- I. Title: Ordinance No. 222-05/02 Amending Section 2.02.010 of the Code of Ordinances So As To Permit One Supervisor to Chair Both the Agriculture and Extension Education Committee and the Land Conservation Committee and To Permit the County Board Chairperson To Appoint Supervisors to Certain Standing Committees of the County Board.
- II. Purpose and Policy Impact Statement: The purpose of this amendment is to permit a single supervisor to chair both the Agriculture and Extension Education Committee and the Land Conservation Committee. Current rules prohibit one supervisor from chairing two committees. Additionally, the amendment would allow the County Board chairperson to appoint a supervisor to serve in his or her place on any committee to which he or she is assigned with exception of the Executive Committee. The appointment is subject to confirmation by the County Board. Current rules require the Board chairperson to serve on the Finance and Executive Committees, the Children with Disabilities Board and one other statutory committee.





I, the undersigned Chairman of the Walworth County Board of Supervisors, do hereby appoint Donald B. Kret as a member of the Walworth County Metropolitan Sewerage District to fill the unexpired term of Donald Scully, resigned. Said term to expire February 28, 2006 or until a successor is appointed or named.

Dated this 11<sup>th</sup> day of June, 2002.

William M. Norem, Chairman  
Walworth County Board of Supervisors

No claims were presented.

On motion by Supervisor Morrison, seconded by Supervisor Scharine, correspondence from Supervisor Morrison, Requesting a Monument in Recognition of Lloyd Jensen, was referred to the Public Property Committee.

On motion by Supervisor Gigante, seconded by Supervisor Guido, Res. No. 20-06/02, Resolution Authorizing the Hiring of a Consultant to Study the Remodeling of the Existing Courthouse to Accommodate the Needs of the Courts Instead of Constructing a New Court Facility, was moved for adoption. Discussion on a study to remodel the present courthouse followed. Chairman Norem produced numerous reports of previous studies made on this issue at the cost of over \$350,000. A roll call vote was conducted. Total vote: 23; Ayes: 1 - Gigante; Noes: 22 - Arnold, Burwell, Felten, Grant, Guido, Ketchpaw, Kuhnke, Lightfield, Lothian, Miles, Morrison, Palzkill, Parker, Peterson, Polyock, Russell, Schaefer, Scharine, Shepstone, Shroble, Wenglowisky, Norem Absent: 2 - Hilbelink, Lohrmann. The resolution failed.

Resolution No. 20-06/02

**DEFEATED**

RESOLUTION AUTHORIZING THE HIRING OF A CONSULTANT  
TO STUDY THE REMODELING OF THE EXISTING COURTHOUSE  
TO ACCOMMODATE THE NEEDS OF THE COURTS  
INSTEAD OF CONSTRUCTING A NEW COURT FACILITY

WHEREAS, Resolutions No. 86-02/02, 87-02/02, 88-02/02 and 89-02/02 passed by the Walworth County Board in February and March of 2002 authorized the planning, construction and financing of a new court facility on the east side of the Law Enforcement Center; and

WHEREAS, the existing courthouse can support two additional stories on the east and west wings as well as remodeling that would satisfy the needs of the courts, and supporting departments for the next 25 years; and

WHEREAS, a consultant should be hired to study the existing courthouse with regard to adding two stories to the east and west wings and remodeling the existing building with the goal of meeting the needs of the courts and supporting departments for the next 25 years; and

WHEREAS, the study should include a cost estimate for the remodeling project including the addition of new stories to the east and west sides of the courthouse; and

WHEREAS, the cost of the study should be financed by funds from the contingency fund in an amount approved by the Finance Committee. The consultant will be selected by the Property Committee.

NOW, THEREFORE, BE IT RESOLVED, by the WALWORTH COUNTY BOARD OF SUPERVISORS that a consultant be hired to study the existing courthouse facility including the addition of two new stories on the east and west wings as well as remodeling the building so that the needs of the courts and supporting departments will be met for the next 25 years. The cost of the study is to be paid out of the contingency fund in an amount to be approved by the Finance Committee. The Property Committee will select the consultant.

ADOPTED this 11<sup>th</sup> day of June, 2002.

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William M. Norem  
Walworth County Board Chairman

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Kimberly S. Bushey  
Walworth County Clerk

Policy and Fiscal Note attached.

Sponsored by: Supervisor Odell Gigante.

County Board Meeting Date: June 11, 2002

Approved as to form: David A. Bretl  
County Administrator

6/3/02  
(Date)

Dennis D. Costello  
Corporation Counsel

5/29/02  
Date

N. Andersen  
Finance Director

6/3/02  
Date

Action Required: 2/3 Vote

POLICY AND FISCAL NOTE

I. Title: RESOLUTION No. 20-06/02

RESOLUTION AUTHORIZING THE HIRING OF A CONSULTANT TO STUDY THE REMODELING OF THE EXISTING COURTHOUSE TO ACCOMMODATE THE NEEDS OF THE COURTS INSTEAD OF CONSTRUCTING A NEW COURT FACILITY

II. Purpose and Policy Impact Statement:

The purpose of this resolution is to provide for a consultant to study the existing courthouse building and provide insight for the County Board into the possibility of adding two new stories on the east and west side and remodeling the existing building so that the needs of the courts and supporting departments could be met for the next 25 years.

III. Budget and Fiscal Impact:

The funds for this study would come from the contingency fund. Once a consultant is chosen by the Property Committee, the funding will need the Finance Committee's approval.

IV. Committee Consideration:

No committee referral. Sponsored by Odell Gigante.

V. Approved as to Form:

David A. Bretl 6/3/02  
County Administrator (Date)

Dennis D. Costello 5/29/02  
Corporation Counsel Date

N. Andersen 6/3/02  
Finance Director Date

Res. No. 21-06/02, Resolution To Stay Any Further Action On Resolutions No. 86-02/02, 87-02/02, 88-02/02 and 89-02/02, was moved for adoption by Supervisor Gigante, but died without a second to the motion.

Resolution No. 21-06/02

RESOLUTION TO STAY ANY FURTHER ACTION  
ON RESOLUTIONS No. 86-02/02, 87-02/02, 88-02/02 and 89-02/02

**(NO ACTION TAKEN - NOT ADOPTED)**

WHEREAS, on February 26, 2002, the Walworth County Board, by a vote of 24 ayes, 6 noes and 5 absent, passed Resolution No. 86-02/02 which directed that the plans for a new justice center proceed without further delay; and

WHEREAS, on March 12, 2002, the Walworth County Board, by a vote of 29 ayes, 4 noes and 2 absent, passed Resolution No. 87-02/02 which amended the budget to include additional funding for the construction of the court facility and established the location on the east side of the Law Enforcement Center; and

WHEREAS, on March 12, 2002, the Walworth County Board, by a vote of 30 ayes, 3 noes and 2 absent, passed Resolution No. 88-02/02 authorizing the issuance of general obligation bonds on promissory notes for the public purpose of financing the construction and equipping the new court facility.

WHEREAS, on March 12, 2002, the Walworth County Board, by a voice vote with one recorded no vote, passed Resolution No. 89-02/02 authorizing the Finance Director to make Declarations of Official Intent to facilitate compliance with reimbursement bond regulations regarding the new courthouse project.

WHEREAS, the preliminary schematic design phase of the architectural planning for the new court facility has been completed. It would be a proper time to hold up any further planning or expenditures until a study is completed regarding the remodeling of the existing courthouse and until the Attorney General and, if necessary, the appellate courts render a legal opinion on whether the courts can be built outside of the county seat and if the courts can be split.

NOW, THEREFORE, BE IT RESOLVED, by the WALWORTH COUNTY BOARD OF SUPERVISORS; that any further action by Walworth County in pursuit of Resolutions No. 86-02/02, 87-02/02, 88-02/02 and 89-02/02 be stayed pending the outcome of a study or studies of remodeling of the existing courthouse.

ADOPTED this 11<sup>th</sup> day of June, 2002.

\_\_\_\_\_  
William M. Norem  
Walworth County Board Chairman

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

Policy and Fiscal Note attached.

Sponsored by: Supervisor Odell Gigante.

County Board Meeting Date: June 11, 2002

Approved as to form:

David A. Bretl                      June 3, 2002  
County administrator              Date

Dennis D. Costello                May 29, 2002  
Corporation Counsel                Date

N. Andersen                        June 3, 2002  
Finance Director                      Date

Action Required: Majority Vote

POLICY AND FISCAL NOTE

I. Title: RESOLUTION No. 21-06/02

RESOLUTION TO STAY ANY FURTHER ACTION ON  
RESOLUTIONS No. 86-02/02, 87-02/02, 88-02/02 and 89-02/02

II. Purpose and Policy Impact Statement:

The purpose of this resolution is to stay any further planning or the expenditure of funds for a new court facility until a further study of the remodeling of the existing courthouse can be completed and until the Attorney General and, if necessary, the appellate courts render a legal opinion on whether the courts can be built outside of the county seat and if the courts can be split.

III. Budget and Fiscal Impact:

This resolution would stop the expenditure of any more funds on the planning and construction of a new court facility until such time as a study of remodeling of the existing courthouse can be accomplished and reviewed by the Walworth County Board.

IV. Committee Consideration:

No committee referral. Sponsored by Supervisor Odell Gigante.

V. Approved as to Form:

David A. Bretl County administrator	June 3, 2002 Date
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Dennis D. Costello Corporation Counsel	May 29, 2002 Date
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N. Andersen Finance Director	June 3, 2002 Date
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On motion by Supervisor Lothian, seconded by Supervisor Morrison, Res. No. 26-06/02, Resolution Approving an Intergovernmental Agreement By and Between the City of Elkhorn and Walworth County To Provide for the Relocation of Certain County Facilities and Operations, was approved by voice vote. Supervisor Gigante asked that his vote be recorded as a "no" vote.

Resolution No. 26-06/02

RESOLUTION APPROVING AN INTERGOVERNMENTAL AGREEMENT  
BY AND BETWEEN CITY OF ELKHORN AND WALWORTH COUNTY  
TO PROVIDE FOR THE RELOCATION  
OF CERTAIN COUNTY FACILITIES AND OPERATIONS

WHEREAS, the WALWORTH COUNTY BOARD OF SUPERVISORS has approved the construction of a new justice center for the circuit courts and related departments to be built on the east side of the County's Law Enforcement Center; and

WHEREAS, the County and City have negotiated an agreement, which is attached to this resolution, which sets forth the future use of the existing courthouse in downtown Elkhorn for the next 25 years; and

WHEREAS, the City, in exchange for the partial use of the existing courthouse, once the courts vacate it, has agreed to consider an annexation petition from the County for lands east of the Law Enforcement Center; and

NOW, THEREFORE, BE IT RESOLVED, by the WALWORTH COUNTY BOARD OF SUPERVISORS that the attached copy of the Agreement between the City of Elkhorn and Walworth County is hereby approved.

ADOPTED this 11<sup>th</sup> day of June, 2002.

William M. Norem  
Walworth County Board Chairman

Kimberly S. Bushey  
Walworth County Clerk

Policy and Fiscal Note attached.

Sponsored by: County Board Chair William Norem. No committee action.

County Board Meeting Date: June 11<sup>th</sup>, 2002

Approved as to form: David A. Bretl 5/31/02  
County Administrator Date

Dennis D. Costello 5/31/02  
Corporation Counsel Date

Nicki Andersen 5/31/02  
Finance Director Date

Action Required: Majority Vote

POLICY AND FISCAL NOTE

I. Title: RESOLUTION No. 26-06/02

RESOLUTION APPROVING AN INTERGOVERNMENTAL AGREEMENT BY AND BETWEEN CITY OF ELKHORN AND WALWORTH COUNTY TO PROVIDE FOR THE RELOCATION OF CERTAIN COUNTY FACILITIES AND OPERATIONS

II. Purpose and Policy Impact Statement:

The purpose is to provide an amicable solution to the issue of the relocation of the courts east of the Law Enforcement Center.

III. Budget and Fiscal Impact:

There is no initial cost of the Agreement for year 2002. The Agreement obligates the County to occupy the courthouse for the next 25 years and provide certain consideration to the City of Elkhorn as set forth in the Agreement and summarized in the attached joint letter of the County Board Chairman and County Administrator.

IV. Committee Consideration:

Sponsored by Supervisor and Chairperson William M. Norem.

V. Approved as to Form:

David A. Bretl                      5/31/02  
County Administrator              Date

Dennis D. Costello                5/31/02  
Corporation Counsel                Date

Nicki Andersen                    5/31/02  
Finance Director                    Date

Res. No. 25-06/02, Resolution Authorizing the Sale of \$7,320,000 General Obligation Promissory Notes, was moved for adoption by Supervisor Shepstone, seconded by Supervisor Lothian. A revised resolution was distributed to the Board, and Bradley Viegut from Robert Baird presented a brief overview of the County's financial position. A roll call vote was conducted. Total Vote: 23; Ayes: 22 – Arnold, Burwell, Felten, Grant, Guido, Ketchpaw, Kuhnke, Lightfield, Lothian, Miles, Morrison, Palzkill, Parker, Peterson, Polyock, Russell, Schaefer, Scharine, Shepstone, Shroble, Wenglowksy, Norem; Noes: 1 – Gigante; Absent: 2 – Hilbelink, Lohrmann. The resolution was adopted.

RESOLUTION NO. 25-06/02

RESOLUTION AUTHORIZING THE SALE OF  
\$7,320,000 GENERAL OBLIGATION PROMISSORY NOTES

WHEREAS, on March 12, 2002, the County Board of Supervisors of Walworth County, Wisconsin (the "County") adopted Resolution No. 88-02/02 authorizing the issuance of general obligation bonds or promissory notes pursuant to Ch. 67, Wis. Stats., in an amount not to exceed \$11,230,000 for the public purpose of financing the construction and equipping of a new court facility (the "Court Facility Resolution"); and

WHEREAS, on March 12, 2002, the County Board of Supervisors also adopted Resolution No. 95-03/02 authorizing the issuance of general obligation promissory notes pursuant to Ch. 67, Wis. Stats., in 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 (the "Capital Projects Resolution"); and

WHEREAS the County Board of Supervisors deems it necessary and in the best interest of the County that monies in the amount of \$1,810,000 for the purpose authorized in the Court Facility Resolution and in the amount of \$5,510,000 for the purposes authorized in the Capital Projects Resolution be borrowed by issuing a single issue of general obligation promissory notes in the aggregate principal amount of \$7,320,000, upon the terms and conditions hereinafter provided; and

WHEREAS the County has duly received bids for its proposed issue of \$7,320,000 General Obligation Promissory Notes (the "Notes") as described on the bid tabulation attached hereto as Exhibit A and incorporated herein by this reference (the "Bid Tabulation"); and

WHEREAS it has been determined that the best bid received was that submitted by the bidder (the "Purchaser") whose bid is attached hereto as Exhibit B and incorporated herein by this reference (the "Proposal");

NOW, THEREFORE, BE IT RESOLVED by the County Board of Supervisors of Walworth County, Wisconsin, that:

Section 1. Award. The bid of the Purchaser for the purchase price set forth in the Proposal be and it hereby is accepted and the Chairperson and County Clerk are authorized and directed to execute an acceptance of the offer of said successful bidder on behalf of the County. The good faith deposit of the Purchaser shall be retained by the County Treasurer until the closing of the note issue, and any good faith deposits submitted by unsuccessful bidders shall be promptly returned.

Section 2. The Notes. The Chairperson and County Clerk shall make, execute and deliver the Notes to the Purchaser, for and on behalf of the County. The Notes shall be negotiable, general obligation promissory notes of the County, registered as to both principal and interest, in the denomination of Five Thousand Dollars (\$5,000) each or whole multiples thereof, numbered from R-1 upward and dated July 1, 2002. The Notes shall bear interest at the rates per annum set forth in the Proposal and shall mature on April 1 of each year, in the years and principal amounts set forth in the Proposal and the debt service schedule attached hereto as Exhibit C and incorporated herein by this reference (the "Schedule").

Interest on the Notes shall be payable on April 1 and October 1 of each year, commencing April 1, 2003.

Notes maturing in the years 2011 and 2012 shall be subject to call and prior payment at the option of the County in whole or from time to time in part on April 1, 2010 or on any date thereafter at the price of par plus accrued interest to the date of redemption. The amounts and maturities of the Notes to be redeemed shall be selected by the County. If less than the entire principal amount of any maturity is to be redeemed, the Notes of that maturity which are to be redeemed shall be selected by lot.

Section 3. Form of Notes. The Notes shall be in substantially the form attached hereto as Exhibit D and incorporated herein by this reference.

Section 4. Tax Provisions.

(A) Direct, Annual Irrepealable Tax. For the purpose of paying the principal of and interest on the Notes as the same become due, the full faith, credit and resources of the County are hereby irrevocably pledged and there be and there hereby is levied on all the taxable property in the County a direct, annual, irrepealable tax in the years 2002 through 2011 for payment of principal of and interest on the Notes in the years 2003 through 2012 in the amounts set forth in the Schedule.

(B) Tax Collection. The County shall be and continue without power to repeal such levy or obstruct the collection of said tax until all such payments have been made or provided for. After the issuance of the Notes, said tax shall be, from year to year, carried into the tax rolls of the County and collected as other taxes are collected, provided that the amount of tax carried into said tax rolls may be reduced in any year by the amount of any surplus money in the Debt Service Account created in Section 5(A) hereof.

(C) Additional Funds. If at any time there shall be on hand insufficient funds from the aforesaid tax levy to meet principal and/or interest payments on said Notes when due, the requisite amounts shall be paid from other funds of the County then available, which sums shall be replaced upon the collection of the taxes herein levied.

Section 5. Debt Service Fund and Account.

(A) Creation and Deposits. There be and there hereby is established in the treasury of the County, if one has not already been created, a debt service fund, separate and distinct from every other fund, which shall be maintained in accordance with generally accepted accounting principles. Sinking funds established for obligations previously issued by the County may be considered as separate and distinct accounts within the debt service fund.

Within the debt service fund, there be and there hereby is established a separate and distinct account designated as the "Debt Service Account for

\$7,320,000 'General Obligation Promissory Notes' dated July 1, 2002" (the "Debt Service Account") and such account shall be maintained until the indebtedness evidenced by the Notes is fully paid or otherwise extinguished. The County Treasurer shall deposit in such Debt Service Account (i) all accrued interest received by the County at the time of delivery of and payment for the Notes; (ii) the taxes herein levied for the specific purpose of meeting principal of and interest on the Notes when due; (iii) such other sums as may be necessary at any time to pay principal of and interest on the Notes when due; (iv) any premium which may be received by the County above the par value of the Notes and accrued interest thereon; (v) surplus monies in the Borrowed Money Fund as specified in Section 6 hereof; and (vi) such further deposits as may be required by Sec. 67.11, Wis. Stats.

(B) Use and Investment. No money shall be withdrawn from the Debt Service Account and appropriated for any purpose other than the payment of principal of and interest on the Notes until all such principal and interest has been paid in full and canceled; provided (i) the funds to provide for each payment of principal of and interest on the Notes prior to the scheduled receipt of taxes from the next succeeding tax collection may be invested in direct obligations of the United States of America maturing in time to make such payments when they are due or in other investments permitted by law; and (ii) any funds over and above the amount of such principal and interest payments on the Notes may be used to reduce the next succeeding tax levy, or may, at the option of the County, be invested by purchasing the Notes as permitted by and subject to Section 67.11(2)(a), Wis. Stats., in interest-bearing obligations of the United States of America, in other obligations of the County or in other investments permitted by law, which investments shall continue to be a part of the Debt Service Account.

(C) Remaining Monies. When all of the Notes have been paid in full and canceled, and all permitted investments disposed of, any money remaining in the Debt Service Account shall be deposited in the general fund of the County, unless the County Board of Supervisors directs otherwise.

Section 6. Proceeds of the Notes. All monies received by the County upon the delivery of the Notes to the purchaser thereof, except for accrued interest and premium, if any, shall be deposited by the County Treasurer into a special fund (the "Borrowed Money Fund") which shall be maintained separate and distinct from all other funds of the County and shall be used for no purpose other than the purposes for which the Notes are issued. In no event shall monies in the Borrowed Money Fund be used to fund operating expenses of the general fund of the County or of any special revenue fund of the County that is supported by property taxes. Monies in the Borrowed Money Fund may be temporarily invested as provided in Section 66.0603(1m), Wis. Stats. Any monies, including any income from permitted investments, remaining in the Borrowed Money Fund after the purposes for which the Notes have been issued have been accomplished, and, at any time, any monies as are not needed and which

obviously thereafter cannot be needed for such purposes shall be deposited in the Debt Service Account.

Section 7. No Arbitrage. All investments permitted by this resolution shall be legal investments, but no such investment shall be made in such a manner as would cause the Notes to be "arbitrage bonds" within the meaning of Section 148 of the Internal Revenue Code of 1986, as amended (the "Code"), or the Regulations of the Commissioner of Internal Revenue thereunder (the "Regulations"); and an officer of the County, charged with the responsibility for issuing the Notes, shall certify as to facts, estimates, circumstances and reasonable expectations in existence on the date of closing which will permit the conclusion that the Notes are not "arbitrage bonds," within the meaning of the Code or Regulations.

Section 8. Fiscal Agent. The County will enter into a contract with Associated Trust Company, National Association, Green Bay, Wisconsin (the "Fiscal Agent") to serve as its fiscal agent with respect to the Notes pursuant to Wis. Stats. Sec. 67.10(2), which contract shall be in substantially the form attached hereto as Exhibit E and incorporated herein by this reference. The Chairperson and County Clerk are hereby authorized and directed to enter into such contract on the County's behalf. Such contract may provide, among other things, for the performance by the Fiscal Agent of the functions listed in Wis. Stats. Sec. 67.10(2)(a) to (j), where applicable, with respect to the Notes.

Section 9. Persons Treated as Owners; Transfer of Notes. The County shall cause books for the registration and for the transfer of the Notes to be kept by the Fiscal Agent. The person in whose name any Note shall be registered shall be deemed and regarded as the absolute owner thereof for all purposes and payment of either principal or interest on any Note shall be made only to the registered owner thereof. All such payments shall be valid and effectual to satisfy and discharge the liability upon such Note to the extent of the sum or sums so paid.

Any Note may be transferred by the registered owner thereof by surrender of the Note at the office of the Fiscal Agent, duly endorsed for the transfer or accompanied by an assignment duly executed by the registered owner or his attorney duly authorized in writing. Upon such transfer, the Fiscal Agent shall deliver in the name of the transferee or transferees a new Note or Notes of a like aggregate principal amount, series and maturity and shall record the name of each transferee in the registration book. No registration shall be made to bearer. The Fiscal Agent shall cancel any Note surrendered for transfer.

The County shall cooperate in any such transfer, and the Chairperson and County Clerk are authorized to execute any new Note or Notes necessary to effect any such transfer.

The fifteenth day of each calendar month next preceding each interest payment date shall be the record dates for the Notes. Payment of interest on the Notes on any interest payment date shall be made to the registered owners of the Notes as they appear on the registration book of the Fiscal Agent at the close of business on the corresponding record date.

Section 10. Compliance with Federal Tax Laws. (a) The County represents and covenants that the projects financed by the Notes and their ownership, management and use will not cause the Notes to be "private activity bonds" within the meaning of Section 141 of the Code. The County further covenants that it shall comply with the provisions of the Code to the extent necessary to maintain the tax-exempt status of the interest on the Notes including, if applicable, the rebate requirements of Section 148(f) of the Code. The County further covenants that it will not take any action, omit to take any action or permit the taking or omission of any action within its control (including, without limitation, making or permitting any use of the proceeds of the Notes) if taking, permitting or omitting to take such action would cause any of the Notes to be an arbitrage bond or a private activity bond within the meaning of the Code or would otherwise cause interest on the Notes to be included in the gross income of the recipients thereof for federal income tax purposes. The County Clerk or other officer of the County charged with the responsibility of issuing the Notes shall provide an appropriate certificate of the County certifying that the County can and covenanting that it will comply with the provisions of the Code and Regulations.

(b) The County also covenants to use its best efforts to meet the requirements and restrictions of any different or additional federal legislation which may be made applicable to the Notes provided that in meeting such requirements the County will do so only to the extent consistent with the proceedings authorizing the Notes and the laws of Wisconsin and to the extent that there is a reasonable period of time in which to comply.

Section 11. Designation as Qualified Tax-Exempt Obligations. The Notes are hereby designated as "qualified tax-exempt obligations" for purposes of Section 265 of the Internal Revenue Code of 1986, as amended, relating to the ability of financial institutions to deduct from income for federal income tax purposes, interest expense that is allocable to carrying and acquiring tax-exempt obligations.

Section 12. Utilization of The Depository Trust Company Book-Entry-Only System. In order to make the Notes eligible for the services provided by The Depository Trust Company, New York, New York, the County agrees to the applicable provisions set forth in the Blanket Issuer Letter of Representations previously executed on behalf of the County and on file in the County Clerk's office.

Section 13. Undertaking to Provide Continuing Disclosure. The County covenants and agrees, for the benefit of the holders of the Notes, to enter into a written undertaking (the "Undertaking") required by SEC Rule 15c2-12 promulgated by the Securities and Exchange Commission pursuant to the Securities and Exchange Act of 1934 (the "Rule") to provide continuing disclosure of certain financial information and operating data and timely notices of the occurrence of certain events in accordance with the Rule. The Undertaking shall be enforceable by the holders of the Notes or by the original purchaser(s) of the Notes on behalf of such holders (provided that the rights of the holders and the purchaser(s) to enforce the Undertaking shall be limited to a right to obtain specific performance of the obligations thereunder and any failure by the County to comply with the provisions of the Undertaking shall not be an event of default with respect to the Notes).

The County Clerk, or other officer of the County charged with the responsibility for issuing the Notes, shall provide a Continuing Disclosure Certificate for inclusion in the transcript of proceedings, setting forth the details and terms of the County's Undertaking.

Section 14. Records. The County Clerk shall provide and keep a separate record book and shall record a full and correct statement of every step or proceeding had or taken in the course of authorizing and issuing these Notes.

Section 15. Bond Insurance. If the purchaser of the Notes determines to obtain municipal bond insurance with respect to the Notes, the officers of the County are authorized to take all actions necessary to obtain such municipal bond insurance. The Chairperson and County Clerk are authorized to agree to such additional provisions as the bond insurer may reasonably request and which are acceptable to the Chairperson and County Clerk including provisions regarding restrictions on investment of Note proceeds, the payment procedure under the municipal bond insurance policy, the rights of the bond insurer in the event of default and payment of the Notes by the bond insurer and notices to be given to the bond insurer. In addition, appropriate reference to the municipal bond insurance policy shall be made in the form of Note provided herein.

Section 16. Closing. The Chairperson and County Clerk of the County are hereby authorized and directed to execute and deliver the Notes to the purchaser thereof upon receipt of the borrowed funds, accrued interest to date of delivery and premium, if any. The Chairperson and County Clerk may execute the Notes by manual or facsimile signature, but at least one of said officers shall sign the Notes manually.

The officers of the County are hereby directed and authorized to take all steps necessary or convenient to close this issue as soon as practicable hereafter, in accordance with the terms of sale thereof; and said officers are hereby authorized and directed to execute and deliver such documents,

certificates and acknowledgments as may be necessary or convenient in accordance therewith.

Adopted this 11<sup>th</sup> day of June, 2002.

Kimberly S. Bushey  
County Clerk

William M. Norem  
Chairperson

Policy and Fiscal Note attached.

Sponsored by: Finance Committee                      May 23, 2002                      Vote: 6-1

County Board Meeting Date: June 11, 2002.

Approved as to form:	David A. Bretl County Administrator	6/11/02 Date
	Dennis D. Costello Corporation Counsel	6/11/02 Date
	Nicki Andersen (pw) Finance Director	6/17/02 Date

Action Required: majority of a quorum.

Resolution No. 25-06/02

Policy and Fiscal Note

- I. Title: Resolution authorizing the Issuance of an Amount Not to Exceed Seven Million Three Hundred Twenty Thousand Dollars (\$7,320,000) of General Obligation Promissory Notes.
- II. Purpose and Policy Impact Statement: The purpose of the resolution is to authorize the issuance of general obligation promissory notes to complete capital projects authorized in the 2002 budget. The issuance continues the county's ongoing practice of issuing less than \$10 million of G.O. debt, thereby qualifying it as "bank qualified". The debt is scheduled to be paid off over 10 years.
- III. Is this a budget item and what is its fiscal impact? – The 5-year Capital Improvement Plan, adopted March 12, 2003 by the Walworth County Board of Supervisors, includes \$7,319,600 in bond proceeds necessary to fund portions of the Capital Budget:

Land Information Infrastructure	\$1,000,000
Annex Sewer System Replacement	297,920
Huber Expansion	500,000
Property Barn Improvements	36,800
HVAX Unit - LEC Communications	36,000
Jail Bathroom Renovations	56,000
Summer Boiler Courthouse	41,000
New Court Facility	1,810,000
Webster House Improvements	70,000
Building Canopy Replacement	91,000
Classroom Computer Cabling	35,000
Price Park Improvements	70,000
FM Shop - Door & Window Replacement	31,000
Energy Conservation Project	473,880
CTH K Construction	1,165,000
CTH H, STH 67 to Elkhorn Area High School	20,000
Other Road Construction	1,435,000
Whitewater Salt Dome & Tractor Shed	<u>151,000</u>
	7,319,600

Note: These funds are only a portion of the total budget adopted for some of these items. The remaining costs will be funded with grant proceeds or existing funds as outlined in the 2002 budget. As authorized by Resolution 88-02/02, the new court facility will be funded through the issuance of additional borrowings in 2003 and 2004. Total debt issued for the new court facility may not to exceed \$11,230,000.

**IV. Committee Consideration:**

Finance Committee	May 23, 2002	Vote: 6-1
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**V. Approved as to Form:**

David A. Bretl	6/3/02
County Administrator	Date
Dennis D. Costello	6/3/02
Corporation Counsel	Date
N. Andersen	6/3/02
Finance Director	Date

On motion by Supervisor Grant, seconded by Supervisor Lothian, Res. No. 24-06/02, Resolution Authorizing An Intergovernmental Transfer Agreement

With The State of Wisconsin and Taxable Revenue Anticipation Borrowing In Amount Not To Exceed \$139,172,352 Pursuant to Section 67.12(1), Wis. Stats. In Connection with Intergovernmental Transfer Program, was adopted unanimously by a voice vote.

WALWORTH COUNTY, WISCONSIN  
RESOLUTION NO. 24-06/02  
RESOLUTION AUTHORIZING AN  
INTERGOVERNMENTAL TRANSFER AGREEMENT WITH  
THE STATE OF WISCONSIN AND TAXABLE REVENUE ANTICIPATION  
BORROWING IN AMOUNT NOT TO EXCEED \$139,172,352  
PURSUANT TO SECTION 67.12(1), WIS. STATS.  
IN CONNECTION WITH INTERGOVERNMENTAL TRANSFER PROGRAM

WHEREAS, Walworth County, Wisconsin (the "County") owns and operates a nursing/long-term care "facility" for the provision of healthcare-related services as defined in Section 49.45(6m), Wisconsin Statutes; and

WHEREAS, pursuant to Section 49.45, Wisconsin Statutes, and Title XIX of the Social Security Act ("Medicaid"), the County receives reimbursement of part of the costs associated with the County's operation of its facility; and

WHEREAS, the State Department of Health and Family Services is authorized at this time to make increased payments to nursing facilities for State Fiscal Year 2002 under applicable provisions of Wisconsin's Medicaid State Plan, including sections 1.304, 1.400, 4.100 and 4.500 of the Methods of Implementation for Wisconsin Medicaid Nursing Home Payment Rates for the Period July 1, 2001 through June 30, 2002; and

WHEREAS, the total amount the State of Wisconsin can claim as reimbursement from the federal Centers for Medicare and Medicaid Services ("CMS") is limited by a calculation known as the Medicare Upper Limit; and

WHEREAS, the State of Wisconsin has calculated that the State has an additional \$598,579,708 within its Medicare Upper Limit for State Fiscal Year 2002; and

WHEREAS, under applicable federal law, Wisconsin can participate in an Intergovernmental Transfer Program ("IGT Program") whereby participating counties, as determined by certain criteria, would transfer a sum or sums of money in one (1) or more transactions to the State of Wisconsin; and the State of Wisconsin would, within the same calendar day, transfer such sum directly back to the participating county as a Medicaid payment to the nursing facility as outlined in the applicable provisions of the Methods of Implementation for Wisconsin Medicaid Nursing Home Payment Rates and seek federal financial participation in such payments from CMS under Title XIX of the Social Security

Act and CMS regulations, thus maximizing the amount of federal reimbursement available to the State within the Medicare Upper Limit for State Fiscal Year 2002; and

WHEREAS, the Secretary of the State of Wisconsin Department of Health and Family Services, on November 12, 2001, directed that Medicaid payments for certain county-operated nursing facilities for State Fiscal Year 2002 be increased to a level not to exceed the Medicare Upper Limit, contingent upon the occurrence of an "intergovernmental transfer" between certain counties that operate those facilities and the Department; and

WHEREAS, the County desires to participate in the IGT Program with the State of Wisconsin and deems it to be in the County's best interest to enter into an Intergovernmental Transfer Agreement (the "IGT Agreement") with the State as provided herein and to participate in the IGT Program in order to enhance the County facility's reimbursement under Title XIX of the Social Security Act for State Fiscal Year 2002; and

WHEREAS, under the IGT Agreement, the County will be entitled to receive in the current fiscal year certain payments from the State of Wisconsin (the "IGT Payments") attributable to State Fiscal Year 2002; and

WHEREAS, the County has not yet received those payments and is temporarily in need of funds in an amount not to exceed \$139,172,352 for the purpose of paying the cost of general and current municipal expenses, consisting of making the payments it is required to make pursuant to the IGT Agreement; and

WHEREAS, counties are authorized by the provisions of Section 67.12(1), Wisconsin Statutes, to borrow money and issue municipal obligations in anticipation of receiving federal and state aids, taxes levied and other deferred payments; and

WHEREAS, this County Board of Supervisors (the "Governing Body") deems it necessary and in the best interest of the County that money be borrowed and municipal obligations be issued pursuant to the provisions of Section 67.12(1), Wisconsin Statutes; and

WHEREAS, in accordance with Section 67.12(1), Wisconsin Statutes, the municipal obligations issued hereunder will not be in an amount exceeding sixty percent (60%) of the County's total actual and anticipated receipts for the current fiscal year and will be repaid no later than eighteen (18) months after the first day of the current fiscal year.

NOW, THEREFORE, BE IT RESOLVED by the Governing Body of the County that:

1. Authorization of IGT Agreement. For the purpose of participating in the IGT Program in order to maximize the County's potential reimbursement under Title XIX of the Social Security Act and CMS regulations, the County shall enter into the IGT Agreement with the State of Wisconsin Department of Administration and the State of Wisconsin Department of Health and Family Services, which agreement shall be in substantially the form attached hereto as Exhibit A. The Chairperson and the County Clerk are hereby authorized, by and on behalf of the County, to execute the IGT Agreement.

2. Authorization of the Notes. In anticipation of receiving the IGT Payments and for the purpose of paying the cost of general and current municipal expenses, consisting of payments to be made by the County under the IGT Agreement, there shall be borrowed, pursuant to Section 67.12(1), Wisconsin Statutes, the principal sum of not to exceed \$139,172,352 from U.S. Bank, National Association, Milwaukee, Wisconsin (the "Purchaser").

3. Terms of the Note. To evidence such borrowing, the Chairperson and County Clerk are hereby authorized, empowered and directed to make, execute, issue, sell and deliver to the Purchaser for and on behalf of the County, the County's Taxable Revenue Anticipation Notes (the "Notes") in an aggregate principal amount of not to exceed \$139,172,352. The Notes shall be designated "Taxable Revenue Anticipation Notes"; shall be dated their date of issuance; shall mature on September 1, 2002 and shall bear interest at the rate set forth below:

a. in the event the Note is repaid before the close of the banking day on the date of the issuance of the Note, no interest shall be payable thereon. For purposes of this provision, the term "banking day" shall mean that period from 8:30 a.m. to 4:00 p.m. on any single day on which the Purchaser is open to conduct its banking business in the State of Wisconsin; and

b. in the event the Note is not repaid before the close of the banking day on the date of the issuance of the Note, interest thereon, payable at maturity, shall accrue from the date thereof at the following rate per annum (computed on the basis of a year of 360 days and twelve 30-day months):

i. if the Note is repaid within thirty (30) days or less from the date of issuance, the rate shall be the Purchaser's prime lending rate minus 2.50%;

ii. if the Note is repaid during the period starting thirty-one (31) days after the issuance of the Note until the maturity date

of the Note, the rate shall be the Purchaser's prime lending rate minus 0.50%.

4. Redemption Provisions. The Notes shall be subject to call and prior payment at the option of the County in whole or from time to time in part by lot at any time at the price of par plus accrued interest to the date of redemption.

5. Form of the Notes. The Notes shall be issued in registered form and shall be executed and delivered in substantially the form attached hereto as Exhibit B incorporated herein by reference.

6. Irrevocable Pledge; Segregated Fund. The County is entitled to IGT Payments in the current fiscal year which are not yet paid or otherwise encumbered, sufficient to pay the principal and interest on the Notes when due. The County hereby irrevocably pledges such IGT Payments as security for the repayment of the Notes. So long as the Notes, or interest thereon, remain unpaid, the aforesaid pledge shall be and continues irrevocable. The County shall segregate in a special fund IGT Payments and, to the extent necessary, other available revenues received for operation and maintenance of the County sufficient to pay the principal of and interest on the Notes as the same becomes due. Said special fund shall be used for the sole purpose of paying the principal of and interest on the Notes. The Notes do not constitute an indebtedness for the purpose of determining the County's constitutional debt limitation. Rather, the Notes are payable only from the otherwise unencumbered IGT Payments which the County is entitled to receive and anticipates receiving during the current fiscal year and other available revenues, as set forth above.

The officers of the County are authorized to execute and deliver to the Purchaser such security documents and agreements as are necessary to evidence the pledge set forth above.

7. Execution of the Notes. The Notes shall be executed on behalf of the County by the Chairperson and County Clerk, or others authorized by law to sign on their behalf, sealed with the official or corporate seal, if any, and delivered to the Purchaser upon payment to the County of the purchase price of the principal amount thereof, plus any accrued interest to the date of delivery. A facsimile signature of either of the officers may be imprinted on the Notes in lieu of the manual signature of such officer, but unless the County has contracted with a fiscal agent under Section 67.10(2) of the Wisconsin Statutes, at least one of the signatures shall be manual. In the event that any of the officers whose signatures appear on a Note shall cease to be such officers before the delivery of the Note, such signatures shall, nevertheless, be valid and sufficient for all purposes to the same extent as if they had remained in office until such delivery.

8. Payment of the Notes; Transfer of the Notes. The Notes shall be payable in lawful money of the United States of America by the County Treasurer. The transfer of a Note may be effected only by surrender of the old

Note and either the reissuance by the County of the old Note to the new holder or the issuance by the County of a new Note to the new holder or through a book entry system maintained by the County or its agent. The County hereby appoints the Purchaser identified in Paragraph 2 above, or the Purchaser's designee, as its agent (the "Agent") for the purpose of maintaining a book entry system. The Agent is hereby directed to maintain a record of ownership that identifies all of the owners of interests in the Notes.

9. Resolution a Contract; Non-Impairment of Contract. This Resolution constitutes a contract with the holders of the Notes made, in part, for the purpose of securing, and inducing investors to buy the Notes. The County will take no action with respect to such contract which would contravene provisions of the United States Constitution and Constitution of the State of Wisconsin prohibiting the passage of laws impairing the obligations of contracts. In addition, the holder or holders of the Notes shall have the right in addition to all other rights, by mandamus or other suit or action in any court of competent jurisdiction, to enforce his or their rights against the County, the governing body thereof, and any and all officers thereof.

10. Closing. The appropriate officers and agents of the County are hereby directed and authorized to do all acts and execute and deliver all documents as may be necessary and convenient to effectuate the execution and delivery of the IGT Agreement and the execution, issuance and delivery of the Notes.

11. Conflicting Resolutions; Severability; Effective Date. All prior resolutions, rules or other actions of the Governing Body or any parts thereof in conflict with the provisions hereof shall be, and the same are, hereby rescinded insofar as the same may so conflict. In the event that any one or more provisions hereof shall for any reason be held to be illegal or invalid, such illegality or invalidity shall not affect any other provisions hereof. The foregoing shall take effect immediately upon adoption and approval in the manner provided by law.

Adopted and recorded this 11th day of June, 2002.

By: William M. Norem  
Chairperson

(SEAL)

And: Kimberly S. Bushey  
County Clerk

Action Required: Majority

Policy and Fiscal Note attached.

Sponsored by: Finance Committee May 23, 2002 Vote: 7-0

County Board Meeting Date: June 11, 2002

Approved as to form:

David A. Bretl 6/4/02  
County Administrator Date

Dennis D. Costello 6/4/02  
Corporation Counsel Date

Nicole Andersen 6/4/02  
Finance Director Date

Resolution 24-06-02  
Policy and Fiscal Note

I. Title: Resolution Authorizing an Intergovernmental Transfer Agreement with the State of Wisconsin and Taxable Revenue Anticipation Borrowing in Amount Not to Exceed \$139,172,352 Pursuant to Section 67.12(1), Wis. Stats. In Conjunction with Intergovernmental Transfer Program

II. Purpose and Policy Impact Statement:

The purpose of this resolution is to authorize Walworth County's participation, on behalf of Lakeland Health Care Center (LHCC), in an intergovernmental Transfer Agreement (IGT) with the State of Wisconsin and to authorize the issuance of Taxable Revenue Anticipation Notes not to exceed \$139,172,352.

III. Is This a Budgeted Item and What is its Financial Impact?

Monies directly from this transfer have not been listed as a budgeted item. However, additional revenues will be received through the Intergovernmental Transfer Program as reimbursement to cover Lakeland Health Care Center's Medicaid operating deficit based on financial reports.

The transfer of \$139,172,352 will allow the State to seek federal financial match funds to provide Medicaid funding to Lakeland Health Care Center and the other nursing homes in Wisconsin. It is in the County's best interest to enter into an Intergovernmental Transfer Agreement with the State due to the importance of IGT to the operating budget and due to the increased IGT revenues this generates directly back to Walworth County. Without the additional funding, we would only qualify for an estimated \$1,750,000 in 2002. For 2002, IGT is budgeted at \$3,889,816. IGT revenue for 2002 is estimated to exceed the budget amount by a projected

one million dollars. This increased amount is due to new estimates of the Lakeland Health Care Center deficit by the Sate using updated financial reports.

As a transfer county, Walworth County will be entitled to receive increased payments in 2002 and in 2003. In 2003, the current estimate of IGT revenue is approximately \$4,950,000 assuming continued participation as a transfer county and meeting certain other criteria. Without the County transfer participation, the estimate of IGT for 2003 would be approximately \$1,750,000.

Amounts are based upon projections provided by the Lakeland Health Care Financial Service Manager

IV. Committee Consideration:

Finance Committee	May 23, 2002	Recommend Approval 7-0
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V. Approved as to Form:

David A. Bretl County Administrator	6/3/02 Date
Dennis D. Costello Corporation Counsel	6/4/02 Date
N. Andersen Finance Director	6/3/02 Date

The Dog License Statistical Report from the County Clerk's office was placed on file.

DOG LICENSING STATISTICS

COUNTY OF WALWORTH

1986 - 2001

Year	Number of Dogs <u>Licensed</u>	Receipts from <u>Dog Licenses</u>	5% Paid to <u>State</u>	Claims Paid <u>for Damages</u>
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1986	5,049	16,196.00	809.80	-0-
1987	4,818	15,383.50	769.17	1,280.00
1988	4,527	14,264.00	713.21	846.00
1989	4,751	14,922.50	746.13	1,234.91
1990	4,788	15,009.50	750.48	22.50
1991	4,686	14,184.50	709.24	1,021.00
1992	4,610	20,688.50	1,034.48	-0-
1993	4,512	19,893.00	994.65	200.00
1994	4,535	20,102.00	1,005.10	50.00
1995	4,769	20,325.00	1,017.25	600.00
1996	4,612	19,268.00	963.40	-0-
1997	4,603	19,073.50	953.68	-0-
1998	4,665	19,149.00	957.45	-0-
1999	4,662	18,830.00	941.50	-0-
2000	4,746	18,925.00	946.25	3,887.00
2001	4,809	18,966.00	948.30	-0-

Kimberly S. Bushey  
County Clerk

May 20, 2002

SUMMARY OF 2001 DOG LICENSES SOLD IN WALWORTH COUNTY

Number of males..... 477 @ \$ 8.00 = \$ 3,816.00

Number of females..... 352 @ \$ 8.00 = \$ 2,816.00

Number of neutered males..... 1,830 @ \$ 3.00 = \$ 5,490.00

Number of spayed females..... 2,107 @ \$ 3.00 = \$ 6,321.00

Number of dogs 5 months old after July 1..... 10 @ \$ 4.00 = \$ 40.00  
(Unaltered)

Number of dogs 5 months old after July 1..... 0 @ \$ 1.50 = \$ .00  
(Altered)

Number of kennels..... 12 @ \$35.00 = \$ 420.00

Dogs in excess of 12 per kennel..... 21 @ \$ 3.00 = \$ 63.00

(per dog)

Total fees collected.....\$18,966.00

5% of total fees collected payable to State Treasurer.....\$ 948.30

Less local treasurer fees.....\$ 1,197.00

Less Dog License expenses (printing, supplies  
advertising, damage, etc.).....\$ 9,727.64

Amount paid to Lakeland Animal Welfare Society.....\$ 7,093.06

\$1,000.00 Balance for Dog Damage Claims remains in general ledger account  
number 811-0000-0979

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

Kathleen Fox, Town of Spring Prairie  
Salvatore J. Dimiceli, Sr., Trust, Town of Geneva

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:

Hidden Valley Properties, LLC, Town of Lafayette, rezone from B-5 and C-4 to R-1, C-2 and C-4

Henry Clark, Town of Sugar Creek, rezone from R-1 to B-2

John and Helen Annessi, Town of LaGrange, rezone from A-1 to A-4

Quarterline Evergreen Cemetery Association, Town of Troy, rezone from P-1 to P-2

Berg Construction, Inc., Thomas J. Berg, Pres., Town of East Troy, rezone from C-2 to R-2

Cyrel Bowker Estate, Ross Katzman, Trustee, Town of Spring Prairie, rezone from P-2 to R-1

Steve and Lawrence Norem (Kenneth R. Mulhollon, App.), Town of Lyons, rezone from A-1 to A-5

Kenneth and Debra Blue, Town of Lyons, rezone from C-1 to A-1

Fairwyn Trading Partnership, (Eric C. Craig, App.), Town of Bloomfield, rezone from A-1 to A-4

Candice Suriano (Allen Van Allen & Charles W. Tucker, App.), Town of Delavan, rezone from B-2 to B-3

James Mansky, Town of Geneva, rezone from A-2 to C-2

Above petitions referred May 21, 2002.

Dated this 11th day of June, 2002.

Kimberly S. Bushey  
County Clerk

A motion was made by Supervisor Gigante, seconded by Supervisor Lothian, to approve the following Report of the Land Management Committee. Ralph Giorno from the Town of Whitewater was present and affirmed that he was in favor of the rezone so he could sell gravel that was on his property.

Supervisor Polyock said that he wanted further review of the proposed text amendment to the Zoning and Shoreland Zoning Ordinance. A motion was made by Supervisor Polyock, seconded by Supervisor Wenglowsky, to separate Item #1 Text Amendment to Zoning Ordinance and Shoreland Zoning Ordinance, Walworth County, Wisconsin, Sections 1,2,3,4,5,6,7,9,11 and 13 and act on this item separately. Motion carried. Items #2-8 were then approved as presented. Gene Kovacs spoke regarding the Text Amendment. He stated that this Text Amendment was taken back to the new Land Management Committee. The Land Management Committee fully supported approval of this Text Amendment. On motion by Lothian, seconded by Palzkill, Item #1 Text Amendment to Zoning Ordinance and Shoreland Zoning Ordinance, Walworth County, Wisconsin, Sections 1,2,3,4,5,6,7,9,11 and 13 was approved as presented with the following Supervisors casting a "no" vote: Gigante, Polyock, Schaefer.

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 59.69(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. Land Management Committee, Text Amendment To Zoning Ordinance And Shoreland Zoning Ordinance, 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, 5.6, 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.

Recommendation: Said petition be modified and approved. The modification eliminates sections 2.5, 4.2, and 5.6.

2. Charlotte Loth (Thomas and Karen Heuerman, App.) Town of Troy - filed a petition on the 6<sup>th</sup> day of March to rezone A-2 Agricultural Land District To A-5 Agricultural-Rural Residential District.

Recommendation: Said petition be approved.

3. Larry W. and Patricia S. Peterson, Town of Troy -filed a petition on the 5<sup>th</sup> day of March to rezone from A-1 Prime Agricultural Land District To R-1 Single Family Residence District (Unsewered).

Recommendation: Said petition be approved after appropriate findings were made as required by state farmland preservation programs 91.77(1) Wis. Stats.

The property proposed to be rezoned is the bed of an old railroad right-of-way and the soil class may have been substantially altered in the area due to the past historic use along the railway bed.

4. Robin and Patricia White, Town of Spring Prairie -filed a petition on the 4<sup>th</sup> day of March to rezone from A-2 Agricultural Land District To C-2 Upland Resource Conservation District.

Recommendation: Said petition be approved.

5. Thomas C. Jacobs (Jesse Jacobs, App.), Town of Linn - filed a petition on the 6<sup>th</sup> day of February, 2002 to rezone from C-4 Lowland Resource Conservation (Shoreland) District To R-4 Multiple Family Residence District & B-1 Local Business District.

Recommendation: Said petition be modified and approved to reflect a rezone from C-4 to C-2 and B-4.

6. Craig N. and Michele R. Gordon, Town of Walworth - filed a petition on the 6<sup>th</sup> day of March, 2002 to rezone from A-1 Prime Agricultural Land District To C-1

Lowland Resource Conservation District & C-2 Upland Resource Conservation District.

Recommendation: Said petition be approved after the appropriate findings were made as required by State Farmland Preservation Program S91.77(1).

Sixty percent of the property is in Class IV and VII soils and the property is broken up by a wetland area.

7. Bernard P. Kaufmann, Town of Delavan - filed a petition on the 6<sup>th</sup> day of March, 2002, to rezone from C-1 Lowland Resource Conservation District, C-4 Lowland Resource Conservation District (Shoreland), B-5 Planned Commercial Recreation Business District, & C-2 Upland Resource Conservation District To B-5 Planned Commercial Recreation Business District, C-4 Lowland Resource Conservation District (Shoreland) & C-1 Lowland Resource Conservation District.

Recommendation: Said petition be approved.

8. Ralph and Laurie Giorno, Town of Whitewater - filed a petition on the 3<sup>rd</sup> day of April 2002, to rezone from A-1 Prime Agricultural Land District To M-3 Mineral Extraction District.

Recommendation: Said petition approved after the appropriate findings were made as required by State Farmland Preservation Program S91.77(1) Wis. Stats.

The applicant is not planning to construct any homes on the rezone site. The rezone will not require police services. The property will be rezoned back to agricultural after restoration. The site is needed for the Hwy. "12" bypass, will reduce road traffic and wear and hauling distances.

#### 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. WALWORTH COUNTY ZONING AND SHORELAND ZONING ORDINANCE AMENDMENTS TO SECTIONS 1.6, 1.7, 1.9, 2.4, 2.8, 2.16, 3.3, 3.4, 3.5, 3.6, 3.7, 3.8, 4.3, 4.4, 4.5, 4.6, 4.7, 4.9, 4.10, 5.3, 5.4, 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.

Additions area underlined, deletions are crossed out.

#### Section 1.6 INTERPRETATION

In their interpretation and application, the provisions of this Ordinance shall be liberally construed in favor of the County, and shall not be construed to be a limitation or repeal of any other power granted by the Wisconsin Statutes. This Ordinance shall be interpreted and applied in its entirety and shall be consistent with the purpose and intent of this Ordinance. Where a provision of this Ordinance is required by a standard in Chapters NR 115 and NR 116, Wisconsin Administrative Code, and where the ordinance provision is unclear, the provision shall be interpreted in light of the Chapters NR 115 and NR 116 standards in effect on the date of the adoption of this Ordinance or in effect on the date of the most recent text amendment to this Ordinance.

#### Section 1.7 SEVERABILITY AND NON-LIABILITY

If any section, clause, provision or portion of this Ordinance is adjudged unconstitutional or invalid by a court of competent jurisdiction, the remainder of this Ordinance shall not be affected thereby. This Ordinance shall not create a liability on the part of, or a cause of action against, Walworth County or any office or employee thereof for any damages that may result from reliance on this Ordinance.

#### Section 1.9 ADOPTION AND EFFECTIVE DATE

This Ordinance shall be effective after public hearing, recommendation by the ~~County Planning, Zoning and Sanitation Committee~~ Land Management Committee, and hereafter referred to as Committee; adoption by the County Board of Supervisors; and publication or posting as provided by law.

#### Section 2.4 USE REGULATIONS

The SIZE (square footage at ground floor elevation) of accessory structures shall be based on lot area. The lot area shall be considered the ~~gross~~ net area less areas zoned C-1, C-4 and floodlands.

Accessory structures are permitted in the rear and side yards of all lots, and in the street yards of lake shore lots, flag lots, through lots, corner lots, and lots of five (5) acres or more in size. When located in the side yard and the street yard, they shall not be closer than the minimum required side yard, rear yard and street yard setback.

Temporary Uses, such as ~~real-estate sales field offices~~ or shelters for materials and equipment being used in the construction of permanent structure, may be permitted by the Board of Adjustment as provided for under Section 10.0 of this Ordinance.

### Section 2.8 SHORELAND REGULATIONS

Tree Cutting, Shrubbery Clearing, and Earth Movements shall be conducted in accordance with the County's conservation standards and shall require a zoning permit and a conservation plan. All cutting, clearing, and earth movement activities shall be so conducted as to prevent erosion and sedimentation and preserve the natural beauty of the County. All earth movement activities within 75 feet of the ordinary high water mark shall be limited to minimal grade changes and only if it is done in a manner designed to minimize erosion, sedimentation and impairment of fish and wildlife habitat and preserves natural shoreline beauty.

~~Paths and trails shall not exceed ten (10) feet in width and shall be so designed and constructed as to result in the least removal and disruption of natural ground cover and the minimum impairment of natural beauty.~~ In the strip of land 35 feet wide inland from the ordinary high-water mark, no more than 30 feet in any each 100 or the same portion of a smaller lot shall be clear-cut.

Required Setbacks; All structures, except piers, wharves, boat hoists, lift, open fence, boathouse, ~~patios~~, bridges, dams, walkway and stairway which are necessary to provide pedestrian access to the shoreline, shall require a setback of at least seventy-five (75) feet from the ordinary high-water mark, although a greater setback may be required where otherwise regulated by the floodplain provisions of this Ordinance or other more restrictive ordinances.

### 2.16 SINGLE FAMILY AND TWO FAMILY DWELLING REQUIREMENTS

No single family dwelling or two-family dwelling shall be erected or installed in any zoning district unless it meets all of the following:

D) Shall have a core area of living space at least 24 22 feet by 24 22 feet in size.

Section 3.3, A-1, Prime Agricultural Land District  
(B) CONDITIONAL USES: (See Section 4.0)

19. Farm Family Business

Sections 3.3, 3.4 and 3.6

A-5, C-2, C-3, R-1, R-2, R-2A, R-3, R-4, R-5, R-6, R-7, R-8

(B) ACCESSORY USES: Accessory uses are permitted but not until their principal structure is present or under construction. For accessory uses involving structures or buildings, such structures or buildings shall be subject to the requirements of Section 2.4.

Section 3.3, 3.4 and 3.6

A-2, A-3, A-5, C-2, C-3, R-1, R-2, R-2A

(C) CONDITIONAL USES:

Bed and Breakfast establishments

Section 3.6

R-4, R-5, R-8

(C) CONDITIONAL USES:

Model apartments, model condominiums and related temporary real estate sales office located within the model unit.

R-6, R-7

(C) CONDITIONAL USES:

Model mobile home and related temporary real estate sales office located within the model unit.

R-1, R-2, R-2A, R-3, R-4, R-5, R-6, R-7, R-8

(C) CONDITIONAL USES:

Model Single Family residences, Model single family condominiums and related temporary real estate sales office located within the model unit.

R-3, R-4, R-5, R-8

(C) CONDITIONAL USES:

Model two-family homes and model two family condominiums and related temporary real estate sales office located within the model unit.

All Zoning Districts

Conditional Use:

Utilities, provided all principal structures and uses are not less than 50 feet from all district lot lines except business, park and Industrial.

Section 3.5 PARK DISTRICTS

P-1 RECREATIONAL PARK DISTRICT

(B) CONDITIONAL USES: (See Section 4.0)

24. Land Restoration

P-2 INSTITUTIONAL PARK DISTRICT

(B) CONDITIONAL USES: (See Section 4.0)

23. Land Restoration

Section 3.6 RESIDENCE DISTRICTS

R-1 Single-Family Residence District (unsewered)

(D) AREA, HEIGHT & YARD REQUIREMENTS:

Lot: Width and Area of all lots to be determined in accordance with Section 2.5

Area: Minimum 40,000 square feet

Width: 150 feet

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R-3 TWO-FAMILY RESIDENCE DISTRICT (Sewered or Unsewered)

(D) AREA, HEIGHT & YARD REQUIREMENTS:

Lot: (Unsewered) Width and Area of all lots to be determined in Accordance with Section 2.5

Area: Minimum 40,000 square feet per dwelling unit

Width: 150 Feet

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R-4, MULTIPLE-FAMILY RESIDENCE DISTRICT: (Sewered or Unsewered)

(C) CONDITIONAL USES: (See Section 4.0)

12. Retirement Homes

Side: Minimum 10 Feet (sewered)  
Minimum 15 Feet (unsewered)

3.7 BUSINESS DISTRICTS

B-1 LOCAL BUSINESS DISTRICT:

(B) CONDITIONAL USES:

11. Car wash

B-2 GENERAL BUSINESS DISTRICT

(A) PRINCIPAL USES:

22. Personal Service Establishments

(B) CONDITIONAL USES:

27. Tattoo Parlors

28. Car Wash

B-5 PLANNED COMMERCIAL - RECREATION BUSINESS DISTRICT

(C) AREA, HEIGHT & YARD REQUIREMENTS;

Yards: (Perimeter, Shore) Minimum 75 feet

Yards: (Street) Subdivision: Minimum 25 feet

Town Road: Minimum 50 feet

County Road: Minimum 65 feet

State & Federal Minimum 85ft

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freeways)

3.8 INDUSTRIAL DISTRICTS

M-1 INDUSTRICT DISTRICT

B. CONDITIONAL USES:

18. Garbage Dumpster Rental

M-3 MINERAL EXTRACTION DISTRICT

(D) CONDITIONAL USES:

9. 10. Utilities

~~10. The extension of any existing uses as listed above.~~

9. The extension of any existing mineral extraction related uses.

(c) YARD REQUIREMENTS: All excavations shall be at least 200 feet from the right-of-way of any public or approved private street or property line, or a shoreline. The Committee may vary this requirement for shallow clay barrow excavation when the excavation and backfilling is conducted in a continuous phase and the barrow material is replaced on site for the re-establishment of the original grade after considering such evidence as may be presented at the public hearing bearing upon the general purpose and intent of this Ordinance. In no case shall the setback requirement be reduced to less than 2 1/2 times the proposed maximum depth.

4.3 SHORELAND AND FLOODPLAIN USES

Floodway Uses not prohibited in Section 2.7 of this Ordinance such as outdoor recreation, ~~parking lots, storage yards,~~ utility transmission structures, navigational structures. . .

4.4 AGRICULTURAL AND RELATED USES

Farm Family Business may be permitted as a conditional use for farm owners if limited to existing farm residences or farm structures not dedicated to agricultural uses. No more than 2 persons who are not members of the resident farm family may be employed in the farm family business. Wisconsin State Statute 91.75(8)

Agricultural-Related Manufacturing, Warehousing, and Marketing Activities in the A-4 district, including contract sorting, grading, . . . and transportation-related activities primarily serving the basic agricultural industry. Any outside storage or display areas in conjunction with the above commercial and related uses may be permitted by the Committee after considering such evidence as may be presented at the public hearing bearing upon the general purpose and intent of this Ordinance. In no case shall the area be closer than 25 feet to any right of way.

#### 4.5 RECREATIONAL AND RELATED USES

Public or Private Campgrounds in the P-1, P-2, C-2 and B-5 districts . . . .

Existing Operations: Within sixty (60) days . . . Any existing operation which does not comply with this registration requirement shall be penalized in accordance with provisions in Section 2.12 and 2.13 2.14 and 2.15.

Notwithstanding. . .

Hotels, Motels and Tourist Courts in the B-3, B-4 and B-5 districts.

#### 4.6 RESIDENTIAL AND RELATED USES

Planned Residential Developments in the R-1, R-2, R-2A, R-3, R-4, R-5, R-7, R-8, C-2, and C-3, and B-5 districts, provided that no planned development shall be approved which includes residential uses not permitted as a principal use in the given district.

Model apartments, model condominiums and related temporary real estate sales office located within the model unit in the R-4, R-5 and R-8 districts, Model mobile home and related temporary real estate sales office located within the model unit in the R-6, R-7, district, Model single family homes and model single family condominiums and related temporary real estate sales office located within the model unit in the R-1, R-2, R-2A, R-3, R-4, R-5, R-6, R-7, R-8 districts, model two-family homes and model two family condominiums and related temporary real estate sales office located within the model unit in the R-3, R-4, R-5, R-8 districts, may be permitted as a conditional use if limited to the following:

1. Models may be located in all new subdivisions for a period not to exceed three years from the date of issuance of a zoning permit
2. Models shall not be used as a real estate office other than incidental to showing the model dwelling
3. Models shall be designed in such a manner as to blend with existing neighborhood environments
4. Models shall not be open beyond 9:00 p.m.
5. One sign may be permitted provided, however, that it is no larger than four feet by six feet and further provided that in the event that said sign is lighted, there is no flashing or traveling lights associated with said sign.
6. Models shall be completely landscaped and have a paved driveway within one year from the date of issuance of the zoning permit.
7. No parking lots shall be created that would not normally be found in a single family development.
8. Sufficient parking shall be provided in model home driveways and may be provided on subdivision roads, but in no case shall the parking be allowed on any federal, state, county or town highway. Any parking on subdivision roads shall be done in such a manner as to minimize congestion to the surrounding neighborhood.
9. In those cases where five or more homes are developed into a "parade of homes", the developer shall provide sufficient temporary

off-street parking for the duration of the exhibit. This parking need not, however be paved or graveled.

Bed and Breakfast Establishments in the A-2, A-3, A-5, R-1, R-2, R-2A, districts provided the owner of the bed and breakfast establishment resides in the establishment. No bedrooms shall be permitted to be located in an accessory structure. No more than four bedrooms shall be rented. Individual rentals shall not exceed five (5) consecutive days in length. No retail sales shall occur in a bed and breakfast establishment. One exterior advertising sign, not exceeding eight (8) square feet in area, may be erected on the premises.

#### 4.7 COMMERCIAL AND RELATED USES

Except where specifically permitted as a principal use in Section 3.0, the following commercial and related uses shall be conditional uses and may be permitted as specified. Any outside storage or display areas in conjunction with the following commercial and related uses may be permitted by the Committee after considering such evidence as may be presented at the public hearing bearing upon the general purpose and intent of this Ordinance. In no case shall areas be closer than 25 feet to any right of way.

Vehicle Sales, Service, washing and repair stations, garages, taxi stands, and public parking lots, in all business districts provided all gas pumps are not less than thirty (30) feet from any side or rear lot line and twenty (20) feet from any existing or proposed street line, and further provided that canopy posts over gas pumps shall be at least 30 feet from any side or rear lot line and shall not be less than 20 feet from any existing or proposed street. Canopies shall not be permitted to overhang past the property line. No canopy shall exceed 20 feet in height. Car wash facilities shall be installed in such a manner as not to cause spray or run-off to encroach upon any adjoining properties or public right-of-ways.

Hotels, Motels and Tourist Courts in the B-3, B-4, and B-5 Districts.

Flea Markets in the A-4, B-1, B-2, B-3, and B-4 Districts.

#### 4.9 PUBLIC AND SEMI-PUBLIC USES

Utilities in all districts provided all principal structures and uses are not less than 50 feet from any ~~residential district lot lines.~~ R-1, R-2, R-2A, R-3, R-4, R-5, R-6, R-7, and R-8 district lot lines.

#### 4.10 MINERAL EXTRACTION AND RELATED USES

Plat of Survey: Submittal of a plat of survey showing, as appropriate, the data and information set forth in Section 4.1, topographic data (minimum contour interval of 5 feet vertical), existing natural resource base data, the location of existing and proposed access roads, and the depth of existing and proposed excavations and an approved reclamation plan.

Operations Plan: Submittal of an operations plan, including at least a description of the operational methods proposed to be used; a list of equipment, machinery, and structures to be used and constructed; a description of the source, quantity, and disposition of water to be used; a description of proposed noise and dust control procedures; reclamation plan and proposed hours of operation

Section 5.0 TRAFFIC, PARKING AND ACCESS

Section 5.3 PARKING REQUIREMENTS

In all districts and in connection with every use, there shall be provided at the time any use or building is erected, enlarged, extended, or increased, off-street parking stalls for all vehicles in accordance with the following:

<u>Housing for the elderly</u>	<u>1 stall for each dwelling</u> <u>Unit plus 1 stall for</u> <u>Every eight units for</u> <u>Guest parking</u>
<u>Colleges, Secondary and Elementary Schools</u>	<u>1 stall for each 2</u> <u>employees</u>
<u>Colleges, High Schools</u>	<u>1 stall per employee plus</u> <u>1 stall per 5 students</u>
<u>Elementary, Middle Schools</u>	<u>1 stall per employee</u>
<u>Trade Schools</u>	<u>1 stall per 2 students</u> <u>Plus 1 stall per employee</u> <u>and/or teacher</u>
<u>Day Care</u>	<u>1 stall per staff member</u> <u>Plus 1 stall per 5</u> <u>Students plus 1 space per</u> <u>Facility vehicle</u>
<u>Bed and Breakfast</u>	<u>1 stall for each guest</u> <u>Room plus 1 stall for</u> <u>Each 3 employees</u>
<u>Commercial Riding Stables</u>	<u>1 space for each four</u> <u>Stalls</u>
<u>Commercial Feed Lots</u>	<u>1 stall per employee on</u> <u>Largest shift</u>

<u>Golf Course</u>	<u>1 stall per employee on Largest shift and 6 Stalls per golf hole plus 50% of spaces otherwise required for any accessory uses (eg. Bars, restaurants)</u>
<u>Golf Driving Range</u>	<u>1 stall per employee on Largest work shift and 1 Stall per tee</u>
<u>Home Occupation</u>	<u>2 stalls in addition to Requirement for residence</u>
<u>Model Homes</u>	<u>4 spaces per model</u>
<u>Beauty Salons, Barber</u>	<u>3 spaces per chair</u>

Location to be on the same lot as the principal use, or on a lot not over four hundred (400) feet from the principal use. Parking stalls and interior driveways located in the A-4, P-1, P-2, R-4, R-5, R-6, R-7, R-8, B-1, B-2, B-3, B-4, B-5, B-6, M-1, M-2 districts shall be located at least twenty-five (25) feet from any public right of way. No parking stall or driveway, except in residential districts, shall be closer than twenty five (25) feet to a residential district lot line or a street line opposite a residential district. Parking stalls and driveways in the A-4, P-1, P-2, R-4, R-8, B-1, B-2, B-3, B-4, B-5, M-1, M-2, M-3, and M-4 districts shall be located at least 25 feet from any R-1, R-2, R-2A, R-3, R-5, R-6, R-7, and A-5 district lot line and at least 5 feet from any property line. No parking stall or driveway is permitted within the shoreyard.

Existing Uses: Uses existing on the effective date of this Ordinance which do not have the required amount of parking space shall not further reduce said space; and no expansion of the use shall be permitted, unless additional parking spaces in compliance with the setback requirements and equal to the parking requirement for the expansion are provided as part of the expansion.

Change of use: Whenever an existing use of a lot is hereafter proposed to be changed to a use having greater parking requirements, the applicant shall provide additional parking spaces in compliance with the setback requirements and equal to the difference in required parking spaces between the existing use and the proposed use.

Parking areas existing on the effective date of this Ordinance which do not meet the setback requirements may be continued as established. Once the parking area has been changed so as to comply with the provisions of this Ordinance it shall not revert back. If the parking area is discontinued or terminated for a

period of twelve months, any future use shall conform to the provisions of this Ordinance.

#### Section 5.4 DRIVEWAYS

All driveways installed, altered, changed, replaced, or extended after the effective date of this Ordinance shall meet the following requirements:

Openings for vehicular ingress and egress shall not exceed ~~thirty (30) feet at the street line and thirty-five (35) feet at the roadway~~ thirty-five (35) feet at the property line.

#### Section 6.2 SIGNS PERMITTED IN ALL DISTRICTS WITHOUT A ZONING PERMIT

Bulletin Boards of public, charitable, or religious institutions not to exceed ~~eight (8)~~ twenty (20) square feet in display area located on the premises.

Home Occupation and Day Care sign shall be limited to one sign per parcel, unlighted and limited to not more than 8 square feet in display area and shall be located at least twenty-five feet from the road right of way and ten feet from a side property line.

Bed and Breakfast sign shall be limited to one sign per parcel not to exceed eight (8) square feet in display area and shall be located at least twenty-five feet from the road right of way.

Community Based Residential Facilities shall be limited to one sign per parcel not to exceed eight (8) square feet in display area and shall be located at least twenty-five feet from the road right of way.

#### Section 6.3 SIGNS PERMITTED IN ALL BUSINESS, INDUSTRIAL, INSTITUTIONAL AND PARK DISTRICTS (B-1, B-2, B-3, B-4, B-5, A-4, M-1, M-2, M-3, M-4, P-1, P-2)

#### Section 6.7 FACING

No sign except those permitted in Section 6.2 shall be permitted to face a residential district ~~the~~ R-1, R-2, R-2A, R-3, R-4, R-5, R-6, R-7, R-8, A-5, C-2, and C-3 district within one hundred (100) feet of such district boundary.

#### 6.11 INDEMNIFICATION AND INSURANCE

Any person constructing, erecting, installing, altering or maintaining any sign requiring a permit under the provisions of this Code shall ~~provide or show proof of~~ have a certificate of liability to indemnify the County against any form of liability to a minimum of one hundred thousand dollars (\$100,000) per incident.

#### Section 7.1 EXISTING NON-CONFORMING USES AND STRUCTURES

A Current File of all non-conforming uses and structures shall be maintained by the Zoning Administrator listing the following: property location, use of the structure, land or water; and ~~equalized value of the structures at the time of its becoming a non-conforming structure~~ assessed value of the structure.

#### Section 7.2 EXISTING SUBSTANDARD STRUCTURES

Existing Substandard Structures (principal and/or accessory) which are damaged or destroyed by fire explosion, flood, or other calamity, may be reconstructed to their original design (building envelope) and location (footprint) provided it can comply with any minimum parking, loading and conditional use requirements of this Ordinance.

Existing Substandard Structures (principal and/or accessory) may be moved, removed or razed, and reconstructed to their original design (building envelope) and location (footprint) provided it can comply with any minimum parking, loading and conditional use requirements of this Ordinance.

#### Section 7.4 EXISTING SUBSTANDARD LOTS

In any Residential, Conservation, or Agricultural District, a one-family detached dwelling and its accessory structures may be erected on ~~any~~ an existing substandard legal lot or parcel of record in the County Register of Deeds office before the effective date or amendment of this Ordinance, provided such legal lot or parcel meets frontage requirements per Section 2.5 and all of the following minimum substandard lot requirements--and further provided that all requirements of the County Sanitary Ordinance are met:

Lot:                   Width: Minimum 50 Feet (Public Sewerage)  
  Minimum 65 Feet (Septic System)

Area: Minimum 7,500 Square Feet (Public Sewerage)  
  Minimum 10,000 Square Feet (Septic System)

Yards: Street Minimum 25 Feet ~~from lot line~~;  
  Corner lots shall have two such yards.

Minimum 50 Feet from State and Federal  
Road right of ways or 110 feet from the  
Centerline, whichever is greater

Side: (sewered) 10 Feet  
  (unsewered) Minimum 16% of the lot width on  
  each side but not less than 5                   feet from the  
  lot line

(See Section 9.6)

Once a substandard lot has been changed or altered so as to comply with the standard provisions of this Ordinance, it shall not revert back to a substandard lot.

## Section 9.0 MODIFICATIONS

### 9.1 HEIGHT

The district height limitations stipulated elsewhere in this Ordinance may be exceeded but such modifications shall be in accord with the following: Communication Structures, such as radio and television transmission and relay towers, aerials, and observation towers shall not exceed in height three (3) times their distance from the nearest lot line. Utility cabinets shall be setback a distance equal to two (2) times their height from the nearest lot line.

### 9.2 YARDS

Residential Fences are permitted on the property lines ~~in residential districts~~, but shall not in any case exceed a height of (6) feet in the side and rear yards; shall not exceed a height of four (4) feet in the street yard and shore yard, and shall not be closer than two (2) feet to any existing public right-of-way. Fences are not permitted to cross between property lines within the 75 foot shoreyard setback and shall not create a barrier to wildlife movement and shall maintain natural shoreland beauty. Entrance pillars may be permitted on either side of the driveway/ access to the lot provided the pillars shall not be closer than two (2) feet to any right of way, shall not exceed two (2) feet in width and shall not exceed six (6) feet in height.

Security Fences are permitted on the property lines in all districts except residential districts, but shall not exceed ten (10) feet in height, shall not be closer than two (2) feet to any existing public right-of-way and shall be of an open type similar to woven wire or wrought iron fencing. Screening for garbage containers of a closed fence type may be permitted in all Business, Industrial and Park districts except provided it does not exceed six (6) feet in height, is not located in the street yard and shall not be closer than ten (10) feet to a property line.

Landscaping and Vegetation are exempt from the yard requirements of this ordinance, except as provided in Section 5.1.

Utility cabinets shall be setback a distance equal to two (2) times their height from the nearest lot line

## Section 11.4(A) FOUNDATION SURVEY REQUIREMENTS

- (4) Except as provided for in subsection (2), any person erecting, moving, enlarging or reconstructing a structure, which under this Ordinance, requires a zoning permit and the submittal of a plat of survey with the

proposed structure(s) located on the survey by a Registered Land Surveyor of the State of Wisconsin shall upon completion of the construction of footings, concrete slab or other foundations, submit to the Zoning Administrator a survey prepared by a Registered Land Surveyor showing the locations, boundaries, dimensions, 100 year floodplain elevations and size of the following: The boundaries of a lot, all existing structures (including foundations) and their relationship to the lot lines. The Zoning Administrator shall compare the location of all new or extended foundations with the location of all proposed construction activity reported on the permit application. ~~No further construction may commence unless the Zoning Administrator shall find that the foundation location is consistent with the permit as issued and shall so certify within 5 working days of receipt of the foundation survey.~~

Construction may continue, but a foundation survey shall be submitted to the zoning department for review within 30 days of backfilling the foundation. If more than 30 days is needed, due to extenuating circumstances, to provide a foundation survey a written request shall be submitted to the Zoning Department whereby additional time may be granted in 15 day increments. All construction shall be in full compliance of the Zoning Ordinances, Walworth County, Wisconsin. If a zoning violation is later determined, the applicant, owner and his estate shall move the construction or structure so as to conform with the zoning regulations effective on the date the permit was issued and shall further pay all consequent damages.

- (2) ~~A foundation survey shall not be required for the construction of any structure located at least 1 1/2 times 150 feet from all setback requirements property lines of the applicable zoning district or for the construction of decks or additions when a permit has been issued utilizing a plat of survey with an existing structure located on the plat by a Registered Land Surveyor of the State of Wisconsin or for structures that did not require the submittal of a plat of survey with the location of the location of the structure by a Registered Land Surveyor to obtain a zoning permit, unless deemed necessary by the Zoning Administrator after a reasonable effort has been made to determine the location of the structure by inspection. An inspection of the foundation shall be completed by the Zoning Administrator within 48 hours 30 days of notification comparing the location of all new or extended foundations with the location of all proposed construction activity reported on the permit application. ~~No further construction may commence unless the Zoning Administrator shall find that the foundation location is consistent with the permit as issued and shall so certify within 5 working days of notification for inspection.~~ Ordinances If more than 30 days is needed to complete the inspection, the Zoning Department will call the person that scheduled the inspection to request the additional time. Construction may continue upon notification to the Zoning Department, but, all construction shall be in full~~

compliance with the Zoning Ordinances, Walworth County, Wisconsin. If a zoning violation is later determined, the applicant, owner and his estate shall move the construction or structure so as to conform with the zoning regulations effective on the date the permit was issued and shall further pay all consequent damages.

Failure to comply with the requirements of this Section shall be grounds for the issuance of a stop work order and/or citations pursuant to the Walworth County Code of Ordinances.

#### 11.7 PERMIT FEES

Where required, all persons, firms or corporations shall pay a fee according to the approved schedule of fees of the ~~Department of Planning, Zoning and Sanitation-~~ Land Management Department.

#### 11.10 FLOODPLAIN MAPPING DISPUTES

flood maps or any other evidence available to the ~~Planning and Development~~ Committee. . . . Where it is determined that the floodplain is incorrectly mapped, the ~~Planning and Development~~ Committee shall proceed to. . .

#### Section 13 Definitions

##### Attached or Attachment

The minimum requirement for attachments shall include all of the following: The attachment, when possible, must extend from original grade to the roof line of one or more of the connected structures; The attachment must be completely enclosed by a roof, walls, and floor (Openings only for windows, sky lights, doors, etc., are allowed); The attachment must be accessible from all connecting structures; The attachment as well as the connecting structures must meet applicable Uniform Dwelling Codes for foundation requirements; and The attachment should be similar in design and materials to the connected structure(s).

##### Bed and Breakfast Establishment:

Any place of lodging that provides four (4) or fewer rooms for rent for more than 10 nights in a 12 month period, is the owner's personal residence, is occupied by the owner at the time of rental, and in which the only meal served to guests is breakfast.

##### Boathouse:

An accessory building in the shoreyard on the same lot with a residence. . . .

##### Cemetery

As defined in Wisconsin State Statutes Chapter 157

### Committee

The Committee or Commission, also known as the Walworth County ~~Planning, Zoning and Sanitation~~ Land Management Committee, created and designated by the Walworth County Board under Section 59.69 Wisconsin Statutes to act in matters pertaining to County Planning and Zoning.

### Contractors Storage Yard

Outside and/or inside storage of equipment, commercial vehicles, and/or supplies for contractors such as plumbers, heating and air conditioning contractors, excavators, carpenters, landscapers, painting contractors, wastewater treatment system contractors, electricians, well drillers and similar uses.

### Core Living Area

That area or space within a dwelling unit, ~~measured at ground floor elevation,~~ devoted to the principal residential use of the structure, excluding attached garages, porches, sheds and other appurtenances.

### Dwelling, Two Family

A structure on a single lot, which contains two (2) dwelling units. ~~Each unit shall be totally separated from the other by a solid wall extending from ground to roof or solid ceiling and floor extending from exterior wall to exterior wall. Access to each unit shall be from a common hall, or by direct individual entrances/exits. A two family dwelling includes a manufactured home containing two dwelling units.~~

### Dwelling, Multiple-Family

A ~~dwelling~~ structure containing three or more dwelling units.

### Farm Family Business

Any lawful activity, except a farm operation, conducted primarily for any of the following:

1. The purchase, sale, lease or rental of personal or real property.
2. The manufacture, processing or marketing of products, commodities or any other personal property.
3. The sale of services.

### Frontage

The smallest dimension of a lot abutting a public street or other officially approved way measured along the street line. (See Section 2.5)

### Lot

A parcel of land having frontage on a public street or other officially approved means of access, per Section 2.5, occupied or intended to be occupied by a principal structure or use. . .

### Lot, Substandard

A parcel of land having frontage on a public street, per Section 2.5, occupied, or intended to be occupied by a principal building or structure together with accessory buildings. . .

**Minor Structures**

Any small, 100 square feet or less, movable accessory erection or construction, such as birdhouses, pethouses, play equipment, and arbors.

Personal Service Establishments

Includes uses such as but not limited to artists services, barber services, beauty services, dry cleaning, laundry, photographic studios, shoe repair and cleaning services, custom tailoring, travel arranging services and day spas.

Shoreline Buffer Zone

The vegetation protection area.

**Subdivision Road**

A town road or other officially approved means of access providing primary access to interior lots located within a subdivision or minor subdivision as defined in the Walworth County Land Division Ordinance.

**Structural Improvement**

Any repair, re-construction or improvement of a non-conforming structure, the cost of which equals or exceeds 50 percent (50%) of the present assessed value  
. . . .

Tourist Court

Same as Motel.

UNIT

A cubicle of air.

**Yard, Rear**

A yard extending across the full width of the lot, the depth of which shall be the minimum horizontal distance between the rear lot line and a line parallel thereto through the nearest point of the principal structure. This yard shall be opposite the street yard or opposite one of the street yards with driveway access on a corner lot.

2. Charlotte Loth (Thomas and Karen Heuerman, App.), Town of Troy - To Amend Said Zoning Maps From A-2 Agricultural Land District To A-5 Agricultural-Rural Residential District On The Following Described Lands:

Part of Tax Parcel #L T 1100008

Part of the Northeast ¼ and Southeast ¼ of the Southwest ¼ of Section 11, Town 4 North, Range 17 East, Town of Troy, Walworth County, Wisconsin, bounded and described as follows:

Commencing at the Southwest corner of said ¼ Section; thence North 00°17'06" East along the West line of said ¼ Section for a distance of 1319.80 feet to a point on the North line of the South ½ of said ¼ Section; thence South 89°51'20" East along said North line, and the North line of Certified Survey Map No. 1981, for a distance of 1322.90 feet to a point on the West line of the East ½ of said ¼ Section, and the point of beginning; thence North 00°08'24" East along said West line 268.27 feet to a point; thence South 89°48'25" East 146.85 feet to a point; thence South 01°17'38" East 125.97 feet to a point; thence South 25°48'04" East and perpendicular to the North line of County Trunk Highway J for a distance of 269.77 feet to a point; thence South 64°04'56" West along said North line 162.16 feet to a point on the West line of the East ½ of said ¼ Section; thence North 00°08'24" East along said West line, and the East line of Lot 4, Certified Survey Map No. 1981, for a distance of 231.13 feet to the point of beginning. Said lands contain 86,902 square feet or 1.9950 acres.

3. Larry W. and Patricia S. Peterson, Town of Troy - To Amend Said Zoning Maps From A-1 Prime Agricultural Land District To R-1 Single Family Residence District (Unsewered) On The Following Described Lands:

Part of Tax Parcel #L T 1500015

Being a parcel of land in part of the NE1/4 of the SE1/4 of Section 15, Town 4 North, Range 17 East, Town of Troy, Walworth County, Wisconsin being more completely described as follows: Commencing at the East ¼ corner of said Section 15; thence with the East line of the SE1/4 of said Section 15 S00°00'00"E, a distance of 659.64' to a point; thence N89°56'58"W, a distance of 184.95' to the Point of Beginning; thence N00°02'50"E, a distance of 205.00' to a point; thence N00°03'56"W, a distance of 177.53' to a point; thence N00°34'48"W, a distance of 103.21' to a point; thence S89°54'15"W, a distance of 113.97' to a point; thence S00°00'00"E, a distance of 485.43' to a point; thence S89°56'58"E, a distance of 115.05' to the Point of Beginning. Said land to be transferred contains 1.282 acres more or less.

The property proposed to be rezoned is the bed of an old railroad right-of-way and the soil class may have been substantially altered in the area due to the past historic use along the railway bed.

4. Robin and Patricia White, Town of Spring Prairie - To Amend Said Zoning Maps From A-2 Agricultural Land District To C-2 Upland Resource Conservation District On The Following Described Lands:

Tax Parcel #OA233100001

Part of the Northeast ¼ of the Northeast ¼ of Section 14, Township 3 North, Range 18 East of the Fourth Principal Meridian, in the Township of Spring Prairie, Walworth County, Wisconsin and being more particularly described as follows: Commence at the Northeast corner of said Section 14; thence South 00°07'40" West along the East line of said Northeast ¼ Section 1060.07 feet to the Place of Beginning of this description; thence continue South 00°07'40" West along said West line 335.62 feet; thence North 85°22'35" West 778.00 feet; thence North 15°09'51" West 30.00 feet; thence North 72°43'02" East 821.14 feet to the Place of Beginning. Containing 3.27 acres of land more or less.

5. Thomas C. Jacobs (Jesse Jacobs, App.), Town of Linn - To Amend Said Zoning Maps From C-4 Lowland Resource Conservation (Shoreland) District To C-2 Upland Resource Conservation District & B-4 Highway Business District On The Following Described Lands:

Part of Tax Parcel #'s I L 1200006, I L 1200006A, I L 1200007, and I L 1200008

Description of parcel to be rezoned to C-2

A parcel of land located in the Northwest ¼ of Section 12, Town 1 North, Range 17 East Walworth County, Wisconsin, described as follows: Commencing at the Northeast corner of the Northwest ¼ of said Section 12; thence S 01°48'04" E along the East line of the Northwest ¼ of said Section 12, 1105.50 feet; ;thence S 88°11'56" W 881.56 feet to the Point of Beginning; thence S 00°00'00" E 123.34 feet; thence S 25°34'45" E 74.61 feet; thence S 00°00'00" E 73.78 feet; thence S 90°00'00" W 309.97 feet; thence N 00°00'00" E 156.64 feet; thence N 88°11'56" E 271.65 feet; thence N 01°48'04" W 99.00 feet; N 88°11'56" E 9.35 feet to the Point of Beginning. Said parcel contains 48,952 sq. ft.

Description of parcel to be rezoned to B-4

A parcel of land located in the Northwest ¼ of Section 12, Town 1 North, Range 17 East Walworth County, Wisconsin, described as follows: Commencing at the Northeast corner of the Northwest ¼ of said Section 12; thence S 01°48'04" E along the East line of the Northwest ¼ of said Section 12, 1591.26 feet; thence S 88°11'56" W 629.36 feet to the Point of Beginning; thence S 88°11'56" W 545.37 feet; thence N 00°00'00" W 230.31 feet; thence N 90°00'00" E 309.97 feet; thence S 00°00'00" E 30.67 feet; thence N 63°38'17" E 54.69 feet; thence S 89°38'16" E 103.24 feet; thence S 71°28'09" E 106.81 feet; thence S 00°00'00" E 107.59 feet; thence S 58°35'32" W 27.56 feet; thence S 05°50'23" E 50.50 feet to the Point of Beginning. Said parcel contains 119,537 square feet.

6. Craig N. and Michele R. Gordon, Town of Walworth - TO AMEND SAID ZONING MAPS FROM A-1 PRIME AGRICULTURAL LAND DISTRICT TO C-1 LOWLAND RESOURCE CONSERVATION DISTRICT & C-2 UPLAND

RESOURCE CONSERVATION DISTRICT ON THE FOLLOWING DESCRIBED LANDS:

Part of Tax Parcel #E W 2500003D

A-1 to C-1

A part of the Southwest  $\frac{1}{4}$  of the Northeast  $\frac{1}{4}$  of Section 25, Town 1 North, Range 16 East, Walworth County, Wisconsin, described as follows: Commencing at the North  $\frac{1}{4}$  corner of said Section 25 (T1N, R16E); thence S 01DEG 02MIN 50SEC E, 1322.37 feet along the West line of the Northeast  $\frac{1}{4}$  of said Section 25; thence N 88DEG 55MIN 32SEC E, 660.55 feet to the Northwest corner of Certified Survey Map No. 1642; thence S 01DEG 05MIN 11SEC E, 553.10 feet along said CSM to the Point of Beginning; thence N 62DEG 51MIN 54SEC W, 23.56 feet; thence N 51DEG 47MIN 05SEC W, 45.06 feet; thence N 78DEG 29MIN 07SEC W, 45.33 feet; thence N 86DEG 11MIN 59SEC W, 58.26 feet; thence N 89DEG 46MIN 21SEC W, 49.16 feet; thence S 53DEG 38MIN 32SEC W, 32.89 feet; thence N 35DEG 13MIN 16SEC W, 58.61 feet; thence N 57DEG 47MIN 26SEC W, 43.37 feet; thence S 01DEG 05MIN 11SEC E, 550.29 feet; thence S 64DEG 57MIN 16SEC E, 33.39 feet; thence N 09DEG 18MIN 49SEC W, 119.14 feet; thence N 03DEG 21MIN 28SEC W, 111.16 feet;; thence N 07DEG 05MIN 11SEC E, 81.77 feet; thence N 22DEG 15MIN 28SEC E, 67.33 feet; thence S 60DEG 17MIN 04SEC E, 46.16 feet; thence S 12DEG 22MIN 19SEC E, 45.24 feet; thence S 53DEG 41MIN 51SEC E, 31.11 feet; thence S 06DEG 26MIN 00SEC E, 68.82 feet; thence S 60DEG 58MIN 44SEC E, 16.75 feet; thence S 05DEG 03MIN 24SEC W, 46.60 feet; thence S 34DEG 39MIN 33SEC E, 34.65 feet; ;thence S 87DEG 48MIN 11SEC E, 106.62 feet; thence S 88DEG 18MIN 39SEC E, 41.52 feet; thence N 01DEG 05MIN 11SEC W, 85.21 feet; thence N 24DEG 43MIN 52SEC W, 45.73 feet; thence N 17DEG 23MIN 50SEC W, 30.18 feet; thence N 72DEG 22MIN 01SEC W, 109.03 feet; thence N 11DEG 51MIN 55SEC W, 36.14 feet; thence S 89DEG 04MIN 11SEC E, 91.79 feet; thence S 89DEG 04MIN 11SEC E, 45.14 feet; thence N 01DEG 05MIN 11SEC W, 109.65 feet to the Point of Beginning. Containing 1.95 acres of land more or less.

A-1 to C-2

A part of the Southwest  $\frac{1}{4}$  of the Northeast  $\frac{1}{4}$  and part of the Northwest  $\frac{1}{4}$  of the Southeast  $\frac{1}{4}$  of Section 25, Town 1 North, Range 16 East, Walworth County, Wisconsin, described as follows: Commencing at the North  $\frac{1}{4}$  corner of said Section 25 (T1N, R16E); thence S 01DEG 02MIN 50SEC E, 1322.37 feet along the West line of the Northeast  $\frac{1}{4}$  of said Section 25; thence N 88DEG 55MIN 32SEC E, 660.55 feet to the Point of Beginning; thence S 01DEG 05MIN 11SEC E, 1727.87 feet; thence N 38DEG 23MIN 42SEC W, 500.00 feet; thence N 01DEG 05MIN 11SEC W, 925.00 feet; thence N 51DEG 55MIN 55SEC W, 100.00 feet; thence N 02DEG 21MIN 52SEC W, 124.00 feet; thence N 64DEG 42MIN 41SEC E, 141.86 feet; thence N 02DEG 19MIN 59SEC W, 160.00 feet; thence N 88DEG 55MIN 32SEC E, 257.46 feet to the Point of Beginning.

Containing 10.76 acres of land more or less. Excepting therefrom lands to be rezoned C-1.

Sixty percent of the property is in Class IV and VII soils and the property is broken up by a wetland area.

7. Bernard P. Kaufmann, Town of Delavan - To Amend Said Zoning Maps From C-1 Lowland Resource Conservation District, C-4 Lowland Resource Conservation District (Shoreland), B-5 Planned Commercial Recreation Business District, & C-2 Upland Resource Conservation District To B-5 Planned Commercial Recreation Business District, C-4 Lowland Resource Conservation District (Shoreland) & C-1 Lowland Resource Conservation District On The Following Described Lands:

Tax Parcel #'s F D 2300003 and F D 2300003A

Parcel 1, C-1 to B-5: A part of the North ½ of Section 23, Town 2 North, Range 16 East, Walworth County, Wisconsin, described as follows: Commencing at the North ¼ corner of said Section 23 (T2N, R16E); thence N 89DEG 11MIN 45SEC E, 441.52 feet along the North line of said Section 23 to the Point of Beginning; thence continue N 89DEG 11MIN 45SEC E, 7.27 feet; thence S 09DEG 27MIN 43SEC E, 126.06 feet; thence S 86DEG 47MIN 24SEC W, 279.60 feet; thence S 36DEG 11MIN 35SEC W, 206.05 feet; thence S 06DEG 17MIN 20SEC E, 292.03 feet; thence S 50DEG 35MIN 04SEC W, 121.85 feet; thence N 33DEG 51MIN 08SEC W, 39.58 feet; thence N08DEG 57MIN 57SEC W, 103.34 feet; thence N 17DEG 26MIN 15SEC W, 119.98 feet; thence N 27DEG 39MIN 19SEC W, 71.59 feet; thence N 01DEG 13MIN 28SEC E, 116.57 feet; thence N 38DEG 52MIN 17SEC E, 108.14 feet; thence N 58DEG 11MIN 13SEC E, 46.45 feet; thence N 78DEG 33MIN 48SEC E, 78.75 feet; thence S 89DEG 44MIN E, 92.32 feet; thence N 65DEG 24MIN 50SEC E, 69.47 feet; thence N 88DEG 07MIN 48SEC E, 102.90 feet; thence N 71DEG 04MIN 43SEC E, 88.11 feet; thence N 12DEG 51MIN 29SEC E, 61.27 feet to the Point of Beginning. Containing 2.26 acres of land more or less.

Parcel 2, C-4 to B-5: A part of the North ½ of Section 23, Town 2 North, Range 16 East, Walworth County, Wisconsin, described as follows: Commencing at the North ¼ corner of said Section 23 (T2N, R16E); thence S 00DEG 33MIN 24SEC E, 667.66 feet to the Point of Beginning; thence N 50DEG 35MIN 04SEC E, 49.58 feet; thence S 00DEG 35MIN 00SEC E, 144.56 feet; thence N 11DEG 00MIN 28SEC W, 77.15 feet; thence N 33DEG 51MIN 08SEC W, 44.96 feet to the Point of Beginning. Containing 0.05 acres of land more or less.

Parcel 3, B-5 to C-4: A part of the North ½ of Section 23, Town 2 North, Range 16 East, Walworth County, Wisconsin, described as follows: Commencing at the North ¼ corner of said Section 23, (T2N, R16E); thence S 19DEG 49MIN 48SEC W, 705.42 feet to the Point of Beginning; thence N 56DEG 32MIN 14SEC E,

142.15 feet; thence S 48DEG 03MIN 21SEC E, 146.09 feet; thence N 50DEG 35MIN 04SEC E, 23.99 feet; thence S 33DEG 51MIN 08SEC E, 44.96 feet; thence S 11DEG 00MIN 28SEC E, 77.15 feet; thence S 00DEG 35MIN 00SEC E, 72.50 feet; thence S 79DEG 05MIN 34SEC W, 31.70 feet; thence N 60DEG 46MIN 15SEC W, 40.69 feet; thence N 40DEG 46MIN 46SEC W, 107.53 feet; thence N 37DEG 54MIN 11SEC W, 111.01 feet; thence N 85DEG 16MIN 29SEC W, 81.51 feet to the Point of Beginning. Containing 0.73 acres of land more or less.

Parcel 4, C-4 to B-5: A part of the North  $\frac{1}{2}$  of Section 23, Town 2 North, Range 16 East, Walworth County, Wisconsin, described as follows: Commencing at the North  $\frac{1}{4}$  corner of said Section 23 (T2N, R16E); thence S 12DEG 22MIN 54SEC W, 1559.05 feet to the Point of Beginning; thence N 67DEG 55MIN 39SEC E, 48.78 feet; thence N 77DEG 36MIN 54SEC E, 116.07 feet; thence N 81DEG 28MIN 19SEC E, 70.35 feet; thence S 62DEG 33MIN 02SEC E, 71.98 feet; thence N 28DEG 06MIN 40SEC E, 70.78 feet; thence N 89DEG 18MIN 55SEC E, 25.25 feet; thence N 38DEG 58MIN 50SEC E, 19.51 feet; thence N 09DEG 40MIN 06SEC W, 55.73 feet; thence N 56DEG 44MIN 47SEC W, 84.92 feet; thence N 67DEG 25MIN 34SEC W, 47.88 feet; thence N 00DEG 29MIN 36SEC W, 27.74 feet; thence S 81DEG 43MIN 16SEC W, 47.16 feet; thence S 12DEG 34MIN 39SEC W, 27.55 feet; thence S 79DEG 32MIN 48SEC W, 61.51 feet; thence N 61DEG 17MIN 41SEC W, 70.31 feet; thence S 88DEG 51MIN 56SEC W, 99.49 feet; thence N 06DEG 31MIN 20SEC W, 90.80 feet; thence N 86DEG 49MIN 32SEC E, 50.93 feet; thence S 65DEG 22MIN 23SEC E, 63.20 feet; thence N 37DEG 45MIN 42SEC W, 68.06 feet; thence S 84DEG 21MIN 25SEC W, 43.64 feet; thence N 37DEG 00MIN 51SEC W, 53.00 feet; thence N 12DEG 31MIN 07SEC W, 104.29 feet; thence N 01DEG 52MIN 31SEC W, 135.47 feet; thence N 30DEG 59MIN 59SEC E, 53.12 feet; thence N 15DEG 56MIN E, 115.66 feet; thence N 52DEG 42MIN 49SEC E, 124.37 feet; thence S 85DEG 16MIN 29SEC E, 19.26 feet; thence S 56DEG 32MIN 14SEC W, 120.76 feet; thence S 00DEG 11MIN 50SEC W, 293.92 feet; thence S 54DEG 23MIN 00SEC E, 464.91 feet; thence S 00DEG 08MIN 40SEC W, 268.11 feet; thence N 85DEG 57MIN 46SEC W, 380.67 feet to the Point of Beginning. Containing 2.56 acres of land more or less.

Parcel 5, B-5 to C-1: A part of the North  $\frac{1}{2}$  of Section 23, Town 2 North, Range 16 East, Walworth County, Wisconsin, described as follows: Commencing at the North  $\frac{1}{4}$  corner of said Section 23 (T2N, R16E): thence S 14 DEG 34MIN 25SEC W, 1597.57 feet to the Point of Beginning; thence N 34DEG 43MIN 01SEC E, 32.65 feet; thence S 85DEG 57MIN 46SEC E, 49.21 feet; thence S 67DEG 55MIN 39SEC W, 33.13 feet; thence S 73DEG 32MIN 29SEC W, 38.56 feet to the Point of Beginning. Containing 0.02 acres of land more or less.

Parcel 6, C-1 to B-5: A part of the North  $\frac{1}{2}$  of Section 23, Town 2 North, Range 16 East, Walworth County, Wisconsin, described as follows: Commencing at the North  $\frac{1}{4}$  corner of said Section 23 (T2N, R16E); thence S 12 DEG 38MIN 31SEC

W, 1775.31 feet to the Point of Beginning; thence N 04DEG 34MIN 30SEC E, 60.38 feet; thence N 42DEG 09MIN 14SEC W, 92.85 feet; thence N 12DEG 31MIN 24SEC W, 42.35 feet; thence N 73DEG 32MIN 29SEC E, 55.52 feet; thence S 34DEG 43MIN 01SEC W, 42.01 feet; thence S 56DEG 17MIN 21SEC E, 105.79 feet; thence S 03DEG 40MIN 29SEC E, 90.96 feet; thence S 87DEG 53MIN 07SEC W, 56.50 feet to the Point of Beginning. Containing 0.21 acres of land more or less.

Parcel 7, B-5 to C-1: A part of the North  $\frac{1}{2}$  of Section 23, Town 2 North, Range 16 East, Walworth County, Wisconsin, described as follows: Commencing at the North  $\frac{1}{4}$  corner of said Section 23 (T2N, R16E); thence S 14DEG 08MIN 19SEC W, 1788.22 feet to the Point of Beginning; thence N 87DEG 53MIN 07SEC E, 48.29 feet; thence S 04DEG 34MIN 30SEC W, 38.49 feet; thence N 51DEG 00MIN 41SEC W, 58.14 feet to the Point of Beginning. Containing 0.02 acres of land more or less.

Parcel 8, C-1 to B-5: A part of the North  $\frac{1}{2}$  of Section 23, Town 2 North, Range 16 East, Walworth County, Wisconsin, described as follows: Commencing at the North  $\frac{1}{4}$  corner of said Section 23 (T2N, R16E); thence S 22DEG 26MIN 51SEC W, 1933.87 feet to the Point of Beginning; thence N 28DEG 11MIN 45SEC E, 39.29 feet; thence N 68DEG 19MIN 41SEC E, 99.62 feet; thence N 86DEG 02MIN 38SEC E, 77.79 feet; thence S 82DEG 53MIN 34SEC E, 99.87 feet; thence S 51DEG 00MIN 41SEC E, 17.70 feet; thence S 87DEG 53MIN 07SEC W, 207.54 feet; thence S 64DEG 09MIN 17SEC W, 104.69 feet to the Point of Beginning. Containing 0.15 acres of land more or less.

Parcel 9, B-5 to C-1: A part of the North  $\frac{1}{2}$  of Section 23, Town 2 North, Range 16 East, Walworth County, Wisconsin, described as follows: Commencing at the North  $\frac{1}{4}$  corner of said Section 23 (T2N, R16E); thence S 29DEG 23MIN 41SEC W, 2090.18 feet to the Point of Beginning; thence S 89DEG 24MIN 51SEC E, 213.34 feet; thence N 64DEG 09MIN 17SEC E, 82.41 feet; thence S 28DEG 11MIN 45SEC W, 35.14 feet; thence S 50DEG 56MIN 06SEC W, 70.73 feet; thence S 85DEG 02MIN 00SEC W, 135.72 feet; thence N 61DEG 24MIN 11SEC W, 76.24 feet; thence N 39DEG 00MIN 44SEC W, 21.95 feet to the Point of Beginning. Containing 0.24 acres of land more or less.

Parcel 10, C-1 to B-5: A part of the North  $\frac{1}{2}$  of Section 23, Town 2 North, Range 16 East, Walworth County, Wisconsin, described as follows: Commencing at the North  $\frac{1}{4}$  corner of said Section 23 (T2N, R16E); thence S 30DEG 20MIN 22SEC W, 2109.59 feet to the Point of Beginning; thence N 01DEG 16MIN 10SEC W, 96.34 feet; thence S 49DEG 21MIN 59SEC E, 24.26 feet; thence S 01DEG 14MIN 48SEC W, 50.67 feet; thence S 39DEG 00MIN 44SEC E, 38.95 feet; thence N 89DEG 24MIN 51SEC W, 39.69 feet to the Point of Beginning. Containing 0.04 acres of land more or less.

Parcel 11, C-2 to B-5: A part of the North ½ of Section 23, Town 2 North, Range 16 East, Walworth County, Wisconsin, described as follows: Commencing at the North ¼ corner of said Section 23 (T2N, R16E); thence S 04DEG 01MIN 39SEC E, 637.72 feet to the Point of Beginning; thence N 50DEG 35MIN 04SEC E, 72.27 feet; thence N 06DEG 17MIN 20SEC W, 6.20 feet; thence S 72DEG 03MIN 01SEC E, 265.10 feet; thence S 00DEG 04MIN 44SEC W, 241.90 feet; thence S 88DEG 19MIN 15SEC W, 304.30 feet; thence N 00DEG 35MIN 00SEC W, 63.41 feet; thence N 79DEG 05MIN 34SEC E, 48.78 feet; thence S 62DEG 44MIN 10SEC E, 57.64 feet; thence N 07DEG 46MIN 05SEC W, 34.42 feet; thence N 59DEG 43MIN 49SEC W, 110.25 feet; thence N 00DEG 35MIN 00SEC W, 144.56 feet to the Point of Beginning. Containing 1.93 acres of land more or less.

8. Ralph and Laurie Giorno, Town of Whitewater - To Amend Said Zoning Maps From A-1 Prime Agricultural Land District To M-3 Mineral Extraction District On The Following Described Lands:

Part of Tax Parcel #D W 1300006

A parcel of land located in Section 13, Town 4 North, Range 15 East, described as follows:

Commencing at the Northwest corner of said Section 13; thence along the North line of said Section 13, 200.00 feet; thence South, 200.00 feet to the point of beginning; thence parallel to the North line of said Section 13, 1358.54 feet; thence South, 1057.28 feet; thence West, 481.33 feet; thence along a curve of northwesterly convexity, 274.85 feet, said curve having a radius of 200.00 feet and a chord bearing South 50°40'08" West, 253.52 feet; thence South 11°00'00" West, 259.00 feet; thence along a curve of southwesterly convexity, 659.28 feet, said curve having a radius of 2605.00 feet and a chord bearing North 76°12'44" West, 657.52 feet; thence North, 1313.29 feet to the point of beginning.

This proposed M-3 Mineral Extraction area contains 39.0 acres, more or less, and describes the area within the 200-foot Mineral Extraction Setback Boundary. All of the above located in the Town of Whitewater, Walworth County, State of Wisconsin.

NOTE: The proposed M-3 Mineral Extraction Area legal description above is based upon best available information, and is not the result of an actual field survey.

ATTEST this 11th day of June, 2002.  
William M. Norem  
County Board Chairman

ATTEST this 11<sup>th</sup> day of June, 2002.  
Kimberly S. Bushey  
County Clerk

On motion by Supervisor Ketchpaw, seconded by Supervisor Kuhnke, Res. No. 19-06/02, Resolution to Approve Entering Into a Contract With Cooperative Educational Services for School Year 2002-2003, was approved as presented.

Resolution No. 19-06/02

RESOLUTION TO APPROVE ENTERING INTO A CONTRACT  
WITH COOPERATIVE EDUCATIONAL SERVICES  
FOR SCHOOL YEAR 2002 - 2003

WHEREAS, Wisconsin Statutes Sec. 115.817(6)(b) authorizes the Children with Disabilities Education Board to enter into a contract with a Cooperative Education Service; and

WHEREAS, a contract has been prepared and approved by the Children with Disabilities Board on May 20, 2002 for school year 2002-2003 with Cooperative Educational Services Agency #2; and

WHEREAS, the cost of the contract with Cooperative Educational Services Agency #2 is \$88,937 and is 100 percent reimbursable by the State Department of Administration under Wisconsin Statutes Sec. 115.88(1m).

WHEREAS, the Walworth County budget for year 2003 has not yet been prepared or enacted.

NOW, THEREFORE, BE IT RESOLVED, by the WALWORTH COUNTY BOARD OF SUPERVISORS that the Children with Disabilities Education Board enter into a contract with Cooperative Education Services Agency #2, for school year 2002-2003 in an amount not to exceed \$88,937; and

BE IT FURTHER RESOLVED, by the WALWORTH COUNTY BOARD OF SUPERVISORS that the Walworth County Board include in its year 2003 budget a sum sufficient to complete the contract with Cooperative Education Services Agency #2.

ADOPTED this 11<sup>th</sup> day of June, 2002.

William M. Norem  
Walworth County Board Chairman

Kimberly S. Bushey  
Walworth County Clerk

Policy and Fiscal Note attached.

Sponsored by: Children with Disabilities Education Board, May 20, 2002.  
Unanimous vote.

County Board Meeting Date: June 11<sup>th</sup>, 2002

Approved as to form:	David A. Bretl County Administrator	6/3/02 Date
	Dennis D. Costello Corporation Counsel	5/29/02 Date
	Nicki Andersen (pw) Finance Director	6/3/02 Date

Action Required: Majority Vote

POLICY AND FISCAL NOTE

I. Title: RESOLUTION No. 19-06/02

RESOLUTION TO APPROVE ENTERING INTO A CONTRACT  
WITH COOPERATIVE EDUCATIONAL SERVICES FOR SCHOOL  
YEAR 2002 - 2003

II. Purpose and Policy Impact Statement:

The purpose is to provide contracted services from the Cooperative  
Education Services Agency #2 for school year 2002-2003.

III. Budget and Fiscal Impact:

The total school year contract with Cooperative Educational  
Services Agency #2 for school year 2003-2003 is \$88,937. The  
budget remaining for 2002 is \$38,105. The estimated cost for the  
new contract in 2002 is \$35,575. The balance of \$53,362 will  
become part of the 2003 budget.

IV. Committee Consideration:

Children with Disabilities Education Board. May 20, 2003.

V. Approved as to Form:

David A. Bretl County Administrator	6/3/02 Date
--	----------------



Corporation Counsel	Date
Nicki Andersen (pw)	5/31/02
Finance Director	Date

Action Required: Majority Vote

POLICY AND FISCAL NOTE

I. Title: Resolution No. 18-06/02

RESOLUTION TO APPROVE CLAIM OF JAMES R. THOMAS

II. Purpose and Policy Impact Statement:

The purpose is to approve a claim submitted by JAMES R. THOMAS.

III. Budget and Fiscal Impact:

This claim will be paid for under the terms of the policy with Wisconsin County Mutual.

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

On May 14, 2002, the claim was referred to the Walworth County Executive Committee.

V. Committee Consideration:

Walworth County Executive Committee, May 16, 2002. Vote: 7-0.

VI. Approved as to Form:

David A. Bretl	5/3/02
County Administrator	Date

Dennis D. Costello	5/29/02
Corporation Counsel	Date

Nicki Andersen (pw)	5/31/02
Finance Director	Date

On motion by Supervisor Morrison, seconded by Supervisor Ketchpaw, Res. No. 22-06/02, Resolution Directing the County Clerk to Submit a Resolution to

the Wisconsin Counties Association for Consideration at Their 2002 Annual Convention, was approved as presented.

Walworth County, Wisconsin  
Resolution No. 22 - 06/02

Resolution Directing the County Clerk to Submit a Resolution  
To the Wisconsin Counties Association  
for Consideration at Their 2002 Annual Convention

Moved/Sponsored by: Executive Committee

WHEREAS, the Wisconsin Counties Association requested counties to submit ideas to it for consideration at its 2002 annual convention; and

WHEREAS, the Walworth County Board previously adopted Resolution No. 02-04/02 Encouraging Enactment of Legislation to Allow Additional Court Costs for Use to Establish Court Security Fund Statewide; and

WHEREAS, the topic of the resolution is of statewide interest and would benefit county taxpayers by shifting some of the costs of court security to those using court resources.

NOW, THEREFORE, BE IT RESOLVED BY THE WALWORTH COUNTY BOARD OF SUPERVISORS THAT the County Clerk be directed to forward a certified copy of Resolution No. 02-04/02 to the Wisconsin Counties Association for their consideration at the WCA 2002 annual fall convention.

William M. Norem  
County Board Chair

Kimberly S. Bushey  
Attest: County Clerk

Policy and Fiscal Note is Attached

Approved as to Form: David A. Bretl 5/31/02  
County Administrator Date

Dennis D. Costello 5/31/02  
Corporation Counsel Date

Nicki Andersen (pw) 5/31/02  
Finance Director Date

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

County Board Meeting Date: June 11, 2002

*Walworth County, Wisconsin*

Policy and Fiscal Note No. 22- 06/02

- I. Title: Resolution Directing the County Clerk to Submit a Resolution To the Wisconsin Counties Association for Consideration At Their 2002 Annual Convention
  
- II. Purpose and Policy Impact Statement: The purpose of this resolution is to forward an advisory resolution to the Wisconsin Counties Association for its consideration at the WCA annual convention. The resolution advocates a change in State law to permit additional fees to be added to certain causes of action to offset court security expenses.
  
- III. Is this a budgeted item and what is its fiscal impact: There is no financial impact associated with submitting this resolution. If the State law were changed as advocated by the resolution, tax levy for court security could be reduced by up to \$27,500 per year and would be offset by the additional revenue.
  
- IV. Referred to the following standing committees for consideration and date of referral:

Originated in Executive Committee on May 16, 2002.

- |                         |                      |         |
|-------------------------|----------------------|---------|
| V. Approved as to form: | David A. Bretl       | 5/31/02 |
|                         | County Administrator | Date    |
|                         | Dennis D. Costello   | 5/31/02 |
|                         | Corporation Counsel  | Date    |
|                         | Nicki Andersen (pw)  | 5/31/02 |
|                         | Finance Director     | Date    |

County Board Meeting Date: June 11, 2002

A motion was made by Supervisor Gigante, seconded by Supervisor Ketchpaw, to approve Resolution 23-06/02, Resolution Designating the Executive Committee To Exercise Oversight of County Board Travel. After some discussion, a motion was made by Supervisor Scharine, seconded by Supervisor

Parker, to amend the resolution to designate the Finance Committee as the committee of authority to exercise oversight of County Board Travel. A roll call vote was conducted. Total Vote: 23; Ayes: 12 - Felten, Grant, Kuhnke, Lightfield, Miles, Morrison, Palzkill, Parker, Peterson, Scharine, Shepstone, Shroble; Noes: 11 – Arnold, Burwell, Gigante, Guido, Ketchpaw, Lothian, Polyock, Russell, Schaefer, Wenglowky, Norem; Absent: 2 - Hilbelink, Lohrmann. The amendment was approved. A motion was made by Supervisor Lothian, seconded by Supervisor Guido, to amend the resolution to designate the County Board Chair as having the authority to exercise oversight of County Board Travel. The amendment was approved by unanimous voice vote. Resolution No. 23-06/02, as amended, was approved by voice vote with Supervisors Gigante and Polyock requesting that their “no” votes be recorded.

Walworth County, Wisconsin  
Resolution No. 23 – 06/02

Designating the ~~Executive Committee~~ County Board Chair  
To Exercise Oversight of County Board Travel

AMENDED

Moved/Sponsored by: Executive Committee

WHEREAS, funds are budgeted each year for the purpose of permitting County Board members to attend meetings, conferences, seminars and similar events; and

WHEREAS, as part of the 2002 budget County Board travel money which was previously appropriated in several departmental budgets was aggregated in the County Board’s budget; and

WHEREAS, it is desirable to establish travel guidelines for County Board Supervisors and vest a ~~committee~~ County Board Chair with the authority to determine the appropriate use of these funds.

NOW, THEREFORE, BE IT RESOLVED by the Walworth County Board of Supervisors that the ~~Executive Committee~~ County Board Chair is hereby designated as ~~the committee~~ to provide oversight for County Board travel requests and is authorized, consistent with existing ordinances and resolutions to establish procedures relative to travel by County Board Supervisors.

William M. Norem  
County Board Chair

Kimberly S. Bushey  
Attest: County Clerk

Policy and Fiscal Note Attached:  X  Yes



A motion was made by Supervisor Grant, seconded by Supervisor Arnold, to reconsider the original Resolution 23-06/02; this failed in a roll call vote. Total Vote: 23; Ayes: 4 - Arnold, Gigante, Grant, Polyock; Noes: 19 - Burwell, Felten, Guido, Ketchpaw, Kuhnke, Lightfield, Lothian, Miles, Morrison, Palzkill, Parker, Peterson, Russell, Schaefer, Scharine, Shepstone, Shroble, Wenglowsky, Norem Absent: 2 - Hilbelink, Lohrmann.

Res. No. 17-05/02, Resolution to Create a Task Force To Study Walworth County's Tax Structure, was moved for denial on motion by Supervisor Morrison, seconded by Supervisor Lothian. Motion for denial was approved by voice vote with Supervisor Gigante requesting his "no" vote be recorded.

RESOLUTION No. 17-05/02

RESOLUTION TO CREATE A TASK FORCE TO STUDY  
WALWORTH COUNTY'S TAX STRUCTURE

**DEFEATED**

WHEREAS, there is an assumption that Walworth County will be at least 2.8 million dollars short when it develops its year 2003 budget; and

WHEREAS, the tax structure under which Walworth County collects its tax revenue should be studied to see if there is a way to restructure the taxing methods in Walworth County to produce more income or save expenses in reorganizing the tax collection process.

NOW, THEREFORE, BE IT RESOLVED, by the WALWORTH COUNTY BOARD OF SUPERVISORS that a task force consisting of two (2) County Board Members, six (6) citizens of Walworth County, the County Administrator, and the Corporation Counsel be created and the members appointed by the County Board Chair.

ADOPTED this ~~14<sup>th</sup> day of May, 2002~~ 11<sup>th</sup> day of June, 2002.

\_\_\_\_\_  
William M. Norem  
Walworth County Board Chairman

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

Policy and Fiscal Note attached.

Sponsored by: Supervisor O'Dell Gigante. ~~No committee action.~~ Finance Committee recommends denial 7-0-May 23, 2002.

County Board Meeting Date: ~~May 14, 2002~~ June 11, 2002

Approved as to form:	David A. Bretl	5/6/02
	County Administrator	Date
	Dennis D. Costello	5/6/02
	Corporation Counsel	Date
	N. Andersen	5/6/02
	Finance Director	Date

Action Required: Majority Vote

POLICY AND FISCAL NOTE

I. Title: RESOLUTION No. 17- 05/02

RESOLUTION TO CREATE A TASK FORCE TO STUDY  
WALWORTH COUNTY'S TAX STRUCTURE

II. Purpose and Policy Impact Statement:

The purpose of this resolution is to determine if there are ways to improve the tax structure of Walworth County in such a way to effect a tax savings without violating any statutory requirements.

III. Budget and Fiscal Impact:

There would be no initial monetary effect resulting from the appointment of the task force.

IV. Committee Consideration:

~~None.~~ Finance Committee recommends denial 7-0 at May 23, 2002 meeting.

V. Approved as to Form:

David A. Bretl	5/6/02
County Administrator	Date
Dennis D. Costello	5/6/02
Corporation Counsel	Date

