

THE JANUARY 14, 2003 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.

Supervisor Robert Arnold presented the invocation.

Roll call was read with all Supervisors present except Peter Wenglowsky who had been excused. A quorum was established.

On motion by Supervisor Grant, seconded by Supervisor Gigante, the evening's agenda was amended by moving Resolution 89-01/03 to the beginning of the meeting.

Supervisor Gigante commented on Resolution No. 87-01/03. Supervisor Gigante stated that the Executive Committee did not approve or recommend approval of this resolution, but rather is referring this to the County Board for their consideration.

On motion by Supervisor Scharine, seconded by Supervisor Morrison, the evening's agenda was approved as amended.

Supervisor Burwell noted a correction on page 8 of the December 10, 2002 County Board meeting minutes. The minutes state that Rebecca Baumann "read a resolution approved by Kewaunee County in support of sustainable and organic agriculture in Wisconsin." Supervisor Burwell said that Rebecca Baumann discussed a resolution, which was presented by Kewaunee County and approved by the Wisconsin Land and Water Conference Association.

On motion by Supervisor Gigante, seconded by Supervisor Russell, the minutes of the December 10, 2002 Special Orientation Meeting and the amended minutes of the December 10, 2002 regular County Board session were approved.

Supervisor Grant offered a motion, seconded by Supervisor Lohrmann, to allow Melissa Cook, Department of Natural Resources (DNR), to speak regarding Resolution No. 89-01/03. Ms. Cook wanted to officially request the Board's vote and signature on the Memorandum of Agreement (MOA) that the DNR is presenting for the White River Recreational Trail. Ms. Cook said that this is a standard copy of the Memorandum of Agreement that the DNR uses for all their partnership trails across the State. It is used by approximately 20 counties at this time without change or alteration. Ms. Cook said that the Highway Committee has asked for changes that the DNR is not able to allow. The DNR does not have the authority to hold Walworth County harmless – only the State of Wisconsin has that authority. Ms. Cook said she would like to move the

process along so that the grant proceeds will not be delayed. The State has presented the MOA striking the clause to hold the County harmless. Ms. Cook is referring to page two, paragraph six, section IV of the MOA. Ms. Cook said that she has provided an original Memorandum of Agreement to a supervisor as written without the hold harmless clause. A motion to approve Resolution No. 89-01/03 was made by Supervisor Ketchpaw, seconded by Supervisor Hilbelink. A motion was offered by Supervisor Burwell, seconded by Supervisor Arnold, to amend Resolution No 89-01/03 by removing paragraph six, section IV, Obligations of the DNR, on page two of the Memorandum of Agreement, and was approved. The motion to approve Resolution 89-01/03, as amended, carried by voice vote. Supervisors Gigante, Palzkill, Kuhnke, and Polyock requested to be recorded as No votes.

RESOLUTION NO. 89-01/03

RESOLUTION APPROVING A MEMORANDUM OF AGREEMENT BETWEEN WALWORTH COUNTY AND THE STATE OF WISCONSIN DEPARTMENT OF NATURAL RESOURCES REGARDING THE WHITE RIVER RECREATIONAL TRAIL

WHEREAS, Walworth County Board of Supervisors approved Resolution 47-09/02 on September 12, 2002, which accepted the Recreation Trails Grant and authorized the Highway Commissioner to implement any tasks required to accept said grant; and

WHEREAS, the Highway Commissioner did notify the Department of Natural Resources that the grant was accepted by the County; and

WHEREAS, the Department of Natural Resources requires that a Memorandum of Agreement be executed with the County prior to award of the grant; and

WHEREAS, the Memorandum of Agreement was approved as revised by the Highway Committee on December 17, 2002.

NOW, THEREFORE, BE IT RESOLVED, that the County Board approves the Memorandum of Agreement; and

BE IT FURTHER RESOLVED, that the County Board Chairman be authorized to endorse said Memorandum of Agreement.

ADOPTED this 14th day of January, 2003.

William M. Norem
Walworth County Board Chairman

Kimberly S. Bushey
Walworth County Clerk

Policy and Fiscal Note is attached.

existing bridges on approximately two-thirds of the trail and is committed to rehabilitating the remaining bridges next spring and summer. The proposed 2003 operating budget for the Highway Division of the Public Works Department includes \$5,000 for maintenance of the trail that would be offset by funds generated by the sale of trail passes. The petition circulated in support and fund raising activities conducted by the White River Cycle Club anticipates that sufficient trail passes will be sold to meet the estimated amount of the offset which is \$2,800.

The termination clause of the agreement requires the County to repay the DNR for the remaining useful life of any grant funded improvement. Should the County terminate the agreement the County may be responsible for an amount of \$65,000 in the first year and depreciating to zero over the next 20 years. The City of Elkhorn will be responsible for repaying any portion of the grant which they are utilizing.

IV. Considered by the Following Committees Prior to County Board Consideration and Date of Referral:
Highway Committee, 12/17/02
Vote 4 – 1

V. Approved as to Form:

David A. Bretl	1/7/03
County Administrator/ Corporation Counsel	Date

N. Andersen	1/7/03
Finance Director	Date

MEMORANDUM OF AGREEMENT
BETWEEN WALWORTH COUNTY AND
THE STATE OF WISCONSIN DEPARTMENT OF NATURAL RESOURCES
AMENDED

I. Introduction

The purpose of this Memorandum of Agreement, (MOA) is to set forth the agreements and understandings which have been reached between Walworth County, (County) and the State of Wisconsin Department of Natural Resources (DNR) regarding the acquisition, development, and operation of approximately 12.6 miles of abandoned rail property located in Walworth County known as the White River Recreation Trail. The corridor is presently owned by the Wisconsin Department of Natural Resources.

The DNR is interested in preserving the corridor for recreational trail purposes. Walworth County is interested in developing, maintaining, and operating a recreational trail on the corridor provided the DNR acquires the same. Walworth County and the DNR agree to work together to achieve their mutual goals as set forth below.

II. Description of the Property

The map attached to this MOA describes in general the recreation corridor. An exact legal description of the property will be agreed upon prior to the execution of trail easements.

III. Consideration

The DNR has acquired the grade from Burlington to Elkhorn from the Wisconsin Department of Transportation under s. 85.09 Stats. The DNR will execute trail easements with the County for one dollar or other valuable consideration. The County will develop, operate, and maintain the trail.

IV. Obligations of the DNR

1. The DNR will convey by easement to the County the right to develop, maintain, repair and operate a recreational trail as a component of the state trail system. The County accepts the trail "as is" on the date of transfer.
2. The DNR agrees to complete the environmental review process for the purchase of the property pursuant to s.1.11, Stats., and Chapter NR 150, Wisconsin Administrative Code, and the DNR represents that it has made reasonable inquiry and has no reason to believe that hazardous waste, noxious waste, or any other condition of the land subject to this MOA exists that would inhibit the ability of the County to possess and improve the property as contemplated by this MOA. If, however, such prohibitive conditions are discovered, either the DNR shall take all steps reasonably necessary to remove such conditions or the intent of this MOA being frustrated, the MOA shall terminate.
3. The County will coordinate the official naming of the Trail, with final approval of the name resting with the Department of Natural Resources Board.
4. The DNR will designate the trail as a "State Trail", and will make any signing or indication of designated state trail status available to the County.
5. The DNR will make its "Adopt-a-Trail" program available to the County. The DNR has an application process for groups interested in adopting a section of

trail. Applications are valid for a year. This program is similar to the DOT Adopt-a-Highway segment.

6. ~~The DNR will indemnify and hold harmless the County and its employees against all Claims, damages costs, and expenses, including reasonable attorney's fees arising from the performance of this MOA by the DNR, its agents, contractors, servants, licensees, permittees, or employees. In case any action or proceeding is brought against the County or its employees by reason of any such claim, the DNR upon notice from the County, will defend such action or proceeding.~~

V. Obligations of the County

1. The County will participate in or conduct public meetings, which may be necessary for the establishment and development, management, and improvements of the trail project.
2. The County, with the assistance of the DNR will coordinate and prepare a master plan consistent with Chapter NR 44, Wisconsin Administrative Code, for the project. Within one year of the signing of this MOA. Specific recreational uses will be determined through the master planning process.
3. The County will enter into an easement in perpetuity with the DNR to accomplish the purposes contained in paragraph V. 4.
4. The County, within 5 years of the date of acquisition, will develop, maintain, repair, fence where necessary, operate the project lands located within the County for recreational trail purposes, as funding becomes available. Until development occurs, the County will assume all monitoring, enforcement, and maintenance responsibilities on the trail corridor.
5. The County agrees the trail will meet or exceed DNR trail standards as identified in the DNR's Design Standards Handbook. The DNR has no obligation to develop and operate the trail at any time.
6. The County agrees that any advertising or display material relating to the trail shall clearly identify the property is owned by the DNR and under the management and control of the County.
7. The County, in connection with this MOA, shall open the facilities to the general public subject to reasonable rules and regulations, fees and charges as the DNR deems necessary for the management and operation of the trail.
 - A. Rules and regulations.

Pursuant to NR 45, Wisconsin Administrative Code, the DNR retains management, supervision, and control over the premises for the purpose of enforcing Chapter 45, Wisconsin Administrative Code, when needed to protect the property. Daily routine enforcement remains the responsibility of the County.

B. Admission Fees

Admission Fees, if any, charged by the County shall not exceed those established in Chapter NR 45.12, Wisconsin Administrative Code for the State Trail Pass. The County must use the DNR's trail pass fee program should it be decided to charge a fee. This program includes both the annual and daily trail passes. If admission fees are charged, the State Trail Pass, both annual and daily, the conservation patron license and senior citizen recreation card issued by the DNR shall be honored without additional admission charges. The County shall agree to waive all admission fees on State Parks Open House Day, date as determined by the DNR, and National Trails Day.

The County may utilize and sell the State Trail Pass and retain a commission to be used for trail operations and maintenance as provided for in s.27.01 (8m), Stats. (A separate Trail Pass Sales Agreement between the County and the DNR will be executed, detailing the sales and remittance procedures.) The County may use vendors to sell the pass.

In the event s.27.01(8) or (8m), Stats, is modified, the above section on admission fees shall automatically reflect the modification.

8. In the exercise of its right herein, including but not limited to the operation of the Eased property as a recreational trail, the County shall not discriminate against any member of the public on the basis of age, race, creed, color, handicap, sex, marital status, arrest or conviction records, ancestry, sexual orientation or membership in the National Guard, state defense force or any other reserve successors or designees.
9. The County may enter into agreements with the Friends Groups which meet the criteria in Chapter NR 1.71, Wisconsin Administrative Code. In recognition of the status of this trail as a State Trail, and of the DNR's substantial financial involvement, the DNR shall also be a co-signor of any Friends agreement.
10. The County may enroll volunteers for the Adopt-a-Trail program sponsored by the DNR, following DNR policies and procedures.

11. The County will indemnify and hold harmless the DNR and its employees against all claims, damages, costs, and expenses, including reasonable attorney's fees, arising from the performance of this MOA by the County, its agents, contractors, servants, licensees, permittees, or employees. In case any action or proceeding is brought against the DNR or its employees by reason of any such claim, the County upon notice from the DNR, will defend such action or proceeding.

VI. General

1. This Memorandum of Agreement is subject to all applicable laws and regulations. The establishment of this trail is subject to approval by the Natural Resource Board and Governor.
2. This Memorandum of Agreement may be revised by mutual written agreement of the DNR and the County.
3. The DNR must approve all land transactions, trail crossings and easements for the trail corridor, but the County will be the first point of contact for inquiries from the public and/or private entities on these matters. Guidelines relating to easements for the driveways and road crossings will be provided to the County. If requests conform to the guidelines, they will be referred to the DNR for executing an easement, lease, or agreement. If the requests do not conform to DNR guidelines, the County will deny the request. All proceeds from these transactions shall be payable to the DNR.
4. An annual meeting between the County and DNR will take place to review development and acquisition progress, operational problems and maintenance standards needing attention and to exchange ideas and information for the good of the trail project.
5. This MOA shall not be construed as creating a public debt on the part of the DNR in contravention of Article VIII, Wisconsin Constitution and all payments or obligations hereunder are subject to the availability of future appropriations.

VII. Termination

1. County. The County may terminate their Memorandum of Agreement or the easement from the DNR by providing to DNR ninety (90) days written notice of said termination. In the event the County terminates this Memorandum of Agreement or the easement from the DNR, the County will assume compliance responsibility for any state or federal recreation grant fund assisted areas. A payment equal to any land and water conservation grant awarded through the community assistance program for development shall be paid to the DNR by the defaulting County. A payment equal to any other grant

amount awarded through the community assistance program for development shall be paid to the DNR by the defaulting County based on remaining useful life values of the improvements.

2. DNR. The DNR may terminate this Memorandum of Agreement or the easement with the County in the event that:
 - A. The County breached any term or condition in the Memorandum of Agreement or the easement and said breach remains uncorrected for a period of sixty (60) days from the receipt of the DNR's written notification of said breach by the County. In the event the County breached any term or condition of their Memorandum of Agreement or the easement from the DNR the County will assume compliance responsibility for any state or federal recreation grant fund assisted areas.
 - B. The DNR determines that the continued use of the premises as a recreational trail would be inconsistent with the management needs or objectives of the DNR or the State of Wisconsin. In exercising its termination rights under this provision the DNR shall give the County 180 days notice of termination and reimburse the County for developed improvements, subject to the availability of future appropriations.

IN WITNESS WHEREOF, DNR and the County have caused this memorandum to be executed in their respective names by their respective duly authorized representatives.

STATE OF WISCONSIN DEPARTMENT OF NATURAL RESOURCES

By _____ Dated _____
Darrell Bazzell, Secretary

WALWORTH COUNTY

By _____ Dated _____
County Board Chairperson

Chair Norem introduced Jill Logterman to the Board members. Jill is the new addition to the County Administration office.

Chairman Norem requested comments from the public and there were none at this time.

Chair Norem acknowledged a thank-you note from Supervisor Charlotte Peterson and welcomed her back to the Board.

Corporation Counsel Bretl presented the claim of Joseph L. Channing to be referred to Executive Committee.

The claim of Julie Senesac will be referred to the Executive Committee.

Approval of the Walworth County elected officials bonds, pursuant to Sec. 19.01(4)(m), Wis. Stats., by District Attorney Phillip Koss, was placed on file.

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

Text Amendment to Subdivision Control Ordinance, Walworth County, Wisconsin, Sections 1.1, 2.5, 4.3, 7.3, 8.11, 9.6, 10.2,10.3, 10.6, 10.9A, 10.9B, 10.10A, and 10.10B.

Guardian Pipeline LLC, Town of Richmond.

Guardian Pipeline LLC, Town of Walworth.

Jay and Laura Myers, Town of Richmond.

Duane Newman, Town of Lafayette.

Robert F. Nick (George and Margaret Downing, App.), Town of Geneva.

The following Report of Petitions Referred was read and forwarded 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 land in Walworth County were referred to the Land Management Committee for public hearing:

- Town of Troy (MSI General Corporation, App.), Town of Troy, R-1 to P-2.
- Charles Kuehn (Michael J. Howe, App.), Town of East Troy, A-1 to A-2.
- John C. and Barbara Ingalls, Town of Walworth, A-1 to P-2.
- Josephine L. Gerambia (Concetta Gerambia, App.), Town of Bloomfield, R-1 to R-3.
- Donald W. Chaney (Marlene and Lawrence Titus, App.), Town of Geneva, C-3 to C-2.

The handout from the Land Management Department, referring to the Text Amendments to the Zoning Ordinance, on this evening's agenda, was placed on file.

Reports of Standing Committees

Land Management Committee:

Report of Proposed Zoning Amendments

On motion by Supervisor Kuhnke, seconded by Supervisor Gigante, the Report of the Land Management Committee was approved as presented.

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

TO THE COUNTY BOARD OF WALWORTH COUNTY:

The Land Management Committee, having considered the petitions to amend the Walworth County Zoning Ordinance and Shoreland Zoning Ordinance; and having held public hearings thereon, pursuant to Section 59.69(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. The Land Management Committee – filed a petition on the 21st day of November, 2002, to amend the text of the Walworth County Zoning Ordinance and Shoreland Zoning Ordinance, Walworth County, Wisconsin, as follows: Text amendment to Zoning Ordinance and Shoreland Zoning Ordinance, Walworth County, Wisconsin, sections 3.3, 3.4, 3.5, 3.6, 3.7, 3.8, 4.4, 4.14, 6.1, 7.2, & 13.

Recommendation: Said petition be approved.

2. Bromley Woodland Trust (Mark Bromley, Trustee, App.), Town of La Grange – filed a petition on the 24th day of September, 2002, to amend said zoning maps from 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.

1. The majority of the property is wooded.
2. The property has not been historically farmed.
3. The rezone would be consistent with surrounding zoning districts.

3. Denise and Todd Fink, Town of Lafayette – filed a petition on the 9th day of October, 2002, to amend said zoning maps from A-1 Prime Agricultural Land District, A-2 Agricultural Land District, and M-3 Mineral Extraction District to A-5 Agricultural-Rural Residential District and C-1 Lowland 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.

1. A portion of the rezone is a correction of a wetland boundary.
2. The property has not historically been farmed.
3. The property is part of an abandoned mineral extraction site.

4. Sheldon C. and Janice M. Latz, Town of Sugar Creek – filed a petition on the 9th day of October, 2002, to rezone from M-3 Mineral Extraction District and C-1 Lowland Resource Conservation District to A-2 Agricultural Land District.

Recommendation: Said petition be approved.

5. Shawn and Thomas G. Whowell and Jeff and Rallee Chupich, Town of Walworth – filed a petition on the 9th day of October, 2002, to rezone from A-1 Prime Agricultural Land District to A-2 Agricultural Land District.

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

1. The rezone is consistent with surrounding zoning districts.
2. The rezone site has steep slopes.
3. The land has a poor crop yield history.

6. Paul M. Dudley, Town of Bloomfield – filed a petition on the 8th day of October, 2002, to rezone from A-2 Agricultural Land District, C-4 Lowland Resource Conservation District (Shoreland), and C-1 Lowland Resource Conservation District, and floodplain to C-2 Upland Resource Conservation District without floodplain.

Recommendation: Said petition be approved.

7. Art Pierce (Dave Pierce, App.), Town of Bloomfield – filed a petition on the 9th day of October, 2002, to rezone from A-1 Prime Agricultural Land District to A-5 Agricultural-Rural Residential District.

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

1. The existing parcel is already substandard.
2. The area proposed is a small parcel substantially separated from the surrounding agricultural land.
3. The parcel has not historically been farmed.

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. The Land Management Committee – to amend the Walworth County Zoning Ordinance and Shoreland Zoning Ordinance, Walworth County, Wisconsin, as follows:

Text amendment to Zoning Ordinance and Shoreland Zoning Ordinance, Walworth County, Wisconsin, sections 3.3, 3.4, 3.5, 3.6, 3.7, 3.8, 4.4, 4.14, 6.1, 7.2, & 13, in the following respects:

Additions are underscored; deletions are crossed out.

3.5 PARK DISTRICTS

P-1 RECREATIONAL PARK DISTRICT

(B) CONDITIONAL USES: (See Section 4.0)

25. Caretakers quarters

All Zoning Districts in 3.3, 3.4, 3.5, 3.6, 3.7, 3.8 and 4.9 Conditional Use as follows:

3.3 AGRICULTURAL DISTRICTS

A-1 PRIME AGRICULTURAL LAND DISTRICT

(B) CONDITIONAL USES:

12. Utilities, provided all principal structures and uses associated with the utility are not less than 50 feet from all district lot lines except business, park and industrial.

A-2 AGRICULTURAL LAND DISTRICT

(B) CONDITIONAL USES:

17. Utilities, provided all principal structures and uses associated with the utility are not less than 50 feet from all district lot lines except business, park and industrial.

A-3 AGRICULTURAL LAND HOLDING DISTRICT

(B) CONDITIONAL USES:

14. Utilities, provided all principal structures and uses associated with the utility are not less than 50 feet from all district lot lines except business, park and industrial.

A-4 AGRICULTURAL-RELATED MANUFACTURING, WAREHOUSING & MARKETING DISTRICT

(A) PRINCIPAL USES:

48. Utilities, provided all principal structures and uses associated with the utility are not less than 50 feet from all district lot lines except business, park and industrial.

3.4 CONSERVATION DISTRICTS

C-2 UPLAND RESOURCE CONSERVATION DISTRICT

(B) CONDITIONAL USES:

12. Utilities, provided all principal structures and uses associated with the utility are not less than 50 feet from all district lot lines except business, park and industrial.

3.5 PARK DISTRICTS

P-1 RECREATIONAL PARK DISTRICT

(C) CONDITIONAL USES:

18. Utilities, provided all principal structures and uses associated with the utility are not less than 50 feet from all district lot lines except business, park and industrial.

P-2 INSTITUTIONAL PARK DISTRICT

(B) CONDITIONAL USES:

17. Utilities, provided all principal structures and uses associated with the utility are not less than 50 feet from all district lot lines except business, park and industrial.

3.6 RESIDENCE DISTRICTS

R-1 SINGLE-FAMILY RESIDENCE DISTRICT (Unsewered)

(C) CONDITIONAL USES:

6. Utilities, provided all principal structures and uses associated with the utility are not less than 50 feet from all district lot lines except business, park and industrial.

R-2 SINGLE-FAMILY RESIDENCE DISTRICT (Sewered)

(C) CONDITIONAL USES:

6. Utilities, provided all principal structures and uses associated with the utility are not less than 50 feet from all district lot lines except business, park and industrial.

R-2A SINGLE-FAMILY RESIDENCE DISTRICT (Sewered)

(D) CONDITIONAL USES:

- 6. Utilities, provided all principal structures and uses associated with the utility are not less than 50 feet from all district lot lines except business, park and industrial.

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

(D) CONDITIONAL USES:

- 6. Utilities, provided all principal structures and uses associated with the utility are not less than 50 feet from all district lot lines except business, park and industrial.

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

(C) CONDITIONAL USES:

- 13. Utilities, provided all principal structures and uses associated with the utility are not less than 50 feet from all district lot lines except business, park and industrial.

R-5 PLANNED RESIDENTIAL DEVELOPMENT DISTRICT:

(D) CONDITIONAL USES:

- 10. Utilities, provided all principal structures and uses associated with the utility are not less than 50 feet from all district lot lines except business, park and industrial.

R-6 PLANNED MOBILE HOME PARK RESIDENCE DISTRICT:

(C) CONDITIONAL USES:

- 7. Utilities, provided all principal structures and uses associated with the utility are not less than 50 feet from all district lot lines except business, park and industrial.

R-7 MOBILE HOME SUBDIVISION RESIDENCE DISTRICT: (Sewered or Unsewered)

(D) CONDITIONAL USES:

- 6. Utilities, provided all principal structures and uses associated with the utility are not less than 50 feet from all district lot lines except business, park and industrial.

R-8 MULTIPLE-FAMILY RESIDENCE DISTRICT: (Sewered or Unsewered)

(C) CONDITIONAL USES:

- 9. Utilities, provided all principal structures and uses associated with the utility are not less than 50 feet from all district lot lines except business, park and industrial.

3.7 BUSINESS DISTRICTS

B-2 GENERAL BUSINESS DISTRICT:

(B) CONDITIONAL USES:

18. Utilities, provided all principal structures and uses associated with the utility are not less than 50 feet from all district lot lines except business, park and industrial.

B-3 WATERFRONT BUSINESS DISTRICT:

(B) CONDITIONAL USES:

31. Utilities, provided all principal structures and uses associated with the utility are not less than 50 feet from all district lot lines except business, park and industrial.

B-4 HIGHWAY BUSINESS DISTRICT:

(B) CONDITIONAL USES:

29. Utilities, provided all principal structures and uses associated with the utility are not less than 50 feet from all district lot lines except business, park and industrial.

B-5 PLANNED COMMERCIAL-RECREATION BUSINESS DISTRICT:

(B) CONDITIONAL USES:

49. Utilities, provided all principal structures and uses associated with the utility are not less than 50 feet from all district lot lines except business, park and industrial.

3.8 INDUSTRIAL DISTRICTS

M-1 INDUSTRIAL DISTRICT:

(B) CONDITIONAL USES:

15. Utilities, provided all principal structures and uses associated with the utility are not less than 50 feet from all district lot lines except business, park and industrial.

M-2 HEAVY INDUSTRIAL DISTRICT:

(B) CONDITIONAL USES:

15. Utilities, provided all principal structures and uses associated with the utility are not less than 50 feet from all district lot lines except business, park and industrial.

M-3 MINERAL EXTRACTION DISTRICT:

(B) CONDITIONAL USES:

10. Utilities, provided all principal structures and uses associated with the utility are not less than 50 feet from all district lot lines except business, park and industrial.

M-4 SANITARY LANDFILL DISTRICT

(B) CONDITIONAL USES:

- 3. Utilities, provided all principal structures and uses associated with the utility are not less than 50 feet from all district lot lines except business, park and industrial.

4.9 PUBLIC AND SEMI-PUBLIC USES

Utilities in all districts provided all principal structures and uses associated with the utility are not less than 50 feet from any R-1, R-2, R-2A, R-3, R-4, R-5, R-6, R-7, and R-8 district lot lines. all district lot lines except business, park, and industrial.

4.4 AGRICULTURAL AND RELATED USES

Paragraph 3 as follows:

Farm Family Business consisting of uses listed in the A-4 district may be permitted as a conditional use for farm owners if limited to existing farm residences or farm structures not dedicated to agricultural uses.

4.6 RESIDENTIAL AND RELATED USES

After paragraph 2 as follows:

Planned Residential Developments in the R-1, R-2, R-2A, R-3,

The Following Provisions Shall be Complied With:

Development: _____ Minimum ~~5~~ acres

Paragraph 12 as follows:

Model apartments, model condominiums and related temporary real estate sales office located within the model unit and related temporary real estate sales office trailers in the R-4, R-5, 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 sale office located within the model unit and related temporary real estate sales office trailers 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 and temporary real estate sales office trailers in the R-3, R-4, R-5, R-8 districts, may be permitted as a conditional use if limited to the following:

~~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.~~

4.14 NON-CONFORMING USES

When a principal non-conforming structure is damaged by fire, explosion, flood or other calamity to the extent of more than fifty percent

Any non-conforming structure located in a floodplain shall not be restored unless the entire structure is floodproofed, by means other than fill, to an elevation of two (2) feet above the 100-year recurrence interval floodplain.

6.1 PERMIT REQUIRED

No sign shall hereafter be located, erected, moved, reconstructed, extended, enlarged, converted, or structurally altered without a zoning permit except The sign shall also meet all the structural requirements of the local and state building codes. In the case of signs not listed below, the provision for a sign which is similar shall apply.

7.2 EXISTING SUBSTANDARD STRUCTURES:

Paragraph 2 as follows:

Additions and Enlargements to existing substandard structures (principal and/or accessory) are permitted and shall conform ~~to the~~ with the established building setback line of all side yard, street yard and rear yards, but may never be closer than five (5) feet to any lot line, and shall conform to the required shoreyard, height, parking, loading, and access provisions of this Ordinance.

Paragraph 3 as follows:

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) and any proposed additions and enlargements to the original design (building envelope) and/or location (footprint) shall conform with the established building setback lines of all side yard, street yard, and rear yards, but may never be closer than five (5) feet to any lot line. Any proposed additions and enlargements shall conform to the required shoreyard, height, parking, loading, and access provisions of this Ordinance.

Paragraph 4 as follows:

Existing substandard structures (principal and/or accessory) may be moved, removed, razed, and reconstructed, or replaced to their original design (building envelope) and location (footprint) and any proposed additions and enlargements to the original design (building envelope) and/or location (footprint) shall conform with the established building setback lines of all side yard, street yard, and rear yards, but may never be closer than five (5) feet to any lot line. Any proposed additions and enlargements shall conform to the required shoreyard, height, parking, loading, and access provision of this Ordinance.

Section 13 Definitions

Commercial Recreation Facilities

Such as but not limited to arcades, bowling alleys, clubs, dance halls, driving ranges,

gymnasiums, lodges, miniature golf, physical culture, pool and billiard halls, racetracks, rifle ranges, turkish baths, skating rinks, and theaters.

2. Bromley Woodland Trust (Mark Bromley, App.) – A-1 Prime Agricultural Land District to C-2 Upland Resource Conservation District on the following described lands:

Part of Tax Parcel #H LG1500002A

Part of the NW1/4 and SW1/4 of the NE1/4 of Section 15, T4N, R16E, Town of LaGrange, Walworth County, Wisconsin, to-wit:

Commencing at the N1/4 corner of said Section 15; thence N89°57'53"E, along the north line of said NE1/4, 523.68 feet; thence S 0°51'00"W, 1078.02 feet to the point of beginning; thence continue, S 0°51'00"W, 636.77 feet to the centerline of Greening Road; thence N47°48'00"E, along said centerline, 15.65 feet to a point of curvature; thence along said centerline being the arc of a curve, concave southeasterly, having a radius of 650.00 feet and a chord that bears N57°48'00"E, 225.74 feet to the point of tangency; thence N67°48'00"E, along said centerline, 271.92 feet; thence N 2°25'00"W, 463.35 feet; thence S82°00'00"W, 429.57 feet to the point of beginning, containing 5.389 acres and is subject to a road right of way across the southerly 33 feet.

1. The majority of the property is wooded.
2. The property has not been historically farmed.
3. The rezone would be consistent with surrounding zoning districts.

3. Denise and Todd Fink, Town of Lafayette – to amend said zoning maps from A-1 Prime Agricultural Land District, A-2 Agricultural Land District, and M-3 Mineral Extraction District to A-5 Agricultural-Rural Residential District and C-1 Lowland Resource Conservation District on the following described lands:

Part of Tax Parcel #K LF 700005

Lands to be rezoned to A-5: A part of the Southeast ¼ of Section 7, Town 3 North, Range 17 East, Walworth County, Wisconsin, to be zoned A-5, described as follows: Commencing at the South ¼ corner of said Section 7 (T3N, R17E); thence N 00DEG 12MIN 31SEC W, 888.01 feet along the West line of the Southeast ¼ to the Point of Beginning; thence continue N 00DEG 12MIN 31SEC W, 62.58 feet; thence S 88DEG 54MIN 34SEC E, 157.84 feet; thence S 88DEG 09MIN 01SEC E, 150.59 feet; thence N 89DEG 14MIN 29SEC E, 207.35 feet; thence S 00DEG 00MIN 00SEC E, 152.71 feet; thence S 89DEG 14MIN 29SEC W, 242.84 feet; thence S 00DEG 15MIN 27SEC E, 588.80 feet to a line of wetland flags; thence along said wetland line the following courses:

N 45DEG 23MIN 12SEC W, 116.93 feet;
N59DEG 48MIN 23SEC W, 124.18 feet;
N 21DEG 39MIN 41SEC W, 112.95 feet;
N 45DEG 07MIN 36SEC E, 108.86 feet;
N 66DEG 38MIN 17SEC E, 147.76 feet;
N 01DEG 45MIN 55SEC E, 103.02 feet;
N 24DEG 27MIN 31SEC W, 60.95 feet;
N49DEG 42MIN 58SEC W, 50.18 feet;
N 58DEG 41MIN 36SEC W, 62.91 feet;
N 63DEG 48MIN 39SEC W, 73.00 feet;
N 34DEG 52MIN 58SEC W, 42.66 feet;
N 77DEG 28MIN 22SEC W, 53.05 feet to the Point of Beginning. Containing 3.01 acres of land more or less.

Lands to be rezoned to C-1: A part of the Southeast ¼ of Section 7, Town 3 North, Range 17 East, Walworth County, Wisconsin, to be zoned C-1, described as follows: Beginning at the South ¼ corner of said Section 7 (T3N, R17E); thence N 00DEG 12MIN 31SEC W, 888.01 feet along the West line of the Southeast ¼ to a line of wetland flags; thence along said wetland line the following courses:

S 77DEG 28MIN 22SEC E, 53.05 feet;
S 34DEG 52MIN 58SEC E, 42.66 feet;
S 63DEG 48MIN 39SEC E, 73.00 feet;
S 58DEG 41MIN 36SEC E, 62.91 feet;
S 49DEG 42MIN 58SEC E, 50.18 feet;
S 24DEG 27MIN 31SEC E, 60.95 feet;
S 01DEG 45MIN 55SEC W, 103.02 feet;
S 66DEG 38MIN 17SEC W, 147.76 feet;
S 45DEG 07MIN 36SEC W, 108.86 feet;
S 21DEG 39MIN 41SEC E, 112.95 feet;
S 59DEG 48MIN 23SEC E, 124.18 feet;
S 45DEG 23MIN 12SEC E, 116.93 feet to a point; thence S 00DEG 15MIN 27SEC E, 198.60 feet to the South line of said Section 7; thence S 89DEG 32MIN 54SEC W, 272.92 feet to the Point of Beginning. Containing 3.77 acres of land more or less.

1. A portion of the rezone is a correction of a wetland boundary.
2. The property has not historically been farmed.
3. The property is part of an abandoned mineral extraction site.

4. Sheldon C. and Janice M. Latz, Town of Sugar Creek – to amend said zoning maps from M-3 Mineral Extraction District and C-1 Lowland Resource Conservation District to A-2 Agricultural Land District on the following described lands:

Part of Tax Parcel #GA200700001

M-3 Parcel: A parcel of land located in the East ½ of the Southeast ¼ of Section 1, Town 3 North, Range 16 East, Walworth County, Wisconsin; being zoned M-3 to be rezoned as A-2, described as follows:

Beginning at the Northwest corner of Lot 1 of CSM 2007, recorded in Vol. 9 on Page 293, as Doc. No. 206709; thence N 89DEG 10MIN 04SEC E, 48.29 feet; thence S 08DEG 55MIN 22SEC E, 146.23 feet; thence N 89DEG 03MIN 27SEC E, 152.81 feet; thence S 18DEG 52MIN 04SEC E, 71.88 feet; thence N 89DEG 45MIN 07SEC W, 243.51 feet to the West line of Lot 1 of CSM 2007; thence N 00DEG 57MIN 36SEC W, 208.24 feet to the Point of Beginning. Containing 23,740 square feet of land (0.55 acres) more or less. (End of legal description.)

A-2 Parcel: A parcel of land located in the East ½ of the Southeast ¼ of Section 1, Town 3 North, Range 16 East, Walworth County, Wisconsin; being zoned M-3 to be rezoned as A-2, described as follows:

Commencing at the Southwest corner of Lot 1 of CSM 2007, recorded in Vol. 9 on Page 293, as Doc. No. 206709; thence N 00DEG 57MIN 36SEC W, 902.54 feet to the Point of Beginning; thence continue N 00DEG 57MIN 36SEC W, 84.07 feet; thence S 58DEG 50MIN 27SEC E, 331.78 feet; thence S 79DEG 51MIN 26SEC W, 117.79 feet; thence S 85DEG 01MIN 17SEC W, 64.18 feet; thence S 90DEG 00MIN 00SEC W, 80.12 feet; thence N 01DEG 49MIN 01SEC W, 100.29 feet; thence N 54DEG 41MIN 29SEC W, 23.68 feet to the Point of Beginning. Containing 27,365 square feet of land (0.63 acres) more or less. (End of legal description.)

5. Shawn and Thomas G. Whowell and Jeff and Rallee Chupich, Town of Walworth – to amend said zoning maps from A-1 Prime Agricultural Land District to A-2 Agricultural Land District on the following described lands:

Part of Tax Parcel #E W 900006A

A part of the NW and SW1/4 of the SW1/4 of Section 9, Town 1 North, Range 16 East, Walworth County, Wisconsin; currently zoned A-1 to be rezoned as A-2, described as follows:

Beginning at the Southwest corner of said Section 9 (T1N, R16E); thence N 01DEG 43MIN 55SEC W, 1815.84 feet along the West line of the Southwest ¼ of Said Section 9; thence N 88DEG 16MIN 56SEC E, 280.28 feet; thence S 01DEG 17MIN 48SEC E, 766.61 feet; thence S 30DEG 37MIN 12SEC E, 452.05 feet; thence N 89DEG 02MIN 57SEC E, 372.89 feet; thence S 51DEG 00MIN 48SEC E, 553.30 feet; thence S 72DEG 25MIN 13SEC E, 169.06 feet; thence S 00DEG 14MIN 49SEC E, 128.51 feet to the South line of the Southwest ¼; thence S 89DEG 05MIN 46SEC W, 1293.12 feet to the Point of Beginning. Containing 24.65 acres of land more or less.

1. The rezone is consistent with surrounding zoning districts.
2. The rezone site has steep slopes.
3. The land has a poor crop yield history.

6. Paul M. Dudley, Town of Bloomfield – to amend said zoning maps from A-2 Agricultural Land District, C-4 Lowland Resource Conservation District (Shoreland), and C-1 Lowland Resource Conservation District, and floodplain to C-2 Upland Resource Conservation District without floodplain on the following described lands:

Part of Tax Parcel #MB 2800001 and MB 2800001A

Beginning at the Southeast corner of the Northeast ¼ of Section 28, T1N, R18E, thence S 89°13'18" W, a distance of 1312.90 feet; thence N °33'48" W, a distance of 1021.40 feet; thence N 20°53'43" E, a distance of 59.50 feet; thence N 52°09'38" E, a distance of 19.38 feet; thence S 69°28'42" E, a distance of 87.15 feet; thence S 42°32'49" E, a distance of 47.65 feet; thence S 51°18'17" E, a distance of 50.21 feet; thence S 40°00'37" E, a distance of 54.61 feet; thence S 50°26'41" E, a distance of 34.98 feet; thence S 53°00'45" E, a distance of 29.88 feet; thence N 80°53'05" E, a distance of 48.63 feet; thence N 71°05'28" E, a distance of 59.62 feet; thence N 75°55'50" E, a distance of 59.17 feet; thence N 77°09'14" E, a distance of 45.97 feet; thence S 31°07'52" E, a distance of 30.50 feet; thence S 46°52'45" E, a distance of 31.40 feet; thence S 59°55'17" E, a distance of 19.26 feet; thence S 71°07'39" E, a distance of 34.78 feet; thence S 58°15'31" E, a distance of 27.89 feet; thence N 89°10'09" E, a distance of 25.58 feet; thence S 39°53'23" E, a distance of 23.64 feet; thence S 59°54'57" E, a distance of 35.59 feet; thence S 76°29'51" E, a distance of 30.64 feet; thence S 63°28'03" E, a distance of 41.46 feet; thence S 36°13'38" E, a distance of 33.98 feet; thence S 70°49'04" E, a distance of 45.36 feet; thence S 85°27'57" E, a distance of 26.84 feet; thence N 88°34'30" E, a distance of 49.94 feet; thence S 64°34'32" E, a distance of 42.52 feet; thence S 63°30'16" E, a distance of 26.16 feet; thence S 61°52'27" E, a distance of 26.63 feet; thence S 70°05'42" E, a distance of 51.56 feet; thence N 86°23'37" E, a distance of 34.37 feet; thence S 55°25'26" E, a distance of 39.92 feet; thence S 12°06'29" E, a distance of 39.43 feet; thence S 75°38'59" E, a distance of 25.53 feet; thence N 82°26'33" E, a distance of 37.19 feet; thence N 63°55'02" E, a distance of 37.18 feet; thence S 57°17'44" E, a distance of 35.30 feet; thence S 69°33'14" E, a distance of 42.02 feet; thence S 57°49'50" E, a distance of 34.47 feet; thence S 71°26'39" E, a distance of 51.80 feet; thence S 1° 39'39" E, a distance of 583.02 feet to the Point of Beginning; said described tract containing 1,088,984.7 square feet, more or less. Excepting Tax Key #MB 2800001B.

7. Art Pierce (Dave Pierce, App.), Town of Bloomfield – to amend A-1 Prime Agricultural Land District to A-5 Agricultural-Rural Residential District on the following described lands:

Part of Tax Parcel #MB 2700003

That part of the Northeast Quarter of Section 27, Township 1 North, Range 18 East of the 4th Principal Meridian, Town of Bloomfield, Walworth County, Wisconsin, described as follows: Commencing at the county monumented southeast corner of the Northeast Quarter of said Section 27; thence South 88 degrees 30 minutes 53 seconds West along the south line of said Northeast Quarter a distance of 1318.57 feet to the southwest corner of the Southeast Quarter of said Northeast Quarter, as county monumented; thence North 01 degree 41 minutes 36 seconds West along the west line of the Southeast Quarter of said Northeast Quarter, as county monumented, 632.21 feet; thence South 88 degrees 29 minutes 09 seconds West 8.24 feet to a point on a line that in previous conveyances is described as the west line of West Half of the East Half of said Northeast Quarter; thence North 01 degree 31 minutes 09 minutes West along the line that in previous conveyances is described as the west line of West Half of the East Half of said Northeast Quarter 256.65 feet to the point of beginning of the land to be described; thence continuing North 01 degree 31 minutes 09 minutes West along the line that in previous conveyances is described as the west line of West Half of the East Half of said Northeast Quarter 433.49 feet to the westerly right-of-way line of County Trunk Highway H; thence South 46 degrees 57 minutes 38 seconds East along said westerly right-of-way line 28.23 feet; thence continuing along said westerly right-of-way line southeasterly 94.18 feet along the arc of a curve to the left and not tangent with the last described line, with a radius of 3979.76 feet, a central angle of 01 degree 21 minutes 21 seconds, and a chord that bears South 40 degrees 53 minutes 34 seconds East 94.17 feet; thence South 41 degrees 34 minutes 07 seconds West along said westerly right-of-way line 445.36 feet; thence South 88 degrees 29 minutes 09 seconds West 366.42 to the point of beginning. The parcel contains 1.834 acres.

1. The existing parcel is already substandard.
2. The area proposed is a small parcel substantially separated from the surrounding agricultural land.
3. The parcel has not historically been farmed.

ATTEST this 14th day of January, 2003.

William M. Norem
County Board Chairman

ATTEST this 14th day of January, 2003.

Kimberly S. Bushey
County Clerk

Agriculture and Extension Education Committee:

On motion by Supervisor Gigante, seconded by Supervisor Ketchpaw, Resolution No. 85-01/03 – Resolution in Support of Federal Legislation to Subject Casein and Milk Protein Concentrates to Tariff Quotas, was approved.

Resolution No. 85 - 01/03
In Support of Federal Legislation To Subject Casein
and Milk Protein Concentrates to Tariff Rate Quotas

Moved/Sponsored by: Agriculture and Extension Education Committee

WHEREAS, dairy farming contributes \$18.3 billion overall to the economy of the State of Wisconsin; and

WHEREAS, imported milk protein concentrate is being utilized in the manufacture of Wisconsin dairy products; and

WHEREAS, the importation of milk protein concentrate has surged by more than 275 percent since 1995, thereby displacing the market for domestically produced milk products causing a reduction in the base price received by Wisconsin dairy producers; and

WHEREAS, imported milk protein concentrate cannot legally be used as a primary source of milk protein in any cheese represented by the REAL SEAL in the State of Wisconsin because it is not a food and, in fact, was used to make paint thinner; and

WHEREAS, Federal legislators work toward preventing the allowance of imported milk protein concentrates in cheese that has a federal standard of identity; and

WHEREAS, milk protein concentrate should be reclassified under the Harmonized Tariff Schedule of the United States and be enforced through existing GATT and NAFTA agreements.

NOW, THEREFORE, BE IT RESOLVED that the Walworth County Board of Supervisors supports the introduction of federal legislation that would subject certain imported casein and milk protein concentrates to tariff rate quotas comparable to those of other imported dairy products.

BE IT FURTHER RESOLVED that copies of this resolution be forwarded to Wisconsin's U.S. and State Senators and Congress and Assembly Representatives; Governor James Doyle; Wisconsin Agriculture Secretary James Harsdorf; WCA Executive Director Mark O'Connell; the Food and Drug Administration; the National Association of Counties; and, all 71 Wisconsin counties.

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 1/6/03
County Administrator/Corporation Counsel Date

N. Andersen 1/6/03
Finance Director Date

Action Required: Majority Vote Two-thirds Vote Other _____

County Board Meeting Date: January 14, 2003

Policy and Fiscal Note
Resolution No. 85-01/03

- I. Title: In Support of Federal Legislation To Subject Casein and Milk Protein Concentrates to Tariff Rate Quotas
- II. Purpose and Policy Impact Statement: This is an advisory resolution requesting action by Congress.
- III. Is this a budgeted item and what is its fiscal impact: Passage of this resolution will have no impact on the Walworth County budget.
- IV. Referred to the following standing committees for consideration and date of referral:

Committee: Agriculture and Extension Education Date: December 16, 2002

Vote: Unanimous (3 – 0)

V. Approved as to form: David A. Bretl 1/6/03
County Administrator/Corporation Counsel Date

N. Andersen 1/6/03
Finance Director Date

County Board Meeting Date: January 14, 2003

Executive Committee:

Ordinance No. 234-01/03 – Amending Sections 2.02.010, 2.08.010, 2.09.100 and 2.09.130 of the Walworth County Code of Ordinances Relating to Rules of the County Board of Supervisors Making Certain Changes to Membership and Functions of the County Zoning Agency and Land Management Committees and Renaming the Committees, was moved for approval by Supervisor Ketchpaw and seconded by Supervisor Grant.

Supervisor Burwell made a motion, seconded by Supervisor Gigante, to amend Ordinance No. 234-01/03, making corrections on pages one and two. Page one, Part 2, Section 2.08.010, Creation, the committees should be renumbered starting with the Land Conservation Committee. There are 13 committees, boards, and commissions of the Walworth County Board. The ordinance as written shows “12”. Page two, Part 4, Section “2.09.130,” Land Conservation Committee, should be numbered Section 2.09.140; and in Part 4, Section 2.09.130, (d), Membership, the Land “Management” Committee should be changed to Land Conservation Committee. The amendments presented by Supervisor Burwell were approved.

Supervisor Russell offered a motion to amend Ordinance No. 234-01/03, seconded by Supervisor Guido, by changing the number of committee members from five County Board supervisors to three County Board supervisors and four community members. Discussion ensued. Supervisor Lothian said he does not agree with the amendment as it turns the authority of the committee to non-elected members, not elected board members. Supervisor Polyock agreed with Supervisor Lothian and thinks the power should remain with the elected. Supervisor Morrison also agreed and said that it would set a precedent. Motion to amend the ordinance failed. Supervisor Russell offered a motion to amend the number of committee members to seven, five County Board supervisors and two community representatives, seconded by Supervisor Guido. Discussion ensued. Supervisor Grant said he cannot support having five Supervisors as they are each already on two committees. Amendment failed. Ordinance No. 234-01/03 was approved as amended by Supervisor Burwell.

Ordinance 234 – 01/03

AMENDED

Amending Sections 2.02.010, 2.08.010, 2.09.100 and 2.09.130 of the Walworth County Code of Ordinances Relating to Rules of the County Board of Supervisors Making Certain Changes to Membership and Functions of the County Zoning Agency And Land Management Committees and Renaming the Committees

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

PART 1. THAT Section 2.02.010 is hereby amended so as to repeal and recreate paragraph (b) thereof to read as follows:

“(b) Appointed Membership. 1. The Board shall appoint members of the following committees, board and commission:

1. Executive Committee;
2. Finance Committee;
3. Human Resources Committee;
4. Public Property Committee;
5. Agriculture and Extension Education Committee;
6. Health and Human Services Board;
7. Highway Committee;
8. Land Conservation Committee;
9. County Zoning Agency.”

PART 2. BE IT FURTHER ORDAINED THAT Section 2.08.010 is hereby amended so as to repeal that section in its entirety and recreate it to read as follows:

“2.08.010 Creation. The following committees, boards, and commissions of the Walworth County Board are hereby created:

1. Executive Committee
2. Agriculture and Extension Education Committee
3. Committee of the Whole
- ~~3.4.~~ Land Conservation Committee
- ~~4.5.~~ Finance Committee
- ~~5.6.~~ Children with Disabilities Education Board
- ~~6.7.~~ Health and Human Services Board
- ~~7.8.~~ Highway Committee
- ~~8.9.~~ Human Resources Committee
- ~~9.10.~~ Lakeland Health Care Center Board of Trustees
- ~~10.11.~~ Nominating Committee
- ~~11.12.~~ County Zoning Agency
- ~~12.13.~~ Public Property Committee.”

PART 3. BE IT FURTHER ORDAINED THAT Section 2.09.100 is hereby repealed in its entirety and recreated to read as follows:

“2.09.100 County Zoning Agency

- (a) Purpose. The County Zoning Agency shall exercise those powers relative to planning and zoning as set forth in Sec. 59.69, Wis. Stats.
- (b) Membership. Unless otherwise designated by the Board, the County Zoning Agency shall consist of five (5) members including three (3) County Board Supervisors and two (2)

community representatives.

- (c) Terms of Office. The term of office for the community representatives serving on the County Zoning Agency shall be for two (2) years. Terms shall be staggered and expire July 1 each year."

PART 4. BE IT FURTHER ORDAINED THAT Section 2.09.130 is hereby repealed in its entirety and recreated to read as follows:

"~~2.09.130~~140Land Conservation Committee.

- (a) Purpose. The Land Conservation Committee shall have the following duties: (i) Exercise those duties set forth in Sec. 92.07 Wis. Stats., subject to ordinances and procedures established by the County Board. (ii) Serve as a policy-making body, determining broad outlines and principles concerning economic development, and parks and recreation issues. (iii) Make recommendations to the County Board concerning land use planning issues.
- (b) Relationship with County Zoning Agency. (i) Nothing herein shall be deemed to abrogate the role of the County Zoning Agency with respect to the performance of its duties pursuant to state law. (ii) Review of planning recommendations of the County Zoning Agency by the Land Conservation committee shall consist only of a report to the County Board, and no amendments to plans, resolutions or ordinances proposed by the County Zoning Agency shall be made by the Land Conservation committee. (iii) In no event shall petitions to amend zoning district boundaries be reviewed by the Land Conservation Committee."
- (c) Parks Advisory Committee – Subject to approval by the County Board, the Land Conservation Committee may establish a Parks Advisory Committee to assist it in the development of policy concerning parks and recreation issues. Appointment of all members of said advisory committee shall be subject to confirmation by the County Board.
- (d) Membership. The Land Management Conservation Committee shall consist of five (5) Supervisors, the Chairperson or designee of the USDA Farm Service Agency, formerly known as the Agricultural Stabilization and Conservation Service Committee and one citizen member.

PART 5. BE IT FURTHER ORDAINED THAT the effective date of this Ordinance shall

be effective March 1, 2003.

PASSED and ADOPTED by the Board of Supervisors of Walworth County Wisconsin this 14th day of January, 2003.

William M. Norem
County Board Chairman

Kimberly S. Bushey
ATTEST: County Clerk

Policy and Fiscal Note is attached

Approved as to Form:	David A. Bretl County Administrator/Corporation Counsel	1/10/03 Date
	N. Andersen Finance Director	1/10/03 Date

William M. Norem, Chairman
Walworth County Board of Supervisors

VOTE REQUIRED: 2/3 MAJORITY

Policy and Fiscal Note
Ordinance 234 – 01/03

- I. Title: Ordinance Amending Sections 2.02.010, 2.08.010, 2.09.100 and 2.09.130 of the Walworth County Code of Ordinances Relating to Rules of the County Board of Supervisors Making Certain Changes to Membership and Functions of the County Zoning Agency and Land Conservation Committees and Renaming the Committees
- II. Purpose and Policy Impact Statement: The purpose of this ordinance amendment is to make changes to the County's Board's rules consistent with the 2003 budget adopted by the Board. In that budget, an amendment was proposed that made consolidation of the Land Management and Land Conservation departments contingent upon certain changes to Title 2 of the Code of Ordinances regarding committee structure. This ordinance amendment to the Board's rules will accomplish those changes and permit consolidation of the two departments.

With respect to the ordinance amendment, the following policy changes are noted:

- ◆ Part 1 - The name of the Land Management committee is changed to the County Zoning Agency. This name is consistent with terminology found in Section 59.69 of the Wisconsin Statutes.
- ◆ Part 2 - The name of the Land Management Committee is changed to County Zoning Agency. The committee is still responsible for duties as prescribed in Section 59.69 of the Wisconsin Statutes.
- ◆ Part 3 – Membership on the County's Zoning Agency is decreased from five to three members. County Board Supervisor membership of the Land Conservation Committee is increased from 3 to 5. The term of office of citizen members is decreased from seven years to two years.
- ◆ Part 4 – The relationship of the County Zoning Agency is defined in this section. Nothing contained in the revised ordinance shall be deemed to abrogate the role of the Agency with respect to the performance of its duties pursuant to state law.

III. Is this a budgeted item and what is its fiscal impact: Passage of this ordinance will be cost neutral. Consolidation of the two departments is anticipated to cost approximately \$6,724 annually over the status quo. This amount has been included in the budget.

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

Committee: Finance
Vote: 6 – 0

Date: September 26, 2002

Approved as to form:	David A. Bretl	1/10/03
	County Administrator/Corporation Counsel	Date
	N. Andersen	1/10/03
	Finance Director	Date

County Board Meeting Date: January 14, 2003

Resolution No. 86-01/03 – Resolution Denying Claim of Commercial Mortgage & Finance Company, was approved on motion by Supervisor Grant, seconded by Supervisor Lohrmann.

Resolution No. 86 - 01/03
Denying Claim of Commercial Mortgage & Finance Company

Moved/Sponsored by: Executive Committee

BE IT RESOLVED by the Walworth County Board of Supervisors that the claim of Commercial Mortgage and Finance Company be and the same is hereby denied.

BE IT FURTHER RESOLVED THAT the County Clerk send a notice of disallowance to the claimant.

William M. Norem
County Board Chairman

Kimberly S. Bushey
Attest: County Clerk

Policy and Fiscal Note is attached.

Approved as to Form:

David A. Bretl
County Administrator/Corporation Counsel
1/6/03
Date

N. Andersen
Finance Director
1/6/03
Date

Action Required: Majority Vote Two-thirds Vote Other _____

County Board Meeting Date: January 14, 2003

Policy and Fiscal Note
Resolution No. 86 – 01/03

- I. Title: Denying Claim of Commercial Mortgage and Finance Company
- II. Purpose and Policy Impact Statement: The purpose of this resolution is to deny the claim made by the Commercial Mortgage and Finance Company of 115 7th Street, Rockford, Illinois.
- III. Is this a budgeted item and what is its fiscal impact: Passage of this resolution will have no fiscal impact on the 2002 County budget.
- IV. Referred to the following standing committees for consideration and date of referral:

Committee: Executive

Date: December 19, 2002

Vote: 5 – 0

V.	Approved as to form:	David A. Bretl County Administrator/Corporation Counsel	1/6/03 Date
		N. Andersen Finance Director	1/6/03 Date

County Board Meeting Date: January 14, 2003

Chair Norem removed himself from the Chair and asked Supervisor Grant to preside so that Resolution No. 87-01/03 – Resolution Providing County-paid Cellular Phone of Board Chair for Business Use, could be discussed.

Supervisor Gigante made a motion to set aside this resolution permanently, seconded by Supervisor Polyock. Supervisor Gigante said that he thinks the County Chair is in a position here to lead by example by allowing this resolution to be set aside indefinitely. Discussion ensued. Supervisor Russell called the question, seconded by Supervisor Lohrmann. The motion to call the question passed and the motion to table Resolution No. 87-01/03 indefinitely failed.

A motion was made by Supervisor Schaefer, seconded by Supervisor Scharine, to approve Resolution No. 87-01/03. On motion by Supervisor Lothian, seconded by Supervisor Palzkill, Resolution No. 87-01/03 – Resolution Providing County-paid Cellular Phone for Board Chair for Business Use, was approved by unanimous consent. Supervisor Gigante later asked that it be noted in the record that he would have voted “no” on this resolution. Supervisor Gigante thought he was voting on the unanimous consent motion and not the motion approving the resolution.

Resolution No. 87 - 01/03
Providing County-paid Cellular Phone
for Board Chair for Business Use

Moved/Sponsored by: Executive Committee

WHEREAS, the County Board of Supervisors, on October 8, 2002, adopted Resolution 61-10/02, approving the consolidation of the County Administrator and Corporation Counsel offices; and

WHEREAS, the adoption incorporated a plan (“Plan”), and authorized the Board Chair and County Administrator to implement the Plan consistent with the timetable set forth therein no later that January 1, 2003; and

WHEREAS, the Plan included, in paragraph ‘g’ thereof consideration by the County Board of providing the Board Chair reimbursement for business-related expenses, such as the provision of a cellular phone and mileage reimbursement; and

III. Is this a budgeted item and what is its fiscal impact: The cost of a County provided cell phone would be approximately \$20 per month. Sufficient funds exist within the 2002 County Board budget to provide the telephone without the need of a transfer from the contingency fund. Funds for this purpose were not included in the 2003 County Board budget; however, since the adoption of the 2003 budget, the County received notification of its 2003 membership fees. Based upon this notification, there will be \$240 available in the membership account to transfer for the purpose of providing a cellular phone to the County Board Chairman.

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

Committee: Executive
Vote:

Date: December 19, 2002

V. Approved as to form:	David A. Bretl	1/6/03
	County Administrator/Corporation Counsel	Date
	N. Andersen	1/6/03
	Finance Director	Date

County Board Meeting Date: January 14, 2002

Land Conservation Committee:

Resolution No. 88-01/03 – Resolution Approving Amendment No. 1 to the Conservation Reserve Enhancement Program Contract. The Land Conservation Committee met prior to the Board meeting and voted unanimously to approve this resolution. Supervisor Kuhnke made a motion to approve Resolution No. 88-01/03, seconded by Supervisor Ketchpaw. Supervisor Palzkill asked Louise Olson, Director of Land Conservation, to speak to this issue. Ms. Olson said that this is Federal money and it is earmarked for Walworth County. Ms. Olson said she would not need additional staff for this program. On motion by Supervisor Lohrmann, seconded by Supervisor Morrison, Resolution No. 88-01/03 was approved by unanimous consent.

Resolution No. 88 - 01/03
Resolution Approving Amendment No. 1 to
the Conservation Reserve Enhancement Program Contract

Moved/Sponsored by: Agriculture and Extension Education Committee

WHEREAS, the Wisconsin Department of Agriculture, Trade and Consumer Protection and the Department of Natural Resources have worked with the USDA-Farm Services Agency & Natural Resources Conservation Service to develop a Conservation Reserve Enhancement Program (CREP); and

WHEREAS, pursuant to Resolution 69-12/01 the Walworth County Board of Supervisors approved participation in CREP and authorized the execution of a contract by and between the State of Wisconsin and Walworth County pursuant thereto; and

WHEREAS, the objective of CREP is to improve water quality, enhance wildlife habitats, and establish riparian buffers to improve stream and river corridors; and

WHEREAS, Walworth County is located within the State priority area, and this program was originally allocated \$600,000 to participate in the program; and

WHEREAS, all towns in Walworth County were originally eligible to participate in the program except for the Townships of Bloomfield, Geneva, Linn, Lyons and Walworth; and

WHEREAS, individual landowners in the project area have the opportunity to install vegetative buffers on their land by entering into 15-year agreements or state perpetual easements and receive payments for the land retired from agricultural production; and

WHEREAS, the State of Wisconsin has proposed an expansion of CREP by increasing the amount of grants to \$800,000 and permitting property owners in all Walworth County towns to participate in the program.

NOW, THEREFORE, BE IT RESOLVED by the Walworth County Board of Supervisors that Amendment No. 1 to the Conservation Reserve Enhancement Program contract be and the same is hereby approved; and

BE IT FURTHER RESOLVED that the Walworth County Board authorizes the Land Conservation committee and Department to be the primary local implementation agency pursuant to Wisconsin Statutes, Chapter 92; and

BE IT FURTHER RESOLVED that the Director of the Land Conservation department be authorized to execute contracts on behalf of Walworth County and sign payment checks jointly issued to landowners and Walworth County for this specific CREP State program, subject to such procedures as set forth in the Walworth County Code of Ordinances.

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 1/6/03
County Administrator/Corporation Counsel Date
N. Andersen 1/6/03
Finance Director Date

Action Required: Majority Vote Two-thirds Vote Other _____

County Board Meeting Date: January 14, 2003

Policy and Fiscal Note
Resolution No. 88 – 01/03

- I. Title: Resolution Approving Amendment No. 1 to the Conservation Reserve Enhancement Program Contract
- II. Purpose and Policy Impact Statement: The purpose of this resolution is to approve amendment no. 1 to the current CREP contract. The amendment provides for the Department of Agriculture, Trade and Consumer Protection to revise the County's contractual spending authority by setting up a process which will be utilized at the end of 2003, and subsequent years, to evaluate the County's progress towards meeting the goals of the contract.
- III. Is this a budgeted item and what is its fiscal impact: There will be no fiscal impact to the 2003 budget as a result of this amendment to the current CREP contract. The Land Conservation department will administer the program within the existing budget. It may be necessary for the department to shift resources from other programs as no state or federal funding is provided for administration of these grants.
- IV. Referred to the following standing committees for consideration and date of referral:

Committee: Land Conservation Date: January 14, 2003

Vote:

V. Approved as to form: David A. Bretl 1/6/03
County Administrator/Corporation Counsel Date

N. Andersen
Finance Director

1/6/03
Date

County Board Meeting Date: January 14, 2003

Supervisor Burwell commented that Louise Olson administers these programs in an efficient manner and ensures that all of the funds are used as they should be. Supervisor Burwell said that many farmers will be receiving and spending tax dollars as a result of Resolution No. 88-01/03. She feels that this is ironic and in some cases hypocritical in light of the number of board members and farmers that pleaded with the County Board to save tax dollars at last month's meeting.

There were no Reports of Special Committees

On motion by Supervisor Gigante, seconded by Supervisor Russell, the meeting adjourned at 6:45 p.m.

The next regularly scheduled meeting of the Walworth County Board will be held on Tuesday, February 11, 2003, 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 January 14, 2003 meeting.

THE FEBRUARY 11, 2003 SESSION
OF THE
WALWORTH COUNTY BOARD OF SUPERVISORS
AMENDED

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.

Chair Norem spoke to the Board in recognition of the Columbia Astronauts whose spaceship broke up upon entering on February 1, 2003. Norem called the crew of the Columbia "space pioneers." Norem said they were pioneers who were not afraid to explore new frontiers at the risk of their lives and likened them to the early American pioneers. Chair Norem then continued with the Invocation.

Roll call was read with all Supervisors present except Supervisors Gigante, Parker, Russell, and Shroble who had been excused. A quorum was established. Supervisor Palzkill arrived late.

On motion by Supervisor Arnold, seconded by Supervisor Schaefer, the evening's agenda was amended by removing Ordinance No. 237-02/03 and Resolution No. 97-02/03 from the agenda and referring both back to the Public Property Committee.

On motion by Supervisor Polyock, seconded by Supervisor Schaefer, Resolution No. 98-02/03 was moved to just above "Communications and Matters to be Referred" and just under the "Confirmation of William Kern" on the evening's agenda.

On motion by Supervisor Scharine, seconded by Supervisor Polyock, the evening's agenda was approved as amended.

On motion by Supervisor Miles, seconded by Supervisor Schaefer, the minutes of the January 14, 2003 County Board session were approved.

Chairman Norem requested comments from the public.

Betty Becky Kligora, 413 Phoenix, Delavan, Friends of the Lakeland School. Ms. Kligora addressed the Board to thank Walworth County for making her son's education possible. Her son has attended Lakeland School since he was three years old and she believes he is where he belongs. Ms. Kligora said that Lakeland School is the most important thing in their lives right now.

Appointments:

On motion by Supervisor Grant, seconded by Supervisor Lohrmann, Jay Karow was appointed to the Lakeshores Library System Board with said term to expire December 31, 2005 or until a successor is appointed or named.

Saul Arteaga
Karen Barber
Joe Cardiff
Andrew Clark
Charles Colman
Joel Geary
Bonnie Howard
Mike Kohl

Thomas Lothian
Marilyn Putz
Nancy Schroeder
Cindy Simonsen
James Stowell
John Thibodeau
Greg Trunk
David Weber

Dated this 11th day of February 2003.

William M. Norem
County Board Chairman

Resolution No. 98-02/03 – Resolution Confirming the Nomination of William Kern to Serve as Walworth County Public Works Director and Approving an Employment Agreement By and Between Walworth County and William Kern, was moved for approval by Supervisor Hilbelink, seconded by Supervisor Ketchpaw. On motion by Supervisor Grant, seconded by Supervisor Morrison, Resolution No. 98-02/03, was approved by unanimous consent.

Resolution No. 98- 02/03
Resolution Confirming the Nomination of William Kern to Serve as Walworth County Public Works Director and Approving an Employment Agreement By and Between Walworth County and William Kern

Moved/Sponsored by:

WHEREAS, The Walworth County Administrator has nominated William Kern to serve in the position of Public Works Director; and

WHEREAS, the Public Property and Highway Committees met jointly to consider the nomination and recommend confirmation of Mr. Kern; and

WHEREAS, the Human Resources Committee has reviewed an employment agreement by and between Walworth County and Mr. Kern;

NOW, THEREFORE, BE IT RESOLVED by the Walworth County Board of Supervisors that the nomination of William Kern to serve in position of Public Works Director be and the same is hereby approved pursuant to the terms of the attached employment agreement, which contract is hereby approved.

William M. Norem
County Board Chair

Kimberly S. Bushey
Attest: County Clerk

2/11/03
Date

Policy and Fiscal Note is attached.

Approved as to Form: David A. Bretl 2/7/03
County Administrator/
Corporation Counsel Date

N. Andersen 2/7/03
Finance Director Date

Action Required: Majority Vote Two-thirds Vote Other _____

County Board Meeting Date: February 11, 2003

Policy and Fiscal Note
Resolution No. 98-02/03

- I. Title: Resolution Confirming the Nomination of William Kern to Serve as Walworth County Public Works Director and Approving an Employment Agreement By and Between Walworth County and William Kern.
- II. Purpose and Policy Impact Statement: The purpose of this resolution is to confirm the appointment of William Kern as Public Works Director and approve an employment contract with Mr. Kern.
- III. Is this a budgeted item and what is its fiscal impact: Pursuant to the employment contract:
 - Mr. Kern would be paid \$77,418 per year plus County benefits to serve as Public Works Director. He would be eligible to receive step increases and across-the-board raises that the County Board might approve from time-to-time, in the same manner as other department heads.
 - In general, Mr. Kern would receive the same benefits as other department heads with the exception of forty hours of paid time-off that he would be credited with for his first year of employment.
 - Mr. Kern would be eligible for transitional living expenses incurred in Walworth County and moving expenses to Walworth County, provided the move is for the purpose of establishing residency in Walworth County. The maximum amount of this reimbursement would be \$4,000.
 - Upon the expiration of Brian DuPont's term as highway commissioner, Mr. Kern would be permitted to use a county vehicle for business purposes and to commute, provided he lives in Walworth County.
 - Mr. Kern's employment would be "at will" meaning he can be terminated by the County Administrator for any reason. This is a departure from incumbent department heads who enjoy "for cause" job protection. As a result, a three-month notice or severance provision is included in the contract. If Mr. Kern is

not provided with three months notice of termination, severance would need to be provided.

- Sufficient funds were included within the 2003 budget for this position. No budget amendment is necessary to implement this contract.

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

Committee: Human Resources

Date: February 11, 2003

Vote:

V. Approved as to form:

David A. Bretl
County Administrator/
Corporation Counsel

2/7/03
Date

N. Andersen
Finance Director

2/7/03
Date

County Board Meeting Date: February 11, 2003

William Kern introduced himself to the Board. Mr. Kern said that he is from Eau Claire and is currently working for the Dunn County Highway Department as an engineer and superintendent. He has worked as the Highway Commissioner in Sawyer County. Mr. Kern has a business and engineering degree from UW-Platteville and a degree in finance from UW-Eau Claire. Mr. Kern said that he is excited about the opportunity he will have here and is looking forward to working for Walworth County.

On motion by Supervisor Lohrmann, seconded by Supervisor Grant, the claim of Michel A. Reiter and Mark Zukowski was referred to the Executive Committee.

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

Land Management Committee: Text Amendment to Zoning Ordinance and Shoreland Zoning Ordinance, Walworth County, Wisconsin, Sections 3.3, 3.4, 3.5, 3.6, 3.7, 3.8, 4.4, 4.14, 6.1, 7.2, & 13.

Bromley Woodland Trust (Mark Bromley, Trustee, App.), Town of LaGrange.

Denise and Todd Fink, Town of Lafayette.

Paul M. Dudley, Town of Bloomfield.

Sheldon C. and Janice M. Latz, Town of Sugar Creek.

Art Pierce (Dave Pierce, App.), Town of Bloomfield.

Shawn and Thomas G. Whowell and Jeff and Rallee Chupich, Town of Walworth.

The following Report of Petitions Referred was read and forwarded 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 land in Walworth County were referred to the Land Management Committee for public hearing:

- Frederic K. Lake, Town of Troy, C-4 and C-2 to C-2 and C-4.
- Dick Karus, Jr., Town of Whitewater, A-4 to B-4.
- Gary and Gloria Stebnitz & Roger and Siri Voskuil, Town of Darien, A-1 and M-3 to C-2.
- Oakwood Cemetery Association, Town of Geneva, A-1 to P-2.
- Zoe Acres, LLC, Town of Walworth, A-1 to M-2.
- Highfield Glen Ltd., Inc./Terry Woods, Town of Linn, C-2 to C-1 and C-4.
- Bernard C. Rosauer Trust, Town of Bloomfield, C-1 and C-4 to C-2.
- Krueger Road Business Park, Town of Geneva, M-3 and M-1 to C-2 and R-1.
- James Pody, Town of Geneva, A-1 to C-1 and C-4.

Reports of Standing Committees

Land Management Committee:

On motion by Supervisor Schaefer, seconded by Supervisor Kuhnke, the Report of the Land Management Committee was approved as presented.

Report of Proposed Zoning Amendments

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. Richard H. and Beverly L. Good (Jeffrey J. Auberger, App.), Town of Troy – filed a petition on the 9th day of October, 2002, to amend said zoning maps from A-2 Agricultural Land District to C-2 Upland Resource Conservation District.

Recommendation: Said petition be approved.

2. Richard and Shirley J. Finster, Town of Lyons – filed a petition on the 17th day of September, 2002, to amend said zoning maps from C-2 Upland Resource Conservation District to A-1 Prime Agricultural Land District.

Recommendation: Said petition be approved.

3. Herbert D. and Barbara J. Bunger, Town of Whitewater – filed a petition on the 6th day of November, 2002, to amend said zoning maps from 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.

1. The property has not been historically tilled.
2. The site has been a pasture area.
3. It has steep slopes
4. It is 50 percent or greater non-prime soils.

4. James Pody, Town of Geneva – filed a petition on the 30th day of October, 2002, to amend said zoning maps from C-4 Lowland Resource Conservation District (Shoreland) to A-1 Prime Agricultural Land District.

Recommendation: Said petition be approved.

5. Robert and Alyce Lottig Britton (Joseph C. Zimmer, App.), Town of Linn – filed a petition on the 5th day of November, 2002, to rezone from A-1 Prime Agricultural Land District to A-5 Agricultural-Rural Residential District.

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

1. The property proposed for rezone is part of an existing farmstead that has not been historically farmed and has been substantially separated from the larger farm parcel.
2. The home is proposed at the location of an existing barn foundation.

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. Richard H. and Beverly L. Good (Jeffrey J. Auberger, App.), Town of Troy – 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 #L T 1900009

A parcel of land located in the NW1/4 of Section 19, T4N, R17E, Walworth County, Wisconsin, described as follows, to-wit:

Commence at the point of the Intersection of the centerline of Pleasant Lake Road on the West side of Section 19 and the East-West ¼ Section line of Section 19 as fenced, thence North along the centerline of Pleasant Lake Road 1089.68 feet to the Point of Beginning, thence continue north along the centerline of Pleasant Lake Road 684 feet, thence N 86°02' E 1280.97 feet to the West 1/16th Section line of the Northwest ¼ of said Section 19 as fenced, thence S 0°42' W along the West 1/16th line as fenced 685.10 feet, thence S 86°02' W 1266.59 feet to the Place of Beginning, containing 20.0 acres.

2. Richard and Shirley J. Finster, Town of Lyons – to amend said zoning maps from C-2 Upland Resource Conservation District to A-1 Prime Agricultural Land District on the following described lands:

Part of Tax Parcel #N LY 600007

Part of the Northwest ¼ of the Southwest ¼ and part of the Southwest ¼ of the Northwest ¼ of Section 6, Township 2 North, Range 18 East of the Fourth Principal Meridian, in the Township of Lyons, Walworth County, Wisconsin and being more particularly described as follows: Commence at the West ¼ corner of said Section 6;

thence South 88°48'27" East along the North line of said Southwest ¼ Section 1085.27 feet to the Place of Beginning of this description; thence North 01°58'28" West 151.73 feet; thence North 38°33'13" West 152.28 feet; thence North 89°51'07" East 257.82 feet; thence South 00°08'53" East 274.69 feet to a point on the East-West ¼ Section line of said Section 6; thence South 00°00'42" West 1019.67 feet; thence South 87°50'30" West 122.84 feet; thence North 01°58'28" West 1028.20 feet to the Place of Beginning. Containing 4.45 acres of land more or less.

3. Herbert D. and Barbara J. Bungler, Town of Whitewater – 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 #D W 3100001

Commencing at the Northeast corner of Section 31, Town 4 North, Range 15 East; thence S 87°46'08" W, along the north line of the Northeast ¼ of said Section 31, a distance of 557.50 feet to the Point of Beginning; thence S 0°00'33" E, a distance of 920.48 feet; thence N 80°09'10" W, a distance of 670.30 feet; thence N 17°41'38" E, a distance of 79.03 feet; thence N 19°55'46" E, a distance of 25.06 feet; thence N 31°20'05" E, a distance of 25.15 feet; thence N 21°31'34" E, a distance of 68.92 feet; thence N 28°06'59" E, a distance of 80.33 feet; thence N 27°31'46" E, a distance of 45.70 feet; thence N 41°11'24" E, a distance of 21.92 feet; thence N 19°27'45" E, a distance of 37.94 feet; thence N 38°59'34" E, a distance of 81.54 feet; thence N 22°19'20" E, a distance of 28.87 feet; thence N 25°39'13" E, a distance of 31.43 feet; thence N 12°51'58" W, a distance of 36.92 feet; thence N 3°51'20" E, a distance of 47.54 feet; thence N 6°34'21" E, a distance of 20.98 feet; thence N 43°04'50" E, a distance of 25.96 feet; thence N 20°43'21" E, a distance of 20.12 feet; thence N 1°49'33" E, a distance of 24.34 feet; thence N 31°15'31" E, a distance of 18.15 feet; thence N 71°28'22" E, a distance of 31.99 feet; thence N 25°22'22" E, a distance of 18.27 feet; thence N 2°03'35" E, a distance of 24.50 feet; thence N 24°28'22" W, a distance of 28.89 feet; thence N 64°48'22" W, a distance of 10.52 feet; thence S 68°58'06" W, a distance of 44.37 feet; thence S 0°23'06" W, a distance of 12.38 feet; thence S 48°01'20" W, a distance of 13.01 feet; thence N 68°20'48" W, a distance of 11.26 feet; thence N 30°25'57" W, a distance of 16.12 feet; thence N 23°26'20" E, a distance of 44.76 feet; thence N 9°20'06" E, a distance of 11.04 feet; thence N 68°21'57" W, a distance of 10.11 feet; thence N 5°45'59" E, a distance of 26.76 feet, to the north line of the Northeast ¼ of said Section 31; thence N 87°46'08" E, along said North line of said Northeast ¼ of Section 31, a distance of 435.93 feet to the Point of Beginning; said described tract containing 433940.6 square feet (9.96 acres), more or less.

1. The property has not been historically tilled.
2. The site has been a pasture area.
3. It has steep slopes.
4. It is 50 percent or greater non-prime soils.

4. James Pody, Town of Geneva – to amend said zoning maps from C-4 Lowland Resource Conservation District (Shoreland) to A-1 Prime Agricultural Land District on the following described lands:

Part of Tax Parcel #J G 100006

A proposed rezone from C-4 to A-1 being part of Tax Parcel JG 100006, located in the Southwest ¼ of Section 1, Town 2 North, Range 17 East, Town of Geneva, Walworth County, Wisconsin, described as follows:

Commencing at the South ¼ corner of said Section 1; thence South 89°57'10" West, along the South line of said Southwest ¼ of said Section 1 and the centerline of Hospital Road 332.21 feet to the Point of Beginning; thence continue South 89°57'10" West, along said South line and centerline, 50.16 feet; thence North 4°32'02" West 69.38 feet; thence North 50°14'17" East 54.04 feet; thence South 17°27'25" East 26.17 feet; thence South 4°32'02" East 78.97 feet to the Point of Beginning.

5. Robert and Alyce Lottig Britton (Joseph C. Zimmer, App.), Town of Linn – to amend said zoning maps from A-1 Prime Agricultural Land District to A-5 Agricultural-Rural Residential District on the following described lands:

Part of Tax Parcel #IA242600001

The Westerly 198 feet of Lot 1 Certified Survey Map No. 2426 a Certified Survey Map located in the Southwest ¼ of Section 27, T1N, R17E, Walworth County, Wisconsin.

Also described as follows:

A parcel of land located in the Northeast ¼ of the Southwest ¼ of Section 27, Town 1 North, Range 17 East, Walworth County, Wisconsin, described more particularly as follows: Commencing at the Northeast corner of the Southwest ¼ of said Section 27; thence S 88°27'19" W along the North line of the Southwest ¼ of said Section 27, 425.00 feet to the Point of Beginning; thence S 1°57'21" E 300.00 feet; thence S 88°27'19" W 198.00 feet; thence N 1°57'21" W 300.00 feet; thence N 88°27'19" E 198.00 feet to the Point of Beginning. Said parcel contains 59398 square feet.

1. The property proposed for rezone is part of an existing farmstead that has not been historically farmed and has been substantially separated from the larger farm parcel.
2. The home is proposed at the location of an existing barn foundation.

ATTEST this 11th day of February, 2003.
William M. Norem
County Board Chairman

ATTEST this 11th day of February, 2003.
Kimberly S. Bushey
County Clerk

Executive Committee:

On motion by Supervisor Ketchpaw, seconded by Supervisor Hilbelink, Resolution No. 92-02/03 – Denying the Claim of Julie Senesac and Serving a Notice of Disallowance Upon the Claimant, was approved.

Resolution No. 92 – 02/03
Denying Claim of Julie Senesac

Moved/Sponsored by: Executive Committee

BE IT RESOLVED by the Walworth County Board of Supervisors that the claim of Julie Senesac be and the same is hereby denied.

BE IT FURTHER RESOLVED THAT the County Clerk send a notice of disallowance to the claimant.

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 County Administrator/Corporation Counsel	2/4/03 Date
	Nicki Andersen (pw) Finance Director	2/4/03 Date

Action Required: Majority Vote Two-thirds Vote Other_____

County Board Meeting Date: February 11, 2003

Policy and Fiscal Note
Resolution No. 92 – 02/03

I. Title: Denying Claim of Julie Senesac

II. Purpose and Policy Impact Statement: The purpose of this resolution is to deny the claim made by Julie Senesac of 1232 Old Town South Drive, Indianapolis, Indiana.

III. Is this a budgeted item and what is its fiscal impact: Passage of this resolution will have no fiscal impact on the 2003 County budget.

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

Committee: Executive

Date: January 23, 2003

Vote: 7 – 0

V. Approved as to form: David A. Bretl 2/4/03
County Administrator/Corporation Counsel Date
Nicki Andersen (pw) 2/4/03
Finance Director Date

County Board Meeting Date: February 11 2003

On motion by Supervisor Scharine, seconded by Supervisor Grant, Resolution No. 93-02/03 – Requesting Wisconsin Counties Association Leadership in Health Insurance Portability and Accountability Act (HIPAA) Compliance, was approved.

Resolution No. 93 - 02/03

REQUESTING WISCONSIN COUNTIES ASSOCIATION LEADERSHIP
IN HEALTH INSURANCE PORTABILITY AND ACCOUNTABILITY ACT (HIPAA)
COMPLIANCE

Moved/Sponsored by:

WHEREAS, passage of the Health Insurance Portability and Accountability Act of 1996 (HIPAA) by the Federal Government mandates that covered entities, including Walworth County, meet the following requirements:

- 1) use "standard" electronic data interchange (EDI) transactions;
- 2) assure privacy of protected health information;
- 3) provide physical and electronic security of protected health information

WHEREAS, the following deadlines for compliance have been established:

October 15 th , 2002	Electronic Data Interchange Plan
April 14 th , 2003	Privacy Rule
April 16 th , 2003	Initial EDI testing
October 16 th , 2003	EDI Compliance
No scheduled date	Security Rule

WHEREAS, all Wisconsin counties must comply with this Federal Regulation and will deal with it in a very similar fashion as all have employees, all have Health Departments, all use information Executive Director of Wisconsin Counties Association; National Association of Counties; and each county in the State of Wisconsin. technology, some have and some do not have nursing homes, and some self-fund while others purchase health insurance coverage; and

WHEREAS, consultants are offering to provide services to individual counties in understanding and implementing HIPAA; and

WHEREAS, this situation appears to be one in which the Wisconsin Counties Association could provide a significant service to its member counties by providing leadership in the understanding and interpretation of the new regulations through either having a staff member assigned to this task or arranging for services from a consultant with the cost therefore shared by counties utilizing the service; and

WHEREAS, Walworth County has submitted an Extension Application to negate the first compliance deadline of October 2002.

NOW, THEREFORE, BE IT RESOLVED that the Walworth County Board of Supervisors does hereby urge the Wisconsin Counties Association and National Association of Counties to take a leadership role by providing services or obtaining consultant services for its member counties to understand and comply with the requirements of HIPAA, with the costs therefore shared amongst the participating counties.

BE IT FURTHER RESOLVED that a copy of this Resolution be provided to Mr. Mark O'Connell, Executive Director of Wisconsin Counties Association; National Association of Counties; and each county in the State of Wisconsin.

William M. Norem
County Board Chair

Kimberly S. Bushey
Attest:County Clerk

2/11/03
Date

Policy and Fiscal Note is attached.

Approved as to Form:

David A. Bretl
County Administrator/
Corporation Counsel

2/3/03
Date

Nicki Andersen (pw) 2/3/03
Finance Director Date

Action Required: Majority Vote Two-thirds Vote Other _____

County Board Meeting Date: February 11, 2003

Policy and Fiscal Note
No. 93 – 02/03

I. Title: Requesting Wisconsin Counties Association Leadership in Health Insurance Portability and Accountability Act (HIPAA) Compliance

II. Purpose and Policy Impact Statement: This is an advisory resolution to the Wisconsin Counties Association.

II. Is this a budgeted item and what is its fiscal impact: Passage of this resolution will not impact the adopted budget. Increased leadership by the WCA in this field, however, could have the potential of reducing our cost in implementing HIPAA requirements.

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

Committee: Executive

Date: January 23, 2003

Vote: 7 - 0

V. Approved as to form: David A. Bretl 2/3/03
County Administrator/ Date
Corporation Counsel

Nicki Andersen (pw) 2/3/03
Finance Director Date

County Board Meeting Date: February 11, 2003

On motion by Supervisor Polyock, seconded by Supervisor Lothian, Resolution No. 94-02/03 – Commemorating the One-hundred Year Anniversary of Walworth Lodge, No. 286 of the Free & Accepted Masons, was approved by voice vote.

Resolution No. 94 - 02/03
Commemorating the One-hundred Year Anniversary of
Walworth Lodge, No. 286 of the Free and Accepted Masons

Moved/Sponsored by: Walworth County Board Executive Committee

WHEREAS, the Walworth Lodge, No. 286 local chapter of the International Free and Accepted Masons was established in 1903; and

WHEREAS, said Masons Lodge No. 286 will celebrate its 100-year anniversary on March 4, 2003; and

WHEREAS, the Walworth County Board wishes to commemorate the anniversary of Lodge No. 286 and extend its best wishes to its members for the event;

NOW, THEREFORE, BE IT RESOLVED that the Walworth County Board of Supervisors does hereby commemorate the occasion of the 100th anniversary of Walworth Lodge, No. 286 of the Free and Accepted Masons and extends to its members its best wishes for the anniversary event.

BE IT FURTHER RESOLVED THAT a copy of this resolution be presented to Lodge No. 286.

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
County Administrator/Corporation Counsel

2/3/03
Date

Nicki Andersen (pw)
Finance Director

2/3/03
Date

Action Required: Majority Vote Two-thirds Vote Other _____

County Board Meeting Date: February 11, 2003

Policy and Fiscal Note
Resolution No. 94 – 02/03

- I. Title: Commemorating the One-hundred Year Anniversary of Walworth Lodge, No. 286 of the Free and Accepted Masons
- II. Purpose and Policy Impact Statement: The purpose of this resolution is to commemorate the 100-year anniversary of Walworth Lodge, No. 286 of the Free and Accepted Masons.
- III. Is this a budgeted item and what is its fiscal impact: Adoption of this resolution will have no fiscal impact on the 2003 County budget.

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

Committee: Executive

Date: January 23, 2003

Vote: 7-0

V. Approved as to form:

David A. Bretl 2/3/03
County Administrator/Corporation Counsel Date

Nicki Andersen (pw) 2/3/03
Finance Director Date

County Board Meeting Date: February 11, 2003

Finance Committee:

On motion by Supervisor Grant, seconded by Supervisor Shepstone, Resolution 91-02/03 – Transferring the Sum of \$20,000 from 2002 Contingency Fund for the Purpose of Paying Costs Associated with Lakeland Animal Welfare Shelter Services, was moved for adoption. Discussion ensued. Mr. Bretl explained that under Walworth County's contract with the Lakeland Animal Welfare Society (LAWS), when there is a seizure, LAWS boards the animals for the first seven days gratis. After that the County pays for the actual costs of boarding the animals. The County will pursue all avenues to get our money back through restitution or other means. Bretl warned that there would be ongoing costs involved until we get the situation resolved in Court. The motion to approve Resolution 91-02/03 passed by voice vote with Supervisor Polyock voting No. Because the resolution required a 2/3 vote and a roll call was not conducted, Clerk Bushey asked if there were any other "No" votes. One "No" vote was recorded and all other votes were recorded as "Ayes."

Resolution No. 91 - 02/03
Transferring the Sum of \$20,000 from 2002 Contingency Fund
for the Purpose of Paying Costs Associated with
Lakeland Animal Welfare Shelter Services.

Moved/Sponsored by:

WHEREAS, the Walworth County Sheriff's Office executed a warrant pursuant to allegations of inhumane treatment of animals at a farm in Spring Prairie; and

WHEREAS, pursuant to the Sheriff's actions, the animals were removed from the farm and being held by the Lakeland Animal Welfare Shelter ("LAWS"); and

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

Committee: Date: January 14, 2003

Vote: 7-0

V. Approved as to form: David A. Bretl 2/3/03
County Administrator/ Date
Corporation Counsel

Nicki Andersen (pw) 2/3/03
Finance Director Date

County Board Meeting Date: February 11, 2003

Highway Committee:

On motion by Supervisor Polyock, seconded by Supervisor Kuhnke, Ordinance No. 236-02/03 – Amending Section 66-2 of the Walworth County Code of Ordinances So As To Permit the Use of Compression Braking, was moved for approval. Mr. Bretl explained that this resolution is to amend the Code of Ordinances to eliminate the ordinance to prohibit compression braking as the ordinance cannot be enforced at this time. The resolution was approved by voice vote.

Ordinance No. 236 – 02/03

Amending Section 66-2 of the Walworth County
Code of Ordinances So As To Permit the Use of
Compression Braking

THE WALWORTH COUNTY BOARD OF SUPERVISORS DOES ORDAIN AS
FOLLOWS:

Part I. Section 66-2 of the Walworth county Code of Ordinances is hereby repealed in its entirety and recreated to read as follows:

“SECTION 66-2. CREATION OF EXCESSIVE NOISE WITH MOTOR VEHICLE

(a) No person shall make unnecessary and annoying noise with a motor vehicle by squealing tires, excessive acceleration of engine, or by emitting unnecessary and loud muffler noises.

(b) Any person violating any provision of this section shall, upon conviction thereof,

forfeit not more than \$200.00, together with costs of prosecution, and in default of payment thereof shall be imprisoned in the county jail until the forfeiture and costs are paid but not to exceed 90 days.”

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

PASSED AND ADOPTED by the Walworth County Board of Supervisors this 11th day of February 2003.

William M. Norem
County Board Chairman

Kimberly S. Bushey
Attest: County Clerk

Policy and Fiscal Note is Attached.

Approved as to form:

David A. Bretl
County Administrator/
Corporation Counsel

2/4/03
Date

Nicki Andersen (pw)
Finance Director

2/4/03
Date

Action Required: Maioirity Two-thirds Other

County Board Meeting Date: February 11, 2003

William M. Norem, Chairman
Walworth County Board of Supervisors

Policy and Fiscal
Ordinance No. 236 02/03

- I. Title: Amending Chapter 66-2 of the Walworth County Code of Ordinances so as to permit the use of compression braking.
- II. Purpose and Policy Impact Statement: The purpose of this ordinance is to repeal Ordinance 216-10/01 passed by the County Board last year prohibiting compression braking in Walworth County except in the case of emergencies. The state DOT will not permit signage announcing the prohibition to be placed in its right-of-way in unincorporated areas. Therefore, county-wide enforcement of the ordinance would not be possible.
- III. Is this a budgeted item and what is its fiscal impact: Passage of this ordinance will not require any additional funding to administer in the 2003 budget.

AMENDED – Pg 3
Ordinance No. 235 - 2/03

Creating Division 1 "Employment Relations" of Article I of Chapter 15; creating Division 2 "Position Control" of Article I of Chapter 15, sec. 15-12 to 15-16; creating sec. 15-63 to 15-69 in Division 3 of Article II of Chapter 15; creating Division 4 "Promotion, Lateral Transfer and Demotion" of Article II of Chapter 15, sec. 15-70 to 15-79; creating Division 5 "Orientation and Training" of Article II of Chapter 15, sec. 15-80 to 15-89; creating Division 6 "Layoff and Recall" of Article II of Chapter 15, sec. 15-90 to 15-99; creating Division 7 "Termination of Employment" of Article II of Chapter 15, sec. 15-100 to 15-119; and amending sec. 15-04 of Chapter 15 of the Walworth County Code of Ordinances Relating to Human Resources

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

PART 1: THAT sections 15-01 to 15-11, previously adopted by the Walworth County Board of Supervisors, shall be placed within a division of Chapter 15, Article I of the Code of Ordinances, entitled "DIVISION 1. EMPLOYMENT RELATIONS."

PART 2: THAT sections 15-12 to 15-16 in Division 2 of Article I of Chapter 15 of the Walworth County Code of Ordinances are hereby created to read as follows:

"DIVISION 2. POSITION CONTROL

Sec. 15-12. Policy.

It is the policy of the county to establish by resolution the number of employees in any department or office, including deputies to elective officers, except as otherwise provided in sec. 15-15 of the Code. Each authorized position shall be assigned a status of regular full-time, regular part-time, casual, limited-term, or student intern, which shall have the meaning set forth in sec. 15-04 of the Code.

Sec. 15-13. Position changes subject to county board approval.

(a) The annual staffing budget adopted by the county board in November each year shall fix the number of positions for the next calendar year. Any previously approved position that is not funded in the annual budget is deemed abolished by the county board.

(b) The number of FTE's approved in the annual budget shall be fixed at the adopted budget level for the entire year, except when the county board amends the budget to meet essential operational needs due to the following:

- (1) Staffing mandates for delivery of special education programs under the Walworth County children with disabilities education board.

- (2) Staffing mandates to meet resident acuity needs at lakeland health care center.
- (3) Limited-term positions fully funded through special grants accepted and approved by the county board.
- (4) Staffing changes necessary to meet legal mandates.
- (5) Unforeseen staffing needs caused by extraordinary events.

(c) Any position request that results in an increase in FTE shall be subject to review and recommendation of the committee and final decision of the county board. Any request to increase FTE submitted after adoption of the annual budget shall require a two-thirds vote of the membership of the county board to approve.

(d) Any new position shall be subject to job evaluation and job classification prior to recruitment.

Sec. 15-14. Position changes subject to administrative approval.

(a) Any request to change a position that is not covered by sec. 15-13 shall be subject to administrative procedures enacted by the county administrator.

(b) Any change in position that results in an annualized cost increase shall be subject to final approval of the committee upon recommendation of the county administrator. If a budget amendment is required, chapter 30 shall apply.

(c) Any change in position that is cost neutral or reduces cost shall be subject to review and approval of the director.

(d) The director shall establish procedures to ensure that authorized positions are documented and reconciled to the adopted budget; and, verify that each position is properly classified, job duties are documented, and pay range is assigned in conformity with contract or policy.

Sec. 15-15. Limited term or student intern positions.

(a) Notwithstanding sec. 15-13, the director may approve a request for a limited-term or student intern position in the current budget period, subject to funding. If a budget amendment is required, chapter 30 shall apply.

(b) The director may authorize the hiring of a limited term employee who does not meet all minimum requirements, and may reduce the pay to a level commensurate with qualifications. When minimum requirements are waived for a limited term appointment, the waiver shall not extend to the job standards and essential job qualifications for appointment to a regular position.

Sec. 15-16. Authorized classification levels.

(a) Each department head shall assign work to employees in a manner consistent with the position inventory approved through the budget. Each position is authorized at a specific classification and duties shall be assigned to the employee fairly within the scope of responsibilities of their classification. The department head shall not implement job duty changes outside the scope of the authorized classification without prior approval of the county administrator.

(b) If a department head wishes to restructure job duty assignments outside the scope of the authorized classification level, a request shall be submitted to the director. The director shall complete job evaluation and report recommendations to the county administrator. The job duty change shall be subject to review and recommendation of the county administrator, and final approval shall be subject to sec. 15-13 or sec. 15-14."

PART 3: BE IT FURTHER ORDAINED THAT sections 15-63 to 15-69 in Division 3 of Article II of Chapter 15 of the Walworth County Code of Ordinances are hereby created to read as follows:

"

Sec. 15-63. Probationary periods.

(a) In general. All employees, except those employed at-will, shall be subject to a probationary period upon hire or job transfer. Any probationary employee ~~whose performance does not meet required work performance standards~~ may be removed from the position at any time during the probationary period.

(b) Length of probationary period.

(1) For a non-represented employee paid on an hourly basis the probationary period upon hire or transfer shall be 6 months.

(2) For a non-represented employee paid on a salaried basis the probationary period upon hire or transfer shall be 1 year.

(3) The terms of the collective bargaining agreement shall apply to the probationary period of any employee holding a position represented by a union.

(c) Employee benefit eligibility. Employee benefit policies shall determine an employee's eligibility for benefits and are independent of a probationary period.

(d) Extension of the probationary period. A probationary period may be extended at the discretion of the appointing authority. Employment shall be terminated if the employee rejects an offer of an extended probationary period. Any terms and conditions that applied to the employee during the probationary period shall continue during the extended probationary period.

(e) Performance evaluation. The employee's supervisor shall conduct a written performance evaluation of a probationary employee prior to completion of the probationary period.

(f) Failed probation of a transferred employee. A non-probationary employee who accepts a job transfer and then fails probation in the new position may be returned to their former position, if available, or be offered a vacant position for which qualified. If a job placement is not available the individual's employment shall be subject to termination.

Sec. 15-64. to sec. 15-69. Reserved."

PART 4: BE IT FURTHER ORDAINED THAT sections 15-70 to 15-79 in Division 4 of Article II of Chapter 15 of the Walworth County Code of Ordinances are created to read as follows:

"DIVISION 4. PROMOTION, LATERAL TRANSFER AND DEMOTION

Sec. 15-70. Policy.

(a) It is the policy of the county to provide open opportunity to county employees to apply for a transfer to another position. All employees are encouraged to participate in voluntary training and development offerings that may prepare them for a desired position.

(b) Job-related merit standards and recruitment policies shall apply to the selection of an employee for transfer. Qualifications of applicants being equal, an employee-applicant may be given preference for transfer over an outside applicant.

Sec. 15-71. Promotion.

Sec. 15-52 of the Code shall apply to recruitment for promotional opportunities. An employee's suitability for promotion shall also take into consideration the employee's performance history, disciplinary records, attendance, and loyalty and commitment to the county. An employee with disciplinary actions or unsatisfactory areas of performance during the one-year period immediately prior to application for promotion may be disqualified from further consideration.

Sec. 15-72. Lateral transfer.

(a) An appointing authority may submit a request to the director to laterally transfer an employee on a temporary or permanent basis to another position to accommodate the operational needs of the County. The director shall review the request for code and contract compliance and approve or deny the request. If the request requires a choice among two or more employees, length of service and qualifications of employees shall be considered in selecting the employee to be transferred.

(b) An employee may submit a request to the director for a lateral transfer to another position. The director shall determine if the employee meets job qualifications and review the request for code and contract compliance. Upon recommendation of the director, the appointing authority shall make a final decision on acceptance of the transfer.

Sec. 15-73. Demotion.

An employee may request to be demoted. The County may offer an employee a demotion in lieu of layoff or termination of employment.

Sec. 15-74. Change in bargaining unit.

(a) When an employee is promoted, laterally transferred, or demoted to a position in a different bargaining unit seniority shall start over, unless otherwise provided by the terms of the collective bargaining agreement. Accrued county service for purposes of employee benefits and vacation and sick leave balances shall be retained upon transfer.

(b) When an employee is promoted, laterally transferred, or demoted to a position in a different county department, any accrued compensatory time or holiday time shall be paid-off at the rate in effect for the former position and charged to the former department and may not be carried forward. Accrued vacation and sick leave shall be carried forward.

Sec. 15-75. Employee rejection of transfer.

If an employee rejects a bona fide offer of transfer to another position resulting in loss of work, the director shall raise benefit eligibility issues for unemployment insurance or income continuation benefits and the individual's employment shall be subject to termination.

Sec. 15-76. To Sec. 15-79. Reserved."

PART 5: BE IT FURTHER ORDAINED THAT sections 15-80 to 15-89 in Division 5 of Article II of Chapter 15 of the Walworth County Code of Ordinances are created to read as follows:

"DIVISION 5. ORIENTATION AND TRAINING

Sec. 15-80. Policy.

(a) It is the policy of the county to provide, to the extent practicable, a coordinated program for orientation and training of employees. The coordinated program shall be conducted to ensure consistency in content and deliver a quality product within limited resources.

(b) The director under the supervision of the county administrator shall coordinate and administer orientation and training programs which apply to county employees in general; and shall prescribe standards for departments to record employee participation in orientation and training.

(c) Each appointing authority shall be responsible for orientation and training of employees in their department on job requirements, policies, procedures and work rules specific to the job or department.

Sec. 15-81. Outside resources for training.

Training may be provided through the purchase of outside trainer services or by sending employees to outside training events, subject to the availability of budgeted funds for training purposes.

Sec. 15-82. Training required as a condition of employment.

(a) When an employee does not meet all job prerequisites, but is still offered a position with the condition that specific job requirements must be met or skill training completed within a specified time period as a condition of being retained in the position, it shall be the employee's personal responsibility to satisfy the conditions in order to be retained in the position.

(b) Certain positions require licensing or certification, and continuing education to maintain the license or certification. It shall be the employee's personal responsibility to meet all continuing education requirements. Any employee who fails to meet these requirements shall be subject to discipline, suspension or termination.

Sec. 15-83. Training required due to change in job duties.

The appointing authority shall be responsible for providing training to the job incumbent when new skills are required due to changes that management has made in the position the employee holds. This section shall not apply to a new position with job responsibilities that are outside of the classification of the position the employee holds.

Sec. 15-84. to sec. 15-89. Reserved."

PART 6: BE IT FURTHER ORDAINED THAT sections 15-90 to 15-99 in Division 6 of Article II of Chapter 15 of the Walworth County Code of Ordinances are created to read as follows:

"DIVISION 6. LAYOFF AND RECALL.

Sec. 15-90. Policy.

(a) It is the policy of the county that layoff or recall from layoff shall be conducted in a manner consistent with county operational needs, collective bargaining agreement provisions, and the provisions of this division.

(b) Any layoff that is required to reduce the workforce shall be subject to review and approval of the county administrator. Any layoff that is employee-specific due to the continued inability of the employee to meet essential job requirements shall be subject to review and approval of the director.

(c) The County administrator shall adopt administrative procedures necessary to implement a layoff.

Sec. 15-91. Notice of layoff.

(a) The director shall give written notice of layoff to affected employees and any collective bargaining representatives as early as feasible. The affected employees shall be given written information on the status of, and eligibility for, employee benefits while on layoff status.

(b) An employee on layoff shall keep the director informed of his or her current mailing address, telephone number, or other personal data required for employee benefit administration.

Sec. 15-92. Order of layoff.

When a layoff to reduce the workforce is implemented, the layoff shall apply within classification and within department. Except when the remaining employees are not qualified, the order for layoff shall be:

(a) Casual, limited term, and student work experience employees are reduced first; then,

(b) Probationary employees holding regular status positions; and then,

(c) Non-probationary regular employees shall be selected based on considerations of length of service, employee performance, requisite job skills, ability and availability, except as otherwise specifically required by the terms of an applicable collective bargaining agreement.

Sec. 15-93. Maximum layoff period.

The maximum period of layoff shall be one year. At the expiration of one year, the employment of the person on layoff shall be subject to termination.

Sec. 15-94. Transfer in lieu of layoff.

An employee subject to layoff may request, or management may offer, transfer to another vacant position for which the employee is qualified.

Sec. 15-95. Recall from layoff.

(a) The director shall give written notice of recall, sent by certified return-receipt mail, to an employee on layoff. Qualified employees shall normally be recalled in reverse order of layoff.

(b) The employment of an employee on layoff who, upon recall, fails to report to duty within the time period specified in the recall notice and without good cause, shall be subject to termination.

Sec. 15-96. To sec. 15-99. Reserved."

PART 7: BE IT FURTHER ORDAINED THAT sections 15-100 to 15-119 in Division 7 of Article II of Chapter 15 of the Walworth County Code of Ordinances are created to read as follows:

"DIVISION 7. TERMINATION OF EMPLOYMENT

Sec. 15-100. Policy.

(a) It is the policy of the county to terminate employment because of an employee's resignation, discharge, or retirement; the expiration of an employment contract; or a permanent reduction in the workforce. Discharge can be for any reason not prohibited by law or ordinance. In the absence of a specific written agreement, employees are free to resign at any time and for any reason, and the county reserves the right to terminate employment at any time and for any reason not prohibited by law or ordinance.

(b) The appointing authority shall confer with the director prior to discharging an employee.

Sec. 15-101. Incentives for early retirement.

The county board may, from time-to-time, approve by resolution non-discriminatory incentives for early retirement. Upon approval, the director shall notify all eligible employees of the early retirement incentive program.

Sec. 15-102. Permanent reduction in force.

(a) A permanent reduction in work force occurs when a specific position is reduced with no expectation of restoration of the position within the next year. A non-probationary incumbent in the reduced position shall be subject to layoff pursuant to sec. 15-93 of the Code.

(b) The county administrator shall issue any directive for a permanent reduction in work force.

Sec. 15-103. Notice of termination.

(a) A non-probationary employee who is discharged for a reason other than a reduction in force shall be given a minimum two-week written notice of termination. The appointing authority may approve two weeks of severance pay in lieu of a minimum two-week notice period, except when discharge is for misconduct.

(b) The appointing authority shall meet with the employee whose employment is subject to termination. If the employee is unavailable to meet, the notice of termination shall be sent to the employee at the employee's last known address by certified and return-receipt mail and, if union-represented, a copy shall be furnished to the union.

(c) A notice period shall not be required to terminate employment for cause, or to terminate a probationary, casual, limited term, or student intern employee.

(d) The director may terminate any casual employee who has not actively worked for six months. This subsection shall not bar an appointing authority from discharging a casual employee at any time.

Sec. 15-104. Employee decision to terminate employment.

(a) Written notice required. An employee's resignation shall be reduced to writing and submitted to the employee's supervisor, appointing authority or the director.

(b) Minimum notice. Except for a department head, an employee is required to provide a minimum two-week advance notice of resignation. A department head shall provide a minimum 30-day advance notice of resignation. The employee may be required to work during the entire notice period. Severance pay may be approved in lieu of the minimum notice period, except when discharge is for misconduct, subject to approval of the department head, or, in the case of department heads, by the county administrator.

Sec. 15-105. Request to rescind a resignation.

(a) A resignation received and accepted by a management representative shall be considered final and irrevocable.

(b) An employee may in writing and prior to the effective date of the resignation make a request to rescind the resignation, but the employee has no right to demand that the request be approved. The appointing authority shall confer with the director and render a decision regarding the employee's request to rescind a resignation. Each instance of a request to rescind shall be handled on a case-by-case basis and each decision shall be without precedent.

Sec. 15-106. Termination date.

(a) For purposes of determining when employment rights cease, the date of termination shall be the later of the following:

- (1) The last day actually worked.

- (2) The last day of a layoff period that ends in termination.
- (3) The last day of an approved leave of absence.
- (4) The date of the employee's death.
- (5) The date on which an employee's coverage under specific employee benefit plans ceases shall be determined based on the administrative rules and regulations that apply under each plan document or personnel policy.

(b) An employee may not schedule accrued time-off benefits after the last day actually worked, except when an approved leave of absence was already in effect at the time the notice of termination was received.

Sec. 15-107. Return of county property; security issues.

The appointing authority shall:

- (a) Ensure that keys, county records and all other county property issued to the terminating employee is accounted for and returned prior to the employee's last day of work;
- (b) Contact the information systems department to make sure that employee access to information systems is terminated; and
- (c) When the terminating employee had access to cash transactions, shall confer with the finance director to decide if an audit of funds is required.

Sec. 15-108. to sec. 15-119. Reserved."

PART 8: BE IT FURTHER ORDAINED THAT sec. 15-04 of the Walworth County Code of Ordinances entitled "Definitions" is hereby amended to create and insert the following definitions:

"Classification means the job title assigned to a position.

Committee means the human resources committee.

Demotion means the transfer of an employee from a position in a higher pay range to another position in a lower pay range.

Director means the human resources director.

Full-time equivalent (or "FTE") means the ratio of full-time hours at which a position is authorized. For example, a position budgeted at 1,040 hours would have an FTE of 0.5 (1,040/2,080).

Independent contractor means an individual worker who is not an employee and who performs work or services for the county meeting the conditions for an independent contractor as specified under §102.07 (8) (b), Wis. Stats.

Lateral transfer means the transfer of an employee from a position to another position, each assigned to the same or comparable pay range.

Limited term means a position with a full-time or part-time work schedule established only for a period of up to one year and that no longer exists after expiration of the limited period.

Promotion means the transfer of an employee from a position in a lower pay range to another position in a higher pay range.

Student intern means a position established in cooperation with a high school, vocational school, or university to provide work experience or apprenticeship to the student while enrolled in school."

PART 9: 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 11th day of February, 2003.

William M. Norem
County Board Chairman

Kimberly S. Bushey
ATTEST: County Clerk

Policy and Fiscal Note is attached.

Approved as to Form:	David A. Bretl County Administrator/Corporation Counsel	2/3/03 Date
	Nicki Andersen (pw) Finance Director	2/3/03 Date

Action Required: Majority

Policy and Fiscal Note
Ordinance No. 235 – 02/03

- I. Title:
Creating Division 1 "Employment Relations" of Article I of Chapter 15; creating Division 2 "Position Control" of Article I of Chapter 15, sec. 15-12 to 15-16; creating sec. 15-63 to 15-69 in Division 3 of Article II of Chapter 15; creating Division 4 "Promotion, Lateral Transfer and Demotion" of Article II of Chapter 15, sec. 15-70 to 15-79; creating Division 5 "Orientation and Training" of Article II of Chapter 15, sec. 15-80 to 15-89; creating Division 6 "Layoff and Recall" of Article II of Chapter 15, sec. 15-90 to 15-99; creating Division 7 "Termination of

Land Conservation Director position from a department head position to a Deputy position for the consolidated department, and

WHEREAS, the Human Resources Committee reviewed the matter and recommends a revised plan as set forth below.

NOW, THEREFORE, BE IT RESOLVED that the name of the department resulting from the consolidation of the Land Management and Land Conservation departments shall be "Land Use and Resource Management Department" which shall be comprised of a land use division and a resource management division, as shown on the table attached hereto and incorporated herein.

BE IT FURTHER RESOLVED that the consolidation shall include the following reorganization of positions, effective upon appointment of the Director of the consolidated department:

1. The position of Deputy Director - Land Use is hereby created.
2. The position of Sanitation Manager is abolished.
3. The position of Planning Manager is reduced to a Senior Planner position.
4. The position of Zoning Manager is reduced to a Senior Zoning Officer position.

BE IT FURTHER RESOLVED that the ~~2003 budget be and the same is hereby amended so as to transfer the sum of \$2100 from the contingency fund to the appropriate salary account to implement the above-stated plan.~~ Land Use and Resource Management positions as revised shall be funded within the existing 2003 salary and benefit budget.

Dated this 11th day of February, 2003.

William M. Norem
County Board Chair

Kimberly S. Bushey
Attest: County Clerk

Policy and Fiscal Note Attached YES

Reviewed by: David A. Bretl 2/5/03
County Administrator/ Date
Corporation Counsel

N. Andersen 2/5/03
Finance Director Date

Action Required: Two-Thirds

Policy and Fiscal Note
Resolution 95-02/03

- I. Title: "Approving a Revised Organizational Plan for the Consolidation of the Land Management and Land Conservation Departments and Amending the 2003 Budget to Implement Said Plan"

- II. Purpose and Policy Impact

The 2003 County Budget included a provision to consolidate the present Land Management and Land Conservation departments, contingent upon certain changes to Chapter 2 of the Code of Ordinances relating to committee governance. The County Board adopted the requisite changes to Chapter 2 at its January, 2003, meeting. The condition of proceeding with consolidation of the Land Management and Land Conservation departments having been satisfied, the merger will take place on or before April 1, 2003.

The adopted budget calls for the creation of a new department director position, abolishment of the current Land Management Director position, and the reclassification of the Land Conservation Director to a deputy position in the newly consolidated department. If the County Board does nothing more in the matter, the budget will stand, as amended by the Board last November. The consolidated department will have a single deputy and the current Land Management Director position will be eliminated.

An alternative approach to reorganizing the consolidated department was identified and reviewed with management staff and the Human Resources Committee. Under this approach, set forth in the instant resolution, the new department would be divided into two divisions, each headed by a deputy director. The current Sanitation Manager position would be eliminated and the positions of Zoning Manager and Planning Manager would be down-graded to Senior Zoning Officer and Senior Planner respectively. The Human Resources Committee recommends adoption of this resolution setting forth the alternative plan shown on the attached table of organization.

- III. Budget and Fiscal Impact

The recommended organizational plan set forth in this resolution would require no increase in FTE's.

In 2003, the recommended plan would cost approximately \$2,100 more than the status quo. On an ongoing annual basis, the plan contained in the resolution would cost approximately \$5,200 more than the status quo.

In a separate action the Finance Committee will be asked to transfer approximately \$5,900 from the Severance Reserve Fund to the appropriate salary account to pay required severance benefits to the displaced Sanitation

<u>Staffing (12)</u> <u>1 Deputy Director - Land Use</u> 1 Senior Planner 1 Planner 1 Plat Review Specialist 1 Planning Technician 1 Senior Zoning Officer 3 Zoning Officer 1 GIS Supervisor 1 GIS Analyst 1 GIS Tech/LW	<u>Staffing (9)</u> 1 Deputy Director - Resource Management 4 Conservation Technician 1 Horticulturist 1 Urban Conservation Specialist 0 Sanitation manager 2 Sanitarian
--	---

Total of 31 FTE's.

Budget Impact:

Deputy Director	+\$68,474	Net Salary Increase	\$3,328
Sanitation Manager	-56,389	Retirement	319
Sr. Zoning Officer	-4,223	Soc. Security/FMI	<u>255</u>
Sr. Planner	-4,534	<u>Total</u>	<u>\$3,902</u>

Public Property Committee:

Resolution No. 96-02/03 – Resolution Approving a Lease Between David Geils and Walworth County for Use of the County Farm, was moved for approval by Supervisor Shepstone and seconded by Supervisor Palzkill. On motion by Supervisor Polyock, seconded by Supervisor Ketchpaw, the resolution was amended by adding, after the word “approved” on line 13, the following: “and that paragraph 8 (eight) of the lease be amended to permit the Lessee to submit an irrevocable letter of credit in lieu of the security agreement.” Resolution No. 96-02/03, as amended, was approved by voice vote. Supervisor Burwell asked to be recorded as a “No” vote.

Resolution No. 96-02/03
Resolution Approving a Lease Between David Geils and Walworth County
For Use of the County Farm
AMENDED

Moved/Sponsored by:

WHEREAS, Resolution No.79-12/02 authorized the Property Committee to solicit proposals for rental of the County Farm; and

WHEREAS, the Property Committee solicited proposals for said rental; and

WHEREAS, the Property Committee recommends acceptance of the proposal submitted by David Geils, Lake Geneva, as being the most advantageous to the County; and

NOW, THEREFORE, BE IT RESOLVED by the Walworth County Board of Supervisors that the attached lease by and between Walworth County and David Geils for rental of the County Farm and the former Johnson Farm be and the same is hereby approved. and that paragraph 8 (eight) of the lease be amended to permit the Lessee to submit an irrevocable letter of credit in lieu of a security agreement.

William M. Norem
County Board Chair

Kimberly S. Bushey
Attest: County Clerk

2/11/03
Date

Policy and Fiscal Note is attached.

Approved as to Form:

David A. Bretl
County Administrator/
Corporation Counsel

2/7/03
Date

N. Andersen
Finance Director

2/7/03
Date

Action Required: Majority Vote Two-thirds Vote Other _____

County Board Meeting Date: February 11, 2003

Policy and Fiscal Note
Resolution No. 96 – 02/03

- I. Title: Resolution Approving a Lease Between David Geils and Walworth County For Use of the County Farm.
- II. Purpose and Policy Impact Statement: The purpose of this resolution is to approve a lease between David Geils and Walworth County for use of the County Farm.
- III. Is this a budgeted item and what is its fiscal impact:

This is a 3-year lease that will generate \$63,000 in revenue for fiscal year 2003 and \$73,950 in fiscal years 2004 and 2005. From 2003 - 2005, the lessee will be authorized to farm approximately 443 acres, commonly referred to as the County Farm. In 2004 and 2005, the lessee will also be awarded the right to farm an additional 77 acres, formerly referred to as the Johnson property. The average

rental is \$142.21 per acre / year. The total rental income for the 3-year period will be \$210,950.

The amount to be received under this lease exceeds the amount budgeted by approximately \$28,000. Based upon the facts known at the time, the 2003 budget was established using the rate of \$75 / acre.

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

Committee: Public Property

Date: January 28, 2003

Vote: 4-0 to recommend approval of the rental agreement to the County Board.

- V. Approved as to form:
- | | |
|--|--------|
| David A. Bretl | 2/7/03 |
| County Administrator/
Corporation Counsel | Date |
| N. Andersen | 2/7/03 |
| Finance Director | Date |

County Board Meeting Date: February 11, 2003

There were no Reports of Special Committees.

Chair Norem asked Sheriff Dave Graves to report on the events which took place in the week prior to this meeting. Sheriff Graves reported regarding the kidnapping in which an 88 year old woman was involved. The woman was found alive and that is due to a great team effort by everyone involved. Graves said that he was extremely proud of the Sheriff's Department. The Undersheriff ran the shift at night. The FBI, DCI (State Department of Investigations), Waukesha County Sheriff's Department, the District Attorney, and the US Attorney's Office all worked together and cooperated to help in this endeavor. It was a very emotional moment for everyone when they discovered that the woman was found and that she was okay. Graves said again that he could not have been more proud of the entire Sheriff's Department. The Board gave Sheriff Graves a standing ovation.

Chair Norem reported that there would not be a Land Conservation Committee meeting in February. The next Land Conservation Committee meeting will be on March 17, 2003, with the new committee members.

Chair Norem had previously asked Supervisor Morrison to be Walworth County's representative for the WCA Convention Housing Lottery. Supervisor Morrison reported that Walworth County will have eight rooms available for the WCA Convention at the

THE MARCH 11, 2003 SESSION
OF THE
WALWORTH COUNTY BOARD OF SUPERVISORS
Amended - Page 9, paragraph 8

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.

Roy Lightfield gave the invocation.

Roll call was read with all Supervisors present except Supervisors Palzkill and Peterson who had been excused. A quorum was established.

Resolution No. 100-03/03 – Official County Newspaper 2003-2005 was referred back to the Finance Committee on motion by Supervisor Lohrmann, seconded by Supervisor Ketchpaw.

On motion by Supervisor Gigante, seconded by Supervisor Scharine, the evening's agenda was approved as amended.

Supervisor Grant offered a motion to approve the minutes of the February 11, 2003 County Board Meeting, seconded by Supervisor Burwell. Supervisor Morrison asked that the February 11, 2003 minutes be amended to correct the first name of the speaker under Public Comment Period. Supervisor Morrison stated that the name recorded in the minutes is "Betty" Kligora. The correct name is Becky Kligora. The minutes were approved as amended by voice vote.

Chairman Norem requested comments from the public.

Bret Strong, N9159 Maple Street, East Troy, spoke to the Board regarding the building of the Courthouse. Mr. Strong said that there are other concerns in the County that should be considered such as the Lakeland School and the Senior Center. Mr. Strong said that both need revamping or rebuilding from the ground up. Mr. Strong is concerned about the County's indebtedness. Mr. Strong would like the County to reprioritize other spending and asked the Supervisors to consider expending taxpayers' dollars by remodeling the existing Courthouse and constructing a new Senior Center and a new School for the same cost of constructing a new Courthouse.

Kenneth Micheloni, N8457 Hwy 12, Elkhorn, expressed concern about an area of Hwy 12 east of the intersection of Hwy 12 and Hwy 67. Mr. Micheloni said that construction of a turn lane was started by Walworth County at Territorial Road and Hwy 67 to Hwy 20. Mr. Micheloni encouraged the County to finish the turn lane for safety reasons concerning buses traveling to Timberlee.

Representative Debi Town, Wisconsin State Assembly, and Rod Nilsestuen,
Secretary of Agriculture

- Communication from WCA: 2003-05 State Biennial Budget Analysis and *The Legislative Review*
- Summary of 2002 Dog Licenses and Dog Licensing Statistics

The following items were distributed to the Supervisors before this evening's meeting and will be placed on file:

- Correspondence from Senator Russell Feingold regarding milk protein concentrate
- Correspondence from County Clerk's office regarding LAWS January 2003 bill for Sinette case
- News release from Health & Human Services Secretary Tommy Thompson designating April as "National Donate Life Month" – referred by Supervisor Ketchpaw.

Price County Resolution # 6040-Requesting Rescinding of "Smart Growth" Legislation was distributed to the Supervisors before this evening's meeting and will be referred to the Land Conservation Committee.

Resolution No. 2002-218 – Resolution by the Intergovernmental Relations Committee Supporting Legislation to Increase Additional Page Fees for Register of Deeds Documents and Resolution No. 2002-219 – Resolution by the Intergovernmental Relations Committee Requesting a Waiver from Certain Statutes Requiring Publication in a Newspaper of Certain Notices from Racine County were distributed to the Supervisors before this evening's meeting and will be referred to the Finance Committee.

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

Richard H. and Beverly L. Good (Jeffery J. Auberger, App.), Town of Troy
Richard and Shirley J. Finster, Town of Lyons
Herbert D. and Barbara J. Bunger, Town of Whitewater
James Pody, Town of Geneva
Robert and Alyce Lottig Britton (Joseph C. Zimmer, App.), Town of Linn

The following Zoning Petitions will be referred to the County Zoning Agency:

The following Report of Petitions Referred was read and forwarded 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 land in Walworth County were referred to the Land Management Committee for public hearing:

- Gordon W. Keyes (Kristine K. Keyes-Longhorn & Kevin Longhorn, App.) Town of Geneva, A-1 to A-5
- Larry J. Kulik, Town of Geneva, C-4 to A-2
- Dean Chudy, Town of Bloomfield, R-1 to M-1
- Peter and Kathleen Zeller, Town of Bloomfield, A-4 and A-1 to A-2, C-2 and C-1
- Birds Eye Foods, Town of Darien, A-4 to M-1
- Mann Ventures, LLC, Town of Sugar Creek, B-5 and R-1 to R-5
- Randolph C. Cruse, Town of Whitewater, R-1 to C-2
- New Life Community Church (Jay Campbell, App.), Town of East Troy, P-2 to A-2
- James Friemoth (Kevin Bong, App.), Town of Lafayette, M-3 to A-5
- SilverStone Ranch, LLC (William Appelbaum), Town of Lafayette, R4, A-1, A-2, C-4 and C-1 to C-2, C-1 and C-4

Supervisor Gigante offered a motion to refer Town of Delavan Resolution #149 to the Executive Committee to discuss a response to the Town of Delavan, seconded by Supervisor Hilbelink. Supervisor Gigante said that he thinks the Town of Delavan deserves a response from the County. Discussion ensued. A roll call vote was conducted. Total vote 23: Ayes: 5 – Gigante, Guido, Hilbelink, Lohrmann, Wenglowksy. Noes: 18 – Arnold, Burwell, Felten, Grant, Ketchpaw, Kuhnke, Lightfield, Lothian, Miles, Morrison, Parker, Polyock, Russell, Schaefer, Scharine, Shepstone, Shroble, Norem. Absent: 2 – Palzkill and Peterson. Motion failed.

Reports of Standing Committees

Land Management Committee:

Motion by Supervisor Kuhnke, seconded by Supervisor Schaefer to approve the Land Management Report. Supervisor Russell asked that item #6 of the Land Management Report be separated from the motion and acted on separately, seconded by Supervisor Lohrmann. Items #1 through #5 and item #7 of the Land Management Report were approved unanimously by voice vote.

A vote was taken to approve item # 6 of the Land Management Report. Item #6 was approved by voice vote with Supervisors Russell, Lohrmann, Gigante, Burwell, Lothian, Guido, and Lightfield asking to be recorded as no votes.

Report of Proposed Zoning Amendments

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. John and Helen Annessi, Town of LaGrange – filed a petition on the 9th day of April, 2002, to amend said zoning maps from A-1 Prime Agricultural Land District to A-4 Agricultural Related Manufacturing, Warehousing and Marketing District on the following described lands:

Part of Tax Parcel #HA234800001

A portion of Lot 1 of Certified Survey Map No. 2348 as recorded in Vol. 11 as pages 257, 258 as Document No. 266646, located in part of the Southwest ¼ of the Southwest ¼ of Section 14, Town 4 North, Range 16 East, Town of LaGrange, County of Walworth, State of Wisconsin described as follows: Begin at the Northeast Corner of said Lot 1; thence S 0 deg 40 min W 230.00 feet; thence N89deg 20 min W 329.62 feet to a point in the west line of said Lot 1; thence N 40 deg 30 min E along said west line 201.73 feet to a found iron pipe; thence N 51 deg 00 min E along said west line 117.64 feet to a found iron pipe; thence S 89 deg 20 min E along the north line of said Lot 1, 109.85 feet to the point of beginning. Said parcel is only for rezone purposes and contains 1.21 acres of land more or less.

Recommendation: Said petition be denied because the rezone is not needed.

2. Abell's Corners LLC, Town of Sugar Creek – filed a petition on the 4th day of November, 2002, to amend said zoning maps from A-2 Agricultural Land District to B-2 General Business District.

Recommendation: Said petition be approved.

3. Town of Troy (MSI General Corporation, App.), Town of Troy – filed a petition on the 4th day of December, 2002, to amend said zoning maps from R-1 Single Family Residence District (Unsewered) to P-2 Institutional Park District.

Recommendation: Said petition be approved.

4. Charles Kuehn (Michael J. Howe, App.), Town of East Troy – filed a petition on the 3rd day of December, 2002, to amend said zoning maps from A-1 Prime Agricultural Land District to A-2 Agricultural Land District.

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

1. The corner of the property is substantially wet.
2. Forty percent of the property is not prime farmland and is wooded.

5. John C. and Barbara Ingalls, Towns of Walworth and Sharon – filed a petition on the 3rd day of December, 2002, to amend said zoning maps from A-1 Prime Agricultural Land District to P-2 Institutional Park District.

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

1. The airport has been in existence since 1957.
2. They intend to farm the adjacent field.

6. Josephine L. Gerambia (Concetta Gerambia, App.), Town of Bloomfield – filed a petition on the 3rd day of December, 2002, to amend said zoning maps from R-1 Single-Family Residence District (Unsewered) to R-3 Two-Family Residence District (Sewered).

Recommendation: Said petition be approved.

7. Donald W. Chaney (Marlene and Lawrence Titus, App.), Town of Geneva – filed a petition on the 2nd day of December, 2002, to rezone from C-3 Conservancy-Residential District to C-2 Upland Resource Conservation District.

Recommendation: Said petition be modified and approved down to 5 acres of C-2 per Town concerns.

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. Abell's Corners LLC, Town of Sugar Creek – to amend said zoning maps from A-2 Agricultural Land District to B-2 General Business District on the following described lands:

Tax Parcel #G SC1300005A

A parcel of land located in the Northeast ¼ of Section 13, Town 3 North, Range 16 East, Town of Sugar Creek, Walworth County, Wisconsin, described as follows: Commencing at the Southeast corner of said Northeast ¼; thence North 2°29'01" West, along the East line of said Northeast ¼ and the centerline of United States Highway 12 and State Trunk Highway 67, 289.21 feet to the Point of Beginning; thence South 88°00'18" West, 299.72 feet to an iron pipe; thence North 2°22'24" West, along the East line of Willow Run R.V. Condominium Resort and the East line of Lot 2 Certified Survey Map No. 881, 991.30 feet to an iron pipe; thence North 87°33'24" East, along the South line of said Lot 2, 297.80 feet to the Southeast corner of said Certified Survey Map No. 881; thence South 2°29'01" East, along the East line of the Northeast ¼ of said Section 13 and the centerline of United States Highway 12, and State Trunk Highway 67, 993.64 feet to the Point of Beginning. Said parcel contains 6.807 acres (296,508 sq. ft.) of land, more or less.

2. Town of Troy (MSI General Corporation, App.), Town of Troy – to amend said zoning maps from R-1 Single Family Residence District (Unsewered) to P-2 Institutional Park District on the following described lands:

Part of Tax Parcel #L T 1500006

Being a parcel of land in the NE1/4 of Section 15, Township 4 North, Range 17 East, Town of Troy, Walworth County, Wisconsin, Being described as follows:

Commencing at the Northeast corner of Section 15; thence with the North line of the Northeast ¼ N89°34'05" W, 134.09' to the Point of Beginning, thence N89°34'05" W, 333.91 feet to a point; thence S00°05'14" E, 662.55 feet to a point; thence S89°37'18" E, 195.14 feet to a point; thence S00°05'14" E, 522.50 feet to a point; thence S89°37'18" E, 50.00 feet to a point; thence N00°05'14" W, 737.30 feet to a point; thence N89°54'46" E, 41.50 feet to a point; thence N00°05'14" W, 90.49 feet to a point; thence N89°54'36" E, 20.05 feet to a point; thence N04°18'23" E, 357.27 feet to the Point of Beginning. Containing 5.03 acres more or less.

3. Charles Kuehn (Michael J. Howe, App.), Town of East Troy – to amend said zoning maps from A-1 Prime Agricultural Land District to A-2 Agricultural Land District on the following described lands:

Part of Tax Parcel #P ET3600008

Proposed lands to be rezoned and added by lot line adjustment:

Part of the Southwest $\frac{1}{4}$ of the Southeast $\frac{1}{4}$ of Section 36, Township 4 North, Range 18 East of the Fourth Principal Meridian, in the Town of East Troy, Walworth County, Wisconsin and being more particularly described as follows: Commence at the South $\frac{1}{4}$ corner of said Section 36; thence North $00^{\circ}27'51''$ West along the West line of said Southeast $\frac{1}{4}$ Section 1223.73 feet to the Place of Beginning of a parcel of land hereinafter described: thence continue North $00^{\circ}27'51''$ West along said West line 100.00 feet; thence North $89^{\circ}30'21''$ East 871.20 feet; thence South $00^{\circ}27'51''$ East 100.00 feet; thence South $89^{\circ}30'21''$ West 871.20 feet to the Place of Beginning. Containing 2.00 acres of land more or less. Subject to rights of the public over the West side thereof for road purposes (Bell School Road).

1. The corner of the property is substantially wet.
2. Forty percent of the property is not prime farmland and is wooded.

4. John C. and Barbara Ingalls, Towns of Walworth and Sharon – to amend said zoning maps from A-1 Prime Agricultural Land District to P-2 Institutional Park District on the following described lands:

Part of Tax Parcel #'s E W 1900006 and A S 2400008

A parcel of land located in the Southwest $\frac{1}{4}$ of Section 19, Town 1 North, Range 16 East, Town of Walworth and the Southeast $\frac{1}{4}$ of Section 24, Town 1 North, Range 15 East, Town of Sharon, Walworth County, Wisconsin, described as follows: Begin at the Northeast Corner of the Southwest $\frac{1}{4}$; thence S $1^{\circ}11'12''$ E along the east line of said Southwest $\frac{1}{4}$, 538.26 feet; thence S $89^{\circ}00'$ W 678.19 feet; thence S $1^{\circ}32'$ E 1910.00 feet; thence N $88^{\circ}27'$ E 666.65 feet to a point in said East line of the Southwest $\frac{1}{4}$; thence S $1^{\circ}11'12''$ E along said Section line 100.00 feet; thence S $88^{\circ}27'$ W 3087.90 feet; thence N $6^{\circ}30'36''$ E 101.00 feet; thence N $88^{\circ}27'$ E 2217.72 feet; thence N $1^{\circ}32'$ W 2210.00 feet; thence S $88^{\circ}24'$ W 365.30 feet; thence N $29^{\circ}29'$ E 267.63 feet to a point in the centerline of Beloit Road and the North line of the Southwest $\frac{1}{4}$ of said Section 19; thence N $88^{\circ}18'29''$ E along said centerline and section line 1098.81 feet to the Point of Beginning. Said parcel contains 27.61 acres of land more or less.

1. The airport has been in existence since 1957.
2. They intend to farm the adjacent field.

5. Josephine L. Gerambia (Concetta Gerambia, 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) on the following described lands:

Tax Parcel #'s MPL 00021 and MPL 00025

Lots 90 through 98 and Lots 112 through 118 of Block 2, excepting therefrom the Southwesterly 11 feet of Lots 112 through 114, all in Pell Lake Subdivision Section 1, located in the Northeast ¼ of Section 21, Town 1 North, Range 18 East, Walworth County, Wisconsin.

6. Donald W. Chaney (Marlene and Lawrence Titus, App.), Town of Geneva – to amend said zoning maps from C-3 Conservancy-Residential District to C-2 Upland Resource Conservation District on the following described lands:

Part of Tax Parcel #J G 2700003

A parcel of land located in the Southeast ¼ of Section 27, T2N, R17E, Walworth County, Described more particularly as follows:

Commence at the Southwest corner of the Southeast ¼ of said Section 27; thence N 89°19'56" E along the South line of the Southeast ¼ of said Section 27, 661.19 feet; thence N 00°44'02" W 962.86 feet to the Point of Beginning; thence N 00°44'02" W 274.38 feet to the Southerly Right-of-way of the abandoned Chicago & Northwestern Railroad; thence N 65°44'48" E along the Southerly right-of-way of said railroad 599.83 feet; thence S 00°44'02" E 520.79 feet; thence S 90°00'00" W 550.05 feet to the Point of Beginning, said described parcel contains 5.02 acres, more or less, excluding those areas zoned C-1 and C-4.

ATTEST this 11th day of March, 2003.
William M. Norem
County Board Chairman

ATTEST this 11th day of March, 2003.
Kimberly S. Bushey
County Clerk

Executive Committee:

Resolution No. 106-03/03 – Proclaiming April National Donate Life Month was approved on motion by Supervisor Gigante, seconded by Supervisor Grant. Supervisor Ketchpaw said that she would like to put posters in some of the offices and in the corridor of the Courthouse to increase awareness.

Resolution No. 106 - 03/03
Proclaiming April National Donate Life Month

Moved/Sponsored by: Executive Committee

WHEREAS, approximately 80,000 Americans currently wait for a life-saving organ transplant; and

WHEREAS, seventeen people on the national waiting list die every day; and

WHEREAS, every 13 minutes a new name is added to the national organ waiting list; and

WHEREAS, in the State of Wisconsin, as of January 31, 2003, there were 1,596 patients waiting for an organ; and

WHEREAS, there are 654 patients waiting for an organ in southeastern Wisconsin as of January 31, 2003; and

WHEREAS, approximately half of potential organ donors do not become donors because surviving family members are not aware of their loved one's intention to donate; and

WHEREAS, it is recognized that being a donor is a personal decision, which should be discussed in advance with one's family; and

WHEREAS, the month of April has been declared National Donate Life Month;

NOW, THEREFORE, BE IT RESOLVED, that the Walworth County Board of Supervisors does hereby join in the state and national effort to increase awareness of the importance of organ and tissue donation;

BE IT FURTHER RESOLVED that the County of Walworth encourages all Walworth County citizens to consider becoming organ, tissue, marrow and blood donors and to tell their loved ones of their desires; and

BE IT FURTHER RESOLVED that the County of Walworth proclaims the month of April 2003, Donate Life Month.

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 2/28/03
County Administrator/Corporation Counsel Date

N. Andersen 3/3/03
Finance Director Date

Action Required: Majority Vote Two-thirds Vote Other _____

Moved and Sponsored by: Finance Committee

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

WHEREAS, departments have identified eligible appropriations;

NOW THEREFORE BE IT RESOLVED by the Walworth County Board of Supervisors that the appropriation balances in the following accounts are hereby carried forward to be used for the same purposes during 2003, and the Finance Director is hereby directed to carry out the provisions of this resolution.

BE IT FURTHER RESOLVED by the Walworth County Board of Supervisors that budgets for completed road construction projects, funded with debt, will not be carried forward and remaining debt proceeds will reduce debt issuance in 2003.

NON-LAPSING BY BOARD ACTION:

Operational Accounts:

- 146-4600-0000 SR – Local Highway Fund
- 153-5301-0000 County Land Information Board
- 009-2390-0000 Risk Mgmt/Claims Fund
- 200-5420-0000 Debt Service Fund
- 300-5430-0000 Capital Projects (Unfinished Projects)
- 455-5500-0000 Lakeland Health Care Center
 - Lakeland Health Care Donated Funds
- 550-9550-0000 Facilities Management Fund
- 530-9530-0000 Information Systems Fund
- 510-7510-0000 Highway Department
 - Operational Funds - Not to exceed \$500,000
 - Designated Equipment Replacement Fund
- 720-9720-0000 Health Insurance Fund
- 760-9760-0000 Workers Compensation Insurance Fund
- 740-9740-0000 Dental Insurance Fund

DONATIONS DESIGNATED FOR SPECIFIC PROGRAMS:

Sheriff

D.A.R.E. Donation	001-1562-0000	18,532
Crime Prevention Program	001-1563-0000	3,660
Dive Team Donation	001-1561-7104	500
4-H Shooting Sports Donation	001-1711-7535	2,207
White River Trail	001-1942-5000	3,000

CONTINUATION OF GRANT FUNDED PROJECTS:

Sheriff

Communication Equip Grant	001-1536-0000	31,200
Radio Patch System Grant	001-1536-0000	61,339
COPS Technology Grant	001-1541-0000	73,828
Click-It Grant	001-1569-0000	278

UW Extension

Ag Grazing Land Conserv Grant	001-1702-0000	3,666
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Land Information

Land Information Annual Grant	153-5301-0000	28,039
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MISCELLANEOUS CARRYOVER REQUESTS:

<u>Description</u>	<u>Account Number</u>	<u>Amount</u>	<u>Reason</u>
<u>County Treasurer</u>			
Office Chairs (4)	001-1051-7104	1,180	Ordered, not received
Treasurer Public Counter	001-1051-9113-C201	<u>9,000</u>	Moratorium
		10,180	
<u>Register of Deeds</u>			
Chairs (4)	001-1291-7104	1,276	Ordered, not received
Certified Surveys Binder	001-1291-7199	<u>93</u>	Ordered, not received
		1,369	
<u>Land Management</u>			
SEWRPC-Digitize Zoning Maps	001-1341-6114	22,000	Contractual agreement
<u>Sheriff</u>			
Wireless Target Carriers	001-1514-9115-C218	17,000	Project scheduled 2003
Computer Aided Dispatch	001-1531-9113-C202	<u>196,345</u>	Project in progress
		213,345	
<u>UW Extension</u>			
Digital Camera & Access	001-1703-7104	628	Ordered, not received
<u>Courthouse Maintenance</u>			
Planter Reconstruction CH	001-1811-9212-C201	19,500	Moratorium
Cthse Fuel Tank Remediation	001-1811-9212-C898	<u>626</u>	Project in progress
		20,126	
<u>County Parks</u>			
Acquire Property - Lyons	001-1941-9212-C204	10,000	Project scheduled 2003
<u>Contingency Fund</u>			
Salary Reserve	005-2350-0000	363,600	Contractual Agreements
<u>Risk Management</u>			
Self-Funded Liability Ins Study	009-2390-6114	45,000	Co Bd Res. 66-11/02

Health & Human Services

Learning Tools	124-2506-7104	198	Complete order not rec'd
Panels	124-2904-7104	801	Ordered, not received
Microfilm Reader/Print	124-2904-9113-C111	<u>6,500</u>	Vendor unsatisfactory
		7,499	

Children with Disabilities Education Board

Public Address System	138-3851-9116-C202	21,678	Moratorium
Heating/HVAC Update	138-3851-9116-C209	1,640	Project in progress
Judgments	138-3852-8701	21,000	Stlmt-Co Bd Res 60-10/02
Long Range Study	138-3851-6128	<u>20,000</u>	Project scheduled 2003
		64,318	

SR Local Highway Fund

* Whitewater Salt Dome	146-4721-9213-C211	130,000	State proj. sched. 2003
* Whitewater Tractor Shed	146-4721-9213-C212	21,000	State proj. sched. 2003
CTH H Bridge Replacement	146-4749-9217-C132	45,000	State proj. sched. 2003
* CTH B and BB Construction	146-4762-9217-C298	<u>54,628</u>	Project in progress
		250,628	

Land Information

* Mapping Proj (Year 2 of 5)	153-5301-9212-C001	50,584	Project in progress
* Land Info Infrastructure	153-5301-9212-C104	210,584	Project in progress
* Land Info Infrastructure	153-5301-9212-C202	1,010,584	Project scheduled 2003
Mapping Project	153-5301-9212-C901	49,459	Proj. delayed-O/S contr.
Computer & Equipment	153-5302-9113-C007	<u>49,654</u>	Initiate service contract
		1,370,865	

Capital Projects

* Annex Sewer System Replace	300-5432-9212-C209	266,450	Project in progress
* Energy Conservation Project	300-5432-9213-C202	5,534	Completion 3/2003
* Communications Tower	300-5433-9115-C004	676,047	Project in progress
* Huber Expansion	300-5433-9213-C002	572,005	Project in progress
Property Barn Improvement	300-5433-9213-C211	3,000	Proj. sched. May/June '03
* Jail Bathroom Renovations	300-5433-9213-C223	11,505	Project in progress
* Sheriff's Storage Barn	300-5433-9213-C310	33,800	Project scheduled 2003
* New Courthouse	300-5434-9213-C003	11,014,803	Project in progress
* Webster House Improvements	300-5437-9213-C204	70,000	Bid project March 2003
* Bldg Canopy Replace LHCC	300-5438-9213-C202	53,536	Project in progress
* HHS Project	300-5439-9213-C001	81,583	Project in progress
* Price Park - Parking Lot	300-5442-9212-C201	10,361	Project in progress
* Price Park - Trails	300-5442-9212-C202	12,681	Project in progress
* Price Park - Privy	300-5442-9212-C203	24,996	Project in progress
* FM Shop Windows/Doors	300-5443-9213-C206	<u>52,377</u>	Project in progress
		12,888,678	

Lakeland Health Care Center

High Voltage Switch LHCC	455-5813-9116-C298	13,352	Project in progress
Sidewalks	455-5813-9212-C220	<u>2,700</u>	Moratorium
		16,052	

Highway Department

Metal Shear	510-7711-9115-C221	40,000	Moratorium
Overhead Door Replacement	510-7722-9213-C186	15,000	Moratorium
Shed Lot Repair	510-7723-9212-C123	34,250	Moratorium
Patrol Trucks (3)	510-7731-9111-C206	91,486	Complete assembly
Pick-up Truck (2)	510-7731-9111-C227	24,207	Purchase 1 truck 2003
Pan Mower	510-7731-9115-C231	9,000	Project scheduled 2003
Tractor Broom	510-7731-9154-C228	4,665	Comp.back blade install

Reversible Plows (3)	510-7731-9156-C207	2,772	Complete assembly
Wings (3)	510-7731-9156-C208	14,218	Complete assembly
Sanders (3)	510-7731-9156-C209	<u>5,407</u>	Complete assembly
		241,005	
<u>Information Systems</u>			
Glass Tops-CDI Furniture/Chairs	530-9532-7104	1,196	Complete order not rec.
* Upgrade IT Infrastructure	530-9532-9115-C101	45,269	Project in progress
* Upgrade AS/400	530-9532-9115-C102	<u>6,304</u>	Project in progress
		52,769	
<u>Facilities Management</u>			
Used Mobile Heating Unit	550-9551-9117-C209	3,500	Moratorium
Tommy Lift	550-9551-9154-C208	3,000	Moratorium
Countywide Key System	550-9551-9213-C103	1,980	Complete proj. @ Hwy.
Countywide Key System	550-9551-9213-C202	<u>25,000</u>	Comp prj @Hwy&Pub Hlth
		33,480	

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

William M. Norem
County Board Chair

Kimberly S. Bushey
Attest: County Clerk

(no date)
Date

Policy and Fiscal Note is attached.

Approved as to Form:

David A. Bretl (jl)
County Administrator/
Corporation Counsel

3/3/03
Date

N. Andersen
Finance Director

3/3/03
Date

Action Required: Two-Thirds Vote

County Board Meeting Date: March 11, 2003

Policy and Fiscal Note
Resolution No. 102-03/03

- I. Title: Resolution to Designate Non-Lapsing Funds and Specify 2002 Budget to be Carried Forward and Used for the Same Purpose in 2003.
- II. Purpose and Policy Impact Statement: It is the responsibility of the Walworth County Board of Supervisors to review and authorize requests to carry forward specified unexpended budget balances to the subsequent budget year. Specified carry forward and non-lapsing requests are categorized in Resolution No. 102-03/03 by justification. The purpose of these requests are to allow the continuation of programs previously approved by the Walworth County Board of Supervisors.

III. Budget and Fiscal Impact: Unexpended budget balances have been validated. Excess bond proceeds remain in the Public Works Department due to Highway Construction projects completed with budget savings. Unanticipated state funding contributed to the excess bond proceeds. The budget balances for the construction projects will lapse at year end 2002. The excess bond proceeds will reduce the amount of debt issued in 2003. The budget and fiscal impact of all other carry forward requests on individual departments is detailed in the body of the Resolution.

IV. Committee Consideration:

Finance Committee Vote: Date: 2/20/2003

V. Approved as to Form:

David A. Bretl (jl) 3/3/03
Administrator/ Date
Corporation Counsel

N. Andersen 3/3/03
Finance Director Date

County Board Meeting Date: March 11, 2003

Resolution No. 99-03/03
Resolution to Close Fiscal Year 2002.

Moved/Sponsored by: The Finance Committee

WHEREAS, there are insufficient appropriations for certain departments in the 2002 budget, adopted November, 2001; and

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

WHEREAS, certain departments underspent their 2002 appropriations and said moneys should lapse back to the respective funds, and

WHEREAS, these are unaudited figures,

BE IT RESOLVED by the Walworth County Board of Supervisors, that the amount of \$8,081 be appropriated from the General Fund and applied to the County Parks accounts and that any audit findings requiring an appropriation be handled in a similar manner.

BE IT FURTHER RESOLVED by the Walworth County Board of Supervisors, that the amount of \$66,019 be appropriated from the Contingency Fund and applied to the Children with Disability Board accounts as the full salary settlement amounts were not previously transferred from the Contingency Fund.

Net Appropriation		<u>Department</u>	<u>Account Number</u>
Necessary		County Parks	001-1940-0000
\$	8,081	Children with Disability Board	138-3800-0000
	<u>66,019</u>		
	74,100		

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

\$46,637	County Board	001-1001-0000
13,815	County Clerk	001-1011-0000
24,403	Elections	001-1012-0000
3,733	Administrative Coordinator	001-1020-0000
276,926	Finance	001-1030-0000
150,997	County Treasurer	001-1050-0000
18,666	Coroner	001-1071-0000
42,573	Clerk of Courts	001-1100-0000
28,798	Corporation Counsel	001-1261-0000
11,037	District Attorney	001-1265-0000
425,727	Register of Deeds	001-1291-0000
133,780	Land Management	001-1300-0000
90,805	Human Resources	001-1450-0000
700,941	Sheriff	001-1500-0000
5,294	Veterans	001-1691-0000
103,789	UW Extension	001-1700-0000
4,534	Land Conservation	001-1750-0000
2,009	Courthouse Maintenance Admin.	001-1811-0000
328,040	Courthouse Annex	001-1851-0000
621,556	Non-Departmental-General	001-1900-0000
4,795	Alpine Valley	001-1921-0000
19,096	County Farm	001-1961-0000
73,690	Severance Fund	003-2330-0000
111,389	Contingency Fund	005-2350-0000
131,592	Risk Management/Claims Fund	009-2390-0000
152,623	Health & Human Services	124-2400-0000
<u>139,512</u>	Land Information	153-5300-0000
\$3,666,757		

The net increase in the Governmental Funds is \$3,666,757.

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

	Budgeted (Profit) or Use of Fund	2002 Actual Funds Needed	Variance to Budget (Excess Funds)
Variance to Budget (Excess Funds)			
Local Highway Spec Rev Fund	141,737	(12,311)	(154,048)
Debt Service Fund	3,797,282	3,686,745	(110,537)
Capital Projects Fund	5,314,007	5,331,927	17,920
Lakeland Health Care Center	33,136	(360,397)	(393,533)
Facilities Management Fund	(10,711)	60,496	71,207
Information Systems Fund	(1,294)	(157,978)	(156,684)
Highway Fund ***	1,186,899	1,084,831	(102,068)
Health Insurance Fund ****	0	(324,498)	(324,498)
Dental Insurance Fund ****	0	(65,633)	(65,633)
Workers Comp Fund ****	0	(158,295)	(158,295)

NOTES

*** End-of-Year closing entries have not been completed.
 ****Final adjustments are pending. End-of-year accrual for claims will be based upon final report.

William M. Norem
 County Board Chair

Kimberly S. Bushey
 Attest: County Clerk

(no date)
 Date

Policy and Fiscal Note is attached.

Approved as to Form:

David A. Bretl (jl) 3/3/03
 County Administrator/
 Corporation Counsel Date

N. Andersen 3/3/03
 Finance Director Date

Action Required: Two-Thirds Vote

County Board Meeting Date: March 11, 2003

Committee Consideration: Finance Committee Vote February 20, 2003

sending cards to all improved parcels every five years, known as "pre-certification years", and this mandate is not related to health or safety; and

WHEREAS, the certification process involves printing and finishing the cards including removing the perforated tractor feed, folding, counting and mailing the cards, and then entering all the responses in the database, all of which is extremely labor intensive; and

WHEREAS, the State of Wisconsin reimburses counties at the rate of \$.70 per card, but said reimbursement is insufficient to cover county costs involved in processing these cards; and,

WHEREAS, Walworth County continues to maintain the eligible Lottery and Gaming Credit Claims; and,

WHEREAS, erasing the current files and sending cards to all improved parcels, as the Administrative Code mandates, will most likely generate a less than favorable return while costing more for taxpayers.

NOW, THEREFORE, BE IT RESOLVED that the Walworth County Board of Supervisors hereby request a waiver from the mandate imposed by Wisconsin Administrative Code Tax s.20.15 regarding recertification of the Lottery and Gaming Tax Credits.

William M. Norem
County Board Chair

Kimberly S. Bushey
Attest: County Clerk

(no date)
Date

Policy and Fiscal Note is attached.

Approved as to Form:

David A. Bretl
County Administrator/
Corporation Counsel

2/28/03
Date

N. Andersen
Finance Director

3/3/03
Date

Action Required: Majority Vote Two-thirds Vote Other_____

County Board Meeting Date: March 11, 2003

Policy and Fiscal Note
Resolution No. 101 – 03/03

- I. Title: Resolution Requesting A State Mandate Waiver For Lottery And Gaming Credit Certification.

Highway Committee:

On motion by Supervisor Gigante, seconded by Supervisor Morrison, the following two resolutions were approved with a single vote:

Resolution No. 104-03/03 – Resolution Approving an Agreement By and Between Walworth County and City of Lake Geneva Concerning a Jurisdictional Transfer of County Trunk Highway “H” from State Trunk Highway “50” to the South City Limits and Providing for Cost Sharing by the County of Certain Improvement Thereto; and
Resolution No. 105-03/03 – Resolution Disposing of Excess County Highway “H” Right of Way.

Resolution No. 104- 03/03

Resolution Approving an Agreement By and Between Walworth County and City of Lake Geneva Concerning a Jurisdictional Transfer of County Trunk Highway "H" from State Trunk Highway "50" to the South City limits and Providing for Cost Sharing by the County of Certain Improvement Thereto.

Moved/Sponsored by: Highway Committee

WHEREAS, jurisdictional transfers of roadways are recommended as part of the State Trunk Highway “120” by-pass project around the City of Lake Geneva; and

WHEREAS, a portion of this plan calls for Walworth County to transfer jurisdiction of County Trunk Highway “H” (known as Wells Street) to the City of Lake Geneva from State Trunk Highway “50” to south City limits; and

WHEREAS, prior to the jurisdictional transfer taking place the County would invest in resurfacing of the existing roadway so that the City receives the roadway in good condition; and

WHEREAS, the City of Lake Geneva desires to pursue the reconstruction of a portion of Wells Street as a local initiative with Walworth County sharing the costs up to the amount the County would have invested in resurfacing; and

WHEREAS, the City of Lake Geneva will be the lead agency for the improvement project for the reason that they will be responsible for the maintenance of this section of roadway upon completion of the project; and

WHEREAS, the scheduling for this construction project will take place in the next three years depending on State aids available to the City of Lake Geneva; and

WHEREAS, the County costs of \$477,536.00 are based on the engineers estimate and if the actual bid prices exceed the engineer's estimate by 15% (or a total of \$549,200) the County reserves the right to review and reapprove the new project amount; and

WHEREAS, the County will continue to maintain the roadway until the rehabilitation project is completed; and,

WHEREAS, the agreement calls for the City to take over responsibility of the roadway on November 15th of the year the work is completed but no later than November 15, 2006;

NOW, THEREFORE, BE IT RESOLVED by the Walworth County Board of Supervisors that that Walworth County transfers jurisdiction of County Trunk Highway "H" from State Trunk Highway "50" to the south City limits (approximately 1.8 miles) in accordance with the attached agreement, which is hereby approved.

BE IT FURTHER RESOLVED that the County Board Chairman is authorized to sign the jurisdictional transfer agreement.

William M. Norem
County Board Chair

Kimberly S. Bushey
Attest: County Clerk

(no date)
Date

Policy and Fiscal Note is attached.

Approved as to Form:

David A. Bretl
County Administrator/
Corporation Counsel

2/28/03
Date

N. Andersen
Finance Director

3/3/03
Date

Action Required: Majority Vote

County Board Meeting Date: March 11, 2003

Policy and Fiscal Note
Resolution No. 104 – 03/03

- I. Title: Resolution Approving an Agreement By and Between Walworth County and City of Lake Geneva Concerning a Jurisdictional Transfer of County Trunk Highway "H" from State Trunk Highway "50" to the South City limits and Providing for Cost Sharing by the County of Certain Improvement Thereto.
- II. Purpose and Policy Impact Statement: The purpose is to transfer the jurisdiction over part of County Highway "H" to the City of Lake Geneva in accordance with

WHEREAS, it is in the County's best interest to sell off this 0.31 acres of land, constituting the excess right-of-way to Pioneer Mobile Home Park for \$900.00;

NOW, THEREFORE, BE IT 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 "H" to Pioneer Mobile Home Park in exchange for \$900.00.

William M. Norem
County Board Chair

Kimberly S. Bushey
Attest: County Clerk

(no date)
Date

Policy and Fiscal Note is attached.

Approved as to Form:

David A. Bretl
County Administrator/
Corporation Counsel

2/28/03
Date

N. Andersen
Finance Director

(no date)
Date

Action Required: Majority Vote

County Board Meeting Date: March 11, 2003

Policy and Fiscal Note
Resolution No. 105 – 03/03

- I. Title: Resolution Disposing of Excess County Highway "H" Right of Way.
- II. Purpose and Policy Impact Statement: Pioneer Mobile Home Park has requested Walworth County Highway Department to vacate 0.31 acres of existing C.T.H. "H" which would be outside of the normal right of way width of the new configuration of C.T.H. "H" at its new intersection of S.T.H. "120". The right of way required for Highway 120 has caused changes to the layout of the Pioneer Mobile Home Park and necessitated the need for landscaping and expansion of a storm water retention facility. These changes were caused by the State Highway project. As this property will be used for storm water retention the price value for agricultural land was determined at \$2900.00 per acre for a total payment of \$900.00.
- III. Is this a budgeted item and what is its fiscal impact: The Wisconsin Department of Transportation has incurred all costs for acquiring additional right-of-way for County Trunk Highway "H" at its intersection with relocated State Trunk Highway "120". The sale of the excess land will produce \$900.00 in general fund revenue.

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

Committee: Highway Committee

Date: October 15, 2002

Vote: 5 - 0

V. Approved as to form:

David A. Bretl
County Administrator/
Corporation Counsel

2/28/03
Date

N. Andersen
Finance Director

(no date)
Date

County Board Meeting Date: March 11, 2003

Human Resources Committee:

Resolution No. 103-03/03 – Amend the 2003 Budget of the Health & Human Services Department To Convert a Vocational Industry Contract to an Employee Position was moved for adoption by Supervisor Kuhnke, seconded by Supervisor Ketchpaw. A roll call vote was conducted. Total vote: 23: Ayes: 22 – Arnold, Burwell, Felten, Grant, Guido, Hilbelink, Ketchpaw, Kuhnke, Lightfield, Lohrmann, Lothian, Miles, Morrison, Parker, Polyock, Russell, Schaefer, Scharine, Shepstone, Shroble, Wenglowisky, Norem; Noes: 1 – Gigante; Absent: 2 – Palzkill, Peterson.

Resolution No. 103 - 03/03

Amend the 2003 Budget of the Health and Human Services Department
To Convert a Vocational Industry Contract to an Employee Position.

Moved/Sponsored by: Human Resources Committee

WHEREAS, the Health and Human Services Department continues to work toward employing as many contracted Vocational Industry (VI) workers as practicable as vacancies occur without increasing the county net appropriation; and

WHEREAS, the Human Resources Committee recommends that a 0.63 FTE vacancy in the adult services unit at the professional level be combined with a part-time 0.60 contract VI position; and

WHEREAS, this staffing change will provide for greater control of the budget and reduce the county's liability risk;

NOW, THEREFORE, BE IT RESOLVED by the Walworth County Board of Supervisors that the 2003 budget is amended to reduce a 0.63 FTE Registered Nurse, to reduce a part-time 0.6 contract worker, and to create a full-time HS Specialist I position.

BE IT FURTHER RESOLVED that the Finance Director is directed to implement the budget amendments required to implement this resolution.

William M. Norem
County Board Chair

Kimberly S. Bushey
Attest: County Clerk

(no date)
Date

Policy and Fiscal Note is attached.

Approved as to Form:

David A. Bretl
County Administrator/
Corporation Counsel

3/4/03
Date

N. Andersen
Finance Director

3/3/03
Date

Action Required: Majority Vote Two-thirds Vote Other _____

County Board Meeting Date: March 11, 2003

Policy and Fiscal Note
Resolution No. 103 – 03/03

- I. Title: Amend the 2003 Budget of the Health & Human Services Department to Convert a Vocational Industry Contract to an Employee Position.
- II. Purpose and Policy Impact Statement: In 2002 the Health and Human Services Department identified a number of contracted workers that should be considered for conversion to employee status rather than purchase of service. This resolution would convert the last professional contract worker position to an employee position. The employee FTE will increase from 0.63 to 1.00, but the cost of the increase is offset by the elimination of a 0.6 contract position.
- III. Is this a budgeted item and what is its fiscal impact: The 2003 budget includes \$41,089 for the 0.63 registered nurse position and \$33,000 for the contract position, for a total of \$74,089. The annual cost for a full-time HS Specialist I position is \$68,000. The net annual cost is a reduction of \$6,089. This amount will be pro-rated for a partial year to be determined based on the date of cancellation of the VI contract and the date the full-time position is filled.
- IV. Referred to the following standing committees for consideration and date of referral:

Committee: Human Resources

Date: February 19, 2003

Vote: 5 - 0

V. Approved as to form:	David A. Bretl (jl) County Administrator/ Corporation Counsel	3/4/03 Date
	N. Andersen Finance Director	3/3/03 Date

County Board Meeting Date: March 11, 2003

Public Property Committee:

On motion by Supervisor Shepstone, seconded by Supervisor Arnold, the following ordinance and resolution were approved with a single vote:

Ordinance No. 237-02/03 – An Ordinance Amending Chapter 66 of the Walworth County Code of Ordinances Relative to Regulating and Restricting Parking of Motor Vehicles in the Downtown Elkhorn Courthouse Parking Areas; and Resolution No. 97-02/03 – Resolution Approving the Walworth County Parking Lot Map.

Ordinance No. 237 - 02/03

An Ordinance Amending Chapter 66 of the Walworth County
Code of Ordinances Relative to Regulating and Restricting
Parking of Motor Vehicles in the Downtown Elkhorn Courthouse Parking Areas

THE WALWORTH COUNTY BOARD OF SUPERVISORS DOES ORDAIN AS
FOLLOWS:

Part I. Article IV, Division 3 of Chapter 66 of the Walworth County Code of Ordinances is hereby repealed in its entirety and recreated to read as follows:

"DIVISION 3. COURTHOUSE PARKING LOTS

Sec. 66-156. Purpose and Definitions.

- (a) Purpose. It is the purpose of this ordinance to regulate and restrict parking of motor vehicles in the downtown Elkhorn Courthouse parking lots as defined in subsection (b).
- (b) Definitions. For purposes of this Division, the following terms shall have the meanings ascribed herein:

- (1) North Lot shall mean the parking lot immediately north of the downtown Courthouse building.
- (2) West Lot shall mean the parking lot located immediately west of the Courthouse building.
- (3) "Parking Lot Map" shall mean a map, adopted by resolution of the County Board, which map may be amended from time to time, which should graphically depict all restricted or designated parking spaces.

Sec. 66-157. Designated parking areas.

- (a) It shall be unlawful for any person, not having business in the Courthouse, to park a vehicle in the North Lot or West Lot on a weekday between the hours of 7:30 A.M and 5:00 P.M.
- (b) Parking in the North Lot and West Lot shall be prohibited between the hours of 3:00 A.M and 6:00 A.M., except for official law enforcement vehicles.
- (c) The following areas of the North parking lot are restricted as hereinafter set forth:
 - (1) Spaces designated for handicapped persons are only available for parking to such persons.
 - (2) Loading Zones shall be restricted as indicated on the signs thereupon.
 - (3) Except as provided in Section 66-158, County employees and officers shall not park in any space in the North Lot on a week day between the hours of 7:30 A.M. and 5:00 P.M., except in those spaces designated for employees on the Parking Lot Map.

Sec. 66-158. Reserved spaces.

- (a) One parking space shall be reserved in the North Parking Lot for each of the following officials:
 - (1) Each judge of the Circuit Court and the Family Court Commissioner
 - (2) County Board Chairperson
 - (3) County Administrator
 - (4) Clerk of Circuit Court
- (b) There shall be eight (8) designated spaces in the North Lot for official law enforcement vehicles.

Sec. 66-159. Reserved.

Sec. 66-160. Manner of Parking.

- (a) All parking in either parking lot shall be in the marked spaces provided and shall be angle parking, except where designated to be parallel parking. Vehicles shall be properly placed within such marked space and shall not occupy more than one space as designated.
- (b) No vehicle larger than a $\frac{3}{4}$ ton pickup truck shall be allowed to park in either

parking lot.

Sec. 66-161. Winter Regulations.

All persons shall comply with temporary requirements made necessary by accumulation of snow or ice to alter parking from the above at the instruction of law enforcement or Public Works personnel in order to allow for removal or clearance of snow or ice and to permit sanding or salting operations. The Sheriff's Department and Public Works personnel are authorized to perform such notification. All persons parking in the lot shall comply with signs designating such necessity.

Sec. 66-162. Entrances and Exits.

Traffic shall enter the North Lot from the westerly two drives on Court Street and shall exit the lot only from the drive on Court Street at the east end of said lot.

Sec. 66-163. Enforcement.

- (a) The County Administrator is authorized to adopt administrative procedures to implement the restriction set forth in this division.
- (b) In addition to the penalty provided in Section 66-165, the County may remove any vehicle parked in the lot for violation of this Ordinance, then the cost of such removal shall be paid by the owner, and the County shall not be liable for damage occasioned by such removal.

Sec. 66-164. Delegation of Authority.

The Public Works Director is hereby authorized and directed to procure and install sufficient signs to give notice to the users of the lots herein described of the reservations, restrictions and prohibitions herein contained, and to cause appropriate markings to be placed on the spaces to define and delineate parking spaces and no-parking areas.

Sec. 66-165. Penalties.

Any person who shall violate any of the provisions of this ordinance shall be subject to penalties provided in Section 346-56 of the Wisconsin Statutes.

BE IT ORDAINED by the Walworth County Board of Supervisors that previous ordinances relating to parking, specifically, Ordinance No. 30-07/71, Ordinance No. 31-11/71, Ordinance No. 64-07/79, and Ordinance No. 110-12/88 are hereby repealed.

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 11th day of March, 2003.

William M. Norem (no date)
County Board Chairman Date

Kimberly S. Bushey (no date)
Attest: County Clerk

Policy and Fiscal Note is Attached.

Approved as to form: David A. Bretl 2/28/03
County Administrator/ Date
Corporation Counsel

N. Andersen 3/3/03
Finance Director Date

Action Required: Majority Two-thirds Other

County Board Meeting Date: March 11, 2003

Policy and Fiscal
Ordinance No. 237 - 02-/03

- I. Title: An Ordinance Amending Chapter 66 of the Walworth County Code of Ordinances Relative to Regulating and Restricting Parking of Motor Vehicles in the Downtown Elkhorn Courthouse Parking Areas
- II. Purpose and Policy Impact Statement: The purpose of this ordinance is to repeal all previously adopted ordinances regulating and restricting parking at the courthouse and establish an ordinance regulating and restricting vehicle parking at the two parking lots maintained by the County.
- III. Is this a budgeted item and what is its fiscal impact: Passage of this ordinance will not require any additional funding to administer in the 2003 budget.
- IV. Referred to the following standing committees for consideration and date of referral:

Committee: Public Property

Date: February 18, 2002

Vote: 4-0

V. Approved as to form: David A. Bretl 2/28/03
County Administrator/ Date
Corporation Counsel

N. Andersen 3/3/03
Finance Director Date

County Board Meeting Date: March 11, 2003

Resolution No. 97 - 02/03
Resolution Approving the Walworth County
Parking Lot Map

Moved/Sponsored by: Public Property Committee

WHEREAS, The Walworth County Board of Supervisors adopted Ordinance No. 237 - 02/02, Amending Chapter 66 of the Walworth County Code of Ordinances Relative to Regulating and Restricting Parking of Motor Vehicles in the Downtown Elkhorn Courthouse Parking Areas (hereafter "Ordinance"); and

WHEREAS, Sec. 66-156 of the Ordinance provides for the adoption of an official parking lot map, which map graphically depicts reserved and restricted parking spaces in the parking lots so regulated;

NOW, THEREFORE, BE IT RESOLVED by the Walworth County Board of Supervisors that the parking lot map be and the same is hereby approved.

William M. Norem
County Board Chair

Kimberly S. Bushey
Attest: County Clerk

(no date)
Date

Policy and Fiscal Note is attached.

Approved as to Form:

David A. Bretl
County Administrator/
Corporation Counsel

2/28/03
Date

N. Andersen
Finance Director

3/3/03
Date

Action Required: Majority Vote Two-thirds Vote Other _____

County Board Meeting Date: March 11, 2003

Policy and Fiscal Note
Resolution No. 97 – 02/03

- I. Title: Resolution Approving the Walworth County Downtown Elkhorn Courthouse Parking Lot Map.
- II. Purpose and Policy Impact Statement: The purpose of this resolution is to officially adopt a map designating restricted and reserved areas in county-owned parking lots in downtown Elkhorn.

