

THE JULY 9, 2002
SPECIAL ORIENTATION SESSION
OF THE
WALWORTH COUNTY BOARD OF SUPERVISORS

Chairman Norem welcomed the County Board of Supervisors. Roll call was conducted, with all Supervisors present except Supervisors Lothian and Shroble.

County Administrator David Bretl introduced Corporation Counsel Dennis Costello who presented a handout and an overview of the operations of the Corporation Counsel office.

Corporation Counsel Costello also distributed various documents regarding Wisconsin Public Records Law, and E-Mail and Public Records Law. He stated that 24 hour notice of meetings is required except in the case of emergency. He reviewed the concepts of "Negative Quorum", "Walking Quorum" and "Telephone Quorum". Costello expressed concern that the use of e-mail and "chat rooms", under the appropriate circumstances could inadvertently result in an open meeting law violation and cautioned the Board regarding this concern.

Corporation Counsel Costello then reviewed procedures pertaining to convening in Closed Session.

On motion by Supervisor Gigante, seconded by Supervisor Morrison, the meeting was adjourned until 6:00 p.m. when the regular session of the Walworth County Board of Supervisors will convene.

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 July 9, 2002 orientation meeting.

explained that this issue had been discussed at the Human Resources Committee meeting for one and a half hours, and there is a policy in place regarding this. Supervisor Guido stated that no vote had been taken on this matter in committee, and he would like the resolution referred back to the Human Resources Committee with an amendment, which would make it more appropriate. He stated that he is interested in handling it this way in order to save the County some money. Chairman Norem responded by saying that this course of action would destroy what Administrator Bretl has put forward in his plan of reorganization. Administrator Bretl explained his position and plan regarding the freezing and unfreezing of positions and the at-risk positions. The question was called by Supervisor Gigante, seconded by Supervisor Lohmann, and a roll call vote was conducted. Total vote: 24; Ayes: 23 – Arnold, Burwell, Felten, Gigante, Grant, Hilbelink, Ketchpaw, Kuhnke, Lightfield, Lohmann, Miles, Morrison, Palzkill, Parker, Peterson, Polyock, Russell, Schaefer, Scharine, Shepstone, Shroble, Wenglowky, Norem; Noes: 1 – Guido; Absent: 1 - Lothian. The motion carried; the resolution will be placed on file and the Board will take no further action on the matter.

Resolution No. 34- 07/02

PLACED ON FILE WITH NO FURTHER ACTION

Proposed Hiring Freeze for Walworth County Employees

WHEREAS, Walworth County faces a possible shortfall of 2.8 to 5.0 million dollars; and

WHEREAS, Walworth County presently cannot determine what the revenue income will be for 2003; and

WHEREAS, the Walworth County Board of Supervisors is responsible for balancing the budget; and

WHEREAS, over 50% of Walworth County's budget is used to pay employees' salaries and fringe benefits.

NOW, THEREFORE, BE IT RESOLVED that the Walworth County Board of Supervisors place a hiring freeze on any and all new employees; and

BE IT FURTHER RESOLVED that the only hiring will be to replace employees deemed critical, to alleviate employee overtime or to fill positions mandated by Federal or State Law, such hiring to be approved by the Walworth County Board of Supervisors upon the recommendation of the Human Resources Director and the County Administrator.

Dated this _____ day of July, 2002.

County Board Chair

County Clerk

Policy and Fiscal Note Attached: ____ Yes ____ No

Administrator Date

Approved as to Form: Dennis D. Costello 6/28/02
Corporation Counsel Date

Reviewed
Budget/Fiscal Impact: _____
Finance Director Date

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

Committee
Consideration: _____ Date _____ Vote:

Resolution Introduced By
Resolution No. 34- 07/02

Policy and Fiscal Note

- I. Title: Proposed Hiring Freeze for Walworth County Employees
- II. Purpose and Policy Impact Statement: The purpose of this resolution is to place a hiring freeze on any and all new Walworth County employees.
- III. Is this a budgeted item and what is its fiscal impact? This resolution has no fiscal impact.
- IV. Committee Consideration:
- V. Approved as to Form:

Administrator Date
Dennis D. Costello 6/28/02
Corporation Counsel Date

Finance Director

Date

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

Robert C. and Cheryl A. Williams, Town of LaGrange
Thomas C. Jacobs (Jesse Jacobs, App.), Town of Linn
Charlotte Loth (Thomas and Karen Heuerman, App.), Town of Troy
Larry W. and Patricia S. Peterson, Town of Troy
Robin and Patricia White, Town of Spring Prairie
Craig N. and Michele R. Gordon, Town of Walworth
Bernard P. Kaufmann, Town of Delavan
Ralph and Laurie Giorno (Mann Bros., Inc., App.), Town of Whitewater
Text Amendment to Zoning Ordinance and Shoreland Zoning Ordinance,
Walworth County, Wisconsin, Sections 1.6, 1.7, 1.9, 2.4, 2.8, 2.16, 3.3, 3.4, 3.5,
3.6, 3.7, 3.8, 4.3, 4.4, 4.5, 4.6, 4.7, 4.9, 4.10, 5.3, 5.4, 6.2, 6.3, 6.7, 6.11, 7.1, 7.2,
7.4, 9.1, 9.2, 11.4, 11.7, 11.10, and 13.

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

Report of Petitions Referred to Land Management Committee

To: The County Board of Walworth County

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

Ralph and Robin Goessling, Town of Whitewater, rezone from A-1 to A-4
Kristina L. Cruse and Stacey S. Cruse, Town of Whitewater, rezone from B-2 to R-1
SilverStone Ranch, LLC, William Appelbaum, Town of Lafayette, R-4, A-1, A-2, C-4, and C-1 to C-2, C-1, and C-4

Above petitions referred June 17, 2002

Dated this 17th day of June, 2002
Kimberly S. Bushey
County Clerk

On motion by Supervisor Kuhnke, seconded by Supervisor Hilbelink, the following petitions to rezone were moved for approval. (This action was actually taken out of the proper order, after the adoption of Resolution No. 28-07/02).

A motion was offered by Supervisor Russell, seconded by Supervisor Guido, to separate No. 1 from the approval, and this passed by voice vote, with Supervisors Kuhnke and Palzkill recording "no" votes. All of the Petitions for Rezone, except No. 1, were approved by voice vote. On motion by Supervisor Polyock, seconded by Supervisor Grant, Petition No. 1 was moved for adoption. Supervisor Russell stated that this had been approved in committee by a close margin, and she questioned if rezoning agricultural land in this manner was appropriate. Gene Kovacs, Land Management Director, was present to answer questions and present an explanation. The motion passed by voice vote, with Supervisor Russell recording a "no" vote. Supervisor Hilbelink requested that the Land Management Committee vote results be recorded on the agendas, so the Board is aware of how close the approval votes were on each zoning amendment. Kovacs assured him that this could be done in the future.

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. James and Eileen Dempsey, Town Sugar Creek – filed a petition on the 22nd day of March, 2002, to rezone from A-1 Prime Agricultural Land District to A-5 Agricultural-Rural Residential District.

Recommendation: Said petition be approved.

1. Thirty percent of the soils located on the site are non-prime soils.
2. The owner attempted to locate the home on the poorest soils on the farm.

2. F. W. and Rose E. Agnew Trust (Allen C. Hicks, Appl.), Town Whitewater – filed a petition on the 27th day of March, 2002, to rezone from A-1 Prime Agricultural Land District to A-5 Agricultural-Rural Residential District.

Recommendation: Said petition be modified and approved to reflect a rezone from A-1 to C-2. The majority of the property is wooded and has not been historically farmed.

3. Oak Hills Development, LLC (Ted Zess), Town East Troy – filed a petition on the 19th day of March, 2002, to rezone from A-1 Prime Agricultural Land District to C-2 Upland Resource Conservation District.

Recommendation: Said petition be approved.

1. Seventy percent of the soils are non-prime farmland.
2. The A-1 property is a substandard property within an existing platted subdivision and has not been farmed.

4. Bloomfield Storage, LLP (Scott Haldeman), Town Bloomfield – filed a petition on the 22nd day of March, 2002, to rezone from R-1 Single Family Residence District (Unsewered) to B-2 General Business District.

Recommendation: Said petition be approved.

ORDINANCE AMENDING WALWORTH COUNTY ZONING ORDINANCE

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

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

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

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

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

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

1. James and Eileen Dempsey, Town Sugar Creek – 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 #G SC1000006

A Certified Survey Map of part of the Northeast ¼ of the Southeast ¼ of Section 10, Town 3 North, Range 16 East, Town of Sugar Creek, Walworth County, Wisconsin, described as follows:

Commence at the East ¼ Corner of said Section 10; thence North 89 degrees 31 minutes 02 seconds West along the East-West ¼ Section line a distance of 725.26 feet to the Point of Beginning; thence South a distance of 554.00 feet to a set iron rod; thence West a distance of 435.73 feet to a set iron rod; thence North a distance of 557.67 feet to a point in the East-West quarter Section line; thence South 89 degrees 31 minutes 02 seconds East along said Section line a distance of 435.74 feet to the Point of Beginning, and containing 242,194 square feet or 5.5600 acres of land, more or less.

1. Thirty percent of the soils located on the site are non-prime soils.
2. The owner attempted to locate the home on the poorest soils on the farm.
3. The rezone was approved on a 3 to 2 vote.

2. F. W. and Rose E. Agnew Trust (Allen C. Hicks, Appl.), Town 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 2900001

A part of the NE1/4 of Section 29, Town 4 North, Range 15 East, Walworth County, Wisconsin, described as follows:

Beginning at the Northwest corner of Lot 1 of Certified Survey Map No. 2124, recorded in Vol. 10, on page 136, as Document No. 230659, said point being on the East line of State Highway "89"; thence N 00DEG 40MIN 13SEC E, 201.33 feet along said Highway; thence N 88DEG 01MIN 29SEC E, 818.73 feet; thence S 00DEG 00MIN ppSEC E, 428.68 feet; thence S 88DEG 01MIN 29SEC W, 58.25 feet to the Southeast corner of said Lot 1; thence continue S 88DEG 01MIN 29SEC W, 765.50 feet to said Highway "89"; thence N 00DEG 40MIN 13SEC E, 227.55 feet to the Point of Beginning. Containing 8.08 acres of land more or less.

The majority of the property is wooded and has not been historically farmed.

3. Oak Hills Development, LLC (Ted Zess), Town East Troy – 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 #POHE 00004

Being part of Lot 4 of Oak Hills Estates being a subdivision located in the NE1/4, NW1/4 and SW1/4 of the SE1/4 of Section 23, Town 4 North, Range 18 East, Town of East Troy, Walworth County, Wisconsin, described as follows:

Beginning at the most Southeasterly corner of Lot 4 of Oak Hills Estates; thence with the East line of Lot 4 N22°21'38"E, 345.00 feet to a point; thence N02°15'31"E, 417.37 feet to a point in the North line of Lot 4; thence with the North line of Lot 4, N89°54'06"W, 340.00 feet to a point; thence leaving said North line S05°34'18"W, 781.49 feet to a point in the West line of Lot 4; thence with the West line of Lot 4, S28°00'44"E, 8.00 feet to the Southwest corner of Lot 4; thence with a curve to the right, a length of 246.42, said curve having a radius of 503.00 feet and a chord that bears N78°21'18"E, 243.97 feet to a point; thence S87°36'36"E, 25.50 feet to the Point of Beginning.

1. Seventy percent of the soils are non-prime farmland.
 2. The A-1 property is a substandard property within an existing platted subdivision and has not been farmed.
4. Bloomfield Storage, LLP (Scott Haldeman), Town Bloomfield – to amend said zoning maps from R-1 Single Family Residence District (Unsewered) to B-2 General Business District on the following described lands:

Tax Parcel #MPL 00216

Lots 968 to Lot 972 inclusive, of Blk 21, Plat Map Page No. 3, Pell Lake Subdivision, Bloomfield Township, Walworth County, Wisconsin

ATTEST this 9th day of July, 2002.
William M. Norem
County Board Chairman

ATTEST this 9th day of July, 2002.
Kimberly S. Bushey
County Clerk

Resolution No. 27-07/02, Resolution Updating List of Financial Depositories and Investment Firms for County Funds, was adopted on motion by Supervisor Lohrmann, seconded by Supervisor Ketchpaw.

RESOLUTION NO. 27-07/02

Resolution updating list of financial depositories and investment firms for County funds.

WHEREAS, Section 59.61 (2), Wisconsin Statutes, requires that the County Board designate one or more credit unions, banks, savings banks, savings and loan associations, or trust companies organized and doing business under the laws of this state or federal law, located in this state, as county depositories. In addition to the depositories specified above the local

government pooled-investment fund may be designated as a depository for investment purposes.

WHEREAS, Section 66.0603 (2), Wisconsin Statutes, allows the investment of County funds not immediately needed in certain institutions and/or securities.

NOW THEREFORE BE IT RESOLVED, by the Walworth County Board of Supervisors that the following financial institutions:

Amcore Bank, Clinton-Darien
Anchor Bank, S.S.B.
Associated Bank, N.A.
Bank One, Wisconsin
Citizens Bank of Mukwonago, EastTroy
Commercial Bank
Community Bank of Delavan
F & M Bank – Wisconsin
First Banking Center
First Citizens State Bank
Firststar Bank
M & I Marshall & Isley Bank
Mid America Bank
North Shore Bank
Peoples Bank
St. Francis Bank
State Financial Bank, N.A.
Walworth State Bank

and

Local Government Pooled Investment Fund
MBIA
Edward D Jones
RBC Dain Rauscher
U S Bancorp Piper Jaffray

qualified as public depositories under Chapter 34 of the Wisconsin Statutes, shall be and are hereby designated until further action, as public depositories for all public monies

coming into the hands of the Treasurer and/or the Clerk of Courts of the County of Walworth, State of Wisconsin.

BE IT FURTHER RESOLVED THAT, the County Treasurer and the Clerk of Courts are authorized to invest funds pursuant to the Walworth County Investment Policy in securities authorized by that policy utilizing brokers approved by the County Board.

BE IT FURTHER RESOLVED, that withdrawal or disbursements from any one of the above-named depositories shall be through the use of money transfer techniques, including electronic funds transfers and automated clearinghouse methods.

BE IT FURTHER RESOLVED, that in accordance therewith, all checks shall be signed by the following persons:

William Norem, Chairman
Kathleen M. Du Bois, Treasurer
Kimberly S. Bushey, Clerk

or their successors in office.

BE IT FURTHER RESOLVED, that in lieu of their personal signatures, the following facsimile signatures, which have been adopted by them as below shown:

(insert facsimile stamp)

may be affixed on such order check(s); that any one of the above-named depositories shall be fully warranted and protected in making payments on any order checks bearing such facsimile(s) notwithstanding that the same may have been placed thereon without the authority of the designated person or persons.

BE IT FURTHER RESOLVED, that for those funds invested and/or deposited by the Clerk of Circuit Court, pursuant to s.59.40, Wis. Stats., that said funds may be withdrawn on order, check or wire transfer upon the signature of the Clerk of Circuit Court, or in lieu of her personal signature, upon the facsimile signature of the Clerk of Circuit Court:

BE IT FURTHER RESOLVED, that the following persons are authorized as signatories for the accounts specified:

ACCOUNT DESCRIPTION	AUTHORIZING SIGNATURE(S)
Treasurer:	
Depository	County Board Chair, County Clerk, County Treasurer (by facsimile)
Accounts Payable	County Board Chair, County Clerk, County Treasurer (by facsimile)
Payroll	County Board Chair, County Clerk, County Treasurer (by facsimile)

Clerk of Courts:

Depository Clerk of Courts, Courts Office Manager, Register in Probate

General Clerk of Courts, Courts Office Manager, Register in Probate

Sheriff:

Sheriff Trust Sheriff, Undersheriff, Account Clerk (2)

Civil Process Sheriff, Undersheriff, Account Clerk (2)

Huber Trust Sheriff, Undersheriff, Account Clerk (2), Correctional Supervisors (9)

Inmate Trust Sheriff, Undersheriff, Account Clerk (2), Correctional Supervisors (9)

Lakeland Health Care Center:

Resident Fund Administrator, Finance Manager, Resident Accounts Supervisor

Buildings & Furniture Administrator, Finance Manager

Lakeland School

Student Council Student Council Advisor, Administrator, School Bookkeeper

Health and Human Services Dept.

Supportive Home Care David L. Scrima, S.C.

Money Market Ckg. Director, Assistant Director, Protective Payee

Nutrition Sites (4) County Board Chair, County Clerk, County Treasurer (by facsimile)

BE IT FURTHER RESOLVED, that the aforementioned shall be and are hereby designated as public depositories for all county departments handling public monies.

BE IT FURTHER RESOLVED, that the County Board Chairman, County Clerk, County Administrator, County Treasurer and Clerk of Circuit Court are hereby authorized and directed to sign the appropriate contract and necessary ancillary agreements on behalf of Walworth County.

BE IT FURTHER RESOLVED, that a certified copy of this resolution shall be delivered to each of the above-named depositories, and said depositories may rely on this resolution until changed by lawful resolution, and a certified copy of such resolution has been given to the designee of the respective above-named depositories.

Wisconsin
Delete M & I Bank South – Delavan due to merge with
M & I Marshall and Isley Bank
from People’s Bank of Elkhorn to Peoples Bank
from State Financial Bank – Waterford to State Financial
Bank N.A.

3 new investment firms have been added to further enhance
the competitive bidding of investment purchases:
RBC Dain Rauscher (Milwaukee office)
U S Bancorp Piper Jaffray (Omaha, Nebraska office)
MBIA

Page 3 - Checking account and authorized signatures changes are as follows:

Treasurer

Delete Allen L Morrison, Add William Norem due to the
recent County Board chair election

Lakeland Health Care Center

Change Lakeland Nursing Home to Lakeland Health Care
Center

Deletion of the Resident Council and Employee Recognition
Committee checking accounts. These accounts had
originally been set up using the county’s tax identification
number. These accounts are not comprised of county funds
and each association obtained its own number.

Health and Human Services Dept.

Change department name Human Services Department to
Health and Human Services Dept.

Money Market Checking Account – delete Records
Supervisor and add Assistant Director as signatories.

Sheriff’s Dept.

Huber Trust Account – Delete Shift Commanders
Inmate Trust Account – Delete Shift Commanders

- III. Is this a budgeted Item and what is its fiscal impact: Adoption of this updated resolution helps provide internal controls related to cash and cash handling activities. There is no budget impact.
- IV. Referred to the following standing committees for consideration and date of referral:

Finance Committee - June 26, 2002

V. Committee Consideration: Finance 6 – 0, 1 abstention 6/26/02
Committee Vote Date

VI. Approved as to Form:

David A. Bretl 6/28/02
County Administrator Date

Dennis D. Costello 6/28/02
Corporation Counsel Date

N. Andersen 6/28/02
Finance Director Date

Resolution No. 28-07/02, Resolution to Write off 1999 Personal Property Taxes Uncollectible in 2000, was moved for adoption by Supervisor Grant, seconded by Supervisor Ketchpaw. County Treasurer Kathy DuBois was present to answer questions. The resolution was adopted on voice vote, with all Supervisors voting “yes”, except Supervisors Polyock and Gigante who recorded “no” votes.

RESOLUTION NO. 28-07/02

Resolution to write off 1999 personal property taxes uncollectible in 2000.

WHEREAS, the County Treasurer appears before the finance committee and obtains annual approval to write off uncollectible personal property taxes; and

WHEREAS, Section 74.55 (1), Wisconsin Statutes, addresses recovery of delinquent personal property taxes by a taxing jurisdiction; and

WHEREAS, the County will continue to pursue collection of the County and State’s share;

NOW THEREFORE BE IT RESOLVED, that the Walworth County Board of Supervisors authorize the write-off of uncollectible personal property taxes for the 1999 tax year as listed in Attachment A.

BE IT FURTHER RESOLVED, that this write-off in the amount of \$4,382.92 will be offset by the Contingency Fund; and

BE IT FURTHER RESOLVED, that this resolution is to be effective upon adoption.

William M. Norem
County Board Chair

Kimberly S. Bushey
Attest: County Clerk

Policy and Fiscal Note Attached: X Yes _____ No - No Fiscal Impact

Approved as to Form:	David A. Bretl County Administrator	6/28/02 Date
	Dennis D. Costello Corporation Counsel	6/28/02 Date
	N. Andersen Finance Director	6/28/02 Date

Committee Consideration:

Finance Committee	<u> 7 - 0 </u> (Vote)	<u> 6/26/02 </u> (Date)
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Action Required: Two-thirds Vote Other _____

County Board Meeting Date: July 9, 2002

Policy and Fiscal Note

I. Title: Resolution No. 28-07/02 "Write Off 1999 Personal Property Taxes Uncollectible in 2000".

II. Purpose and Policy Impact Statement: The County will continue to pursue collection of the County and State share if in excess of \$200.00 per tax bill.

The County Treasurer has contacted the local districts regarding repeat offenders and verified whether the business is still in operation; and if not, whether the business has been removed from the personal property tax roll.

III. Is this a budgeted item and what is its fiscal impact: This item was not included in the 2002 budget and will be offset by the Contingency

Fund, account number 005-2350-8811, and credited to account number 001-1903-1111, General Property Taxes.

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

Finance Committee - June 26, 2002

<u>V. Committee Consideration:</u>	<u>Finance</u>	<u>7 - 0</u>	<u>6/26/02</u>
	Committee	Vote	Date

VI. Approved as to Form:

David A. Bretl	6/28/02
County Administrator	Date

Dennis D. Costello	6/28/02
Corporation Counsel	Date

N. Andersen	6/28/02
Finance Director	Date

Resolution No. 29-07/02, Appropriate Funds from the Contingency Fund to the 2002 Budget of the Children with Disabilities Education Board to Fund Wage and Benefit Costs for Management Staff of Lakeland School, moved for adoption by Supervisor Ketchpaw, seconded by Supervisor Schaefer, was adopted by unanimous voice vote.

Resolution No. 29-07/02
Appropriate Funds from the Contingency Fund to the
2002 Budget of the Children With Disabilities Education Board
to Fund Wage and Benefit Costs for Management Staff of Lakeland School

WHEREAS, funding was not included in the 2002 adopted budget for any increases in wages and benefits for staff of the Handicapped Children's Education Board, and

WHEREAS, wages and benefits for certain management staff of Lakeland School have not been adjusted since the end of the 2000-2001 school year, and

WHEREAS, the Handicapped Children's Education Board has reviewed the salaries and benefits for management staff of Lakeland School and has recommended changes therein, consistent with the wage and benefit adjustments the County Board has approved for other management staff of Walworth County.

- 3% wage adjustment for the 2002-2003 school year

III. Budget and Fiscal Impact.

The 2002 adopted budget did not include funds for increases in health insurance premiums. An additional sum of \$25,276 s required to implement wage and health insurance adjustments.

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

Children With Disabilities Education Board on a vote of 5 to 0 at their meeting on June 17, 2002 recommends adoption.

Human Resources Committee on a vote of 7 to 0 at their meeting on June 19, 2002 recommends adoption.

Finance Committee on a vote of 7 to 0 at their meeting on June 26, 2002 recommends adoption.

VI. Reviewed as to Form.

David A. Bretl	
7/01/02	
County Administrator	Date

Dennis D. Costello	
6/28/02	
Corporation Counsel	Date

N. Andersen	7/1/02
Finance Director	Date

Resolution No. 30-07/02, Amend 2002 Budget of the Children With Disabilities Education Board and Create a 0.5 FTE Teacher Position, was moved for adoption by Supervisor Ketchpaw, seconded by Supervisor Felten. The resolution was adopted by unanimous voice vote.

Resolution No. 30-07/02
Amend 2002 Budget of the Children With Disabilities Education Board
and Create a 0.5 FTE Teacher Position

WHEREAS, the rapid increase in children, ages 3-5, who qualify for special education services requires the addition of a part-time (0.5 FTE) Early Childhood Teacher position, and

III. Budget and Fiscal Impact.

A discretionary grant through IDEA dollars has been awarded to WCCDEB to start this program. WCCDEB will reapply for this grant each year that it is available and thereafter, the position will be absorbed into the non-discretionary grant received through IDEA. The total anticipated cost of this position for the following year is estimated to be \$19,180. This estimation includes both salary and fringe benefits at a 0.5 FTE level. The source of funds to support this position will again come from the IDEA grant.

Unanticipated non-discretionary grant funds were received in 2002 of approximately \$60,000. The estimated cost of \$8,177 will be funded from this additional funding. Based upon legislative discussion, it is anticipated that this funding will continue in 2003.

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

Children With Disabilities Education Board on a vote of 5 to 0 at their meeting on June 17, 2002 recommends adoption.

Human Resources Committee, on a vote of 7 to 0, at their meeting on June 19, 2002 recommends adoption.

Finance Committee, on a vote of 7 to 0, at their meeting on June 26, 2002 recommends adoption.

VI. Reviewed as to Form.

David A. Bretl
7/01/02
County Administrator Date

Gary Rehfeldt
7/01/02
Corporation Counsel Date

N. Andersen
7/01/02
Finance Director Date

Resolution No. 31-07/02, Amend the 2002 Budget of the Health and Human Services Department To Convert Vocational Industry Contracts to Employee Positions, was adopted by unanimous voice vote on motion by

Approved as to Form: Gary Rehfeldt
7/01/02
Corporation Counsel Date

Reviewed for Budget/Fiscal Impact: N. Andersen
7/01/02
Finance Director Date

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

Policy and Fiscal Note

I. Title. Resolution No. 31-7/02, " Amend the 2002 Budget of the Health and Human Services Department To Convert Vocational Industry Contracts to Employee Positions."

II. Purpose and Policy Impact.

Employee status rather than purchase of service is most appropriate for these workers. This change will result in the County having full control and direction of these workers.

The addition of these positions will be off-set by a reduction in vacant positions in the Health and Human Services Department.

III. Budget and Fiscal Impact.

Adoption of this resolution will result in a reduction in the net appropriation. See attached worksheet.

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

Health and Human Services Board on a vote of 7-0 at their meeting on June 18, 2002 recommends adoption.

Human Resources Committee on a vote of 7-0 at their meeting on June 19, 2002 recommends adoption.

Finance Committee recommends adoption with a vote of 7-0.

V. Reviewed as to Form.

David A. Bretl
7/01/02
County Administrator Date

Gary Rehfeldt
7/01/02
Corporation Counsel Date

N. Andersen
7/01/02
Finance Director Date

Resolution No. 32-07/02, Amend the 2002 Budget of the Health and Human Services Department To Transfer Emergency Management Services to the Sheriffs Department, was moved for adoption by Supervisor Ketchpaw, seconded by Supervisor Lohrmann. Discussion followed. On motion by Supervisor Scharine, seconded by Supervisor Polyock, the question was called. Supervisor Palzkill moved to adopt on unanimous consent, seconded by Supervisor Lohrmann. This failed, and a roll call vote was conducted. Total vote: 24; Ayes: 21 – Arnold, Burwell, Felten, Grant, Hilbelink, Ketchpaw, Kuhnke, Lightfield, Lohrmann, Miles, Palzkill, Parker, Peterson, Polyock, Russell, Schaefer, Scharine, Shepstone, Shroble, Wenglowky, Norem; Noes: 3 – Gigante, Guido, Morrison; Absent: 1 - Lothian. The resolution was adopted.

Resolution No. 32 – 07/02

Amend the 2002 Budget of the Health and Human Services Department
To Transfer Emergency Management Services to the Sheriff's Department

WHEREAS, the adopted 2002 budget for the Health and Human Services Department includes program expenses and revenues for the provision of emergency management services ("Emergency Management"); and

WHEREAS, the purpose of Emergency Management is to prepare the County to react to emergencies resulting from enemy action and natural or made-made disasters; and

WHEREAS, the County needs to reduce expenses in 2003 to comply with the statutory levy rate cap; and

WHEREAS, limited County resources can be utilized more efficiently by reallocating the functions of Emergency Management to the Sheriff's Department; and

WHEREAS, moving the Emergency Management function to the Sheriff's office is estimated to reduce the tax levy by \$59,497 next year; and

WHEREAS, Emergency Management is consistent with the mission of the Sheriff's office and can be provided effectively by that office;

NOW, THEREFORE, BE IT RESOLVED that the civilian positions of Emergency Management Coordinator and SARA Program Coordinator are eliminated effective on September 1, 2002 or sooner in the event the positions become vacant.

BE IT FURTHER RESOLVED that the County Board hereby appoints the Sheriff as the head of Emergency Management, in accordance with section 166.03 (4) (a), Wis. Stats., and hereby further acknowledges that the Sheriff may delegate the duties of Emergency Management to a qualified sworn law enforcement officer of the Sheriff's Department; and

BE IT FURTHER RESOLVED that 2002 program revenues and any remaining non-payroll expense budget related to Emergency Management shall be re-appropriated from the Health and Human Services Department to the Sheriffs Department.

Dated this 9th day of July 2002.

William M. Norem
County Board Chair

Kimberly S. Bushey
Attest: County Clerk

Policy and Fiscal Note Attached: X Yes No

Reviewed as to form by: David A. Bretl
7/01/02
County Administrator Date

Approved as to Form: Gary Rehfeldt
7/01/02
Corporation Counsel Date

Reviewed for Budget/Fiscal Impact: N. Andersen
7/01/02
Finance Director Date

Action Required: Majority Vote -- to appoint a head of emergency management services

Two-thirds Vote -- to amend the budget

Policy and Fiscal Note
Resolution No. 32 – 07/02

Resolution No. 33-07/02
Policy and Fiscal Note

- I. Title: To replace the failed high voltage oil switch at Lakeland Health Care Center.

- II. Purpose and Policy Impact Statement: The purpose of this resolution is for the County to fund the unplanned replacement of the failed high voltage oil switch to provide a safe electrical environment for residents, employees and visitors to Lakeland Health Care Center.

- III. Is this a budgeted item and what is the fiscal impact? This request is not a budgeted item and \$20,636 (Twenty Thousand Six Hundred Thirty Six Dollars) would need to come from the contingency fund to complete the project and to reimburse the expense account charged with the temporary repair.

IV. Committee Consideration:

Public Property Committee	Vote: 3 - 0	Date: June 18, 2002
Finance Committee	Vote: 7 - 0	Date: June 26, 2002

Approved as to Form:

David A. Bretl County Administrator	7/01/02 Date
Gary Rehfeldt Corporation Counsel	7/01/02 Date
Nicole Andersen Finance Director	7/01/02 Date

County Board meeting date: July 9, 2002

Resolution No. 35-07/02, Providing for a Special Order of Business at the September County Board Meeting to Commence at 5:00 p.m. Pertaining to Economic Development, was moved for adoption by Supervisor Ketchpaw, seconded by Supervisor Grant. Supervisor Ketchpaw gave the Supervisors

information regarding the material that would be covered at this orientation and urged members to attend. The resolution was adopted by unanimous voice vote.

Resolution No. 35-07/02

Providing for a Special Order of Business at the September County Board Meeting To Commence at 5:00 p.m. Pertaining to Economic Development

Whereas, the topic of economic development is important to the future of Walworth County; and

Whereas, the Executive Committee recommends that the County Board convene at 5:00 p.m. on September 12, 2002 to discuss the issue of economic development which may include guest speakers;

NOW, THEREFORE, BE IT RESOLVED, that the Walworth County Board of Supervisors will convene as a committee of the whole at 5:00 p.m. on September 12, 2002 to discuss the issue of economic development.

BE IT FURTHER RESOLVED, that the committee meeting shall end at 5:45 p.m. and that the County Clerk be directed to provide notice of the meeting in accordance with law.

Date this 9th day of July 2002.

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	07/01/02 Date
	Dennis D. Costello Corporation Counsel	07/01/02 Date
	Nicole Andersen Finance Director	07/01/02 Date

Action Required : 2/3 majority elect

County Board Meeting July 9, 2002

Resolution No. 35-07/02
Policy and Fiscal Note

- I. Title: "Providing for a Special Order of Business at the September County Board Meeting to Commence at 5:00 p.m. Pertaining to Economic Development"
- II. Purpose and Policy Impact Statement: The purpose of this resolution is to authorize a committee of the whole meeting on September 12th to discuss economic development.
- III. Is this a budgeted item and what is the fiscal impact? This is not a budgeted item. The meeting will be held immediately prior to a regular county board meeting. There is no cost associated with passage of this resolution.

IV. Committee Consideration:

Executive Committee Vote: 6 - 0 Date: June 20,2002

V. Approved as to Form:

David A. Bretl County Administrator	07/01/02 Date
Dennis D. Costello Corporation Counsel	07/01/02 Date
Nicole Andersen Finance Director	07/01/02 Date

Ordinance No. 227-07/02, Amending Section 2.06 of the Code of Ordinances to Delete Paragraph (c) Thereof, Eliminating the Requirement for Invocations at County Board Meetings. A motion was offered by Supervisor Gigante, seconded by Supervisor Morrison, to table this ordinance indefinitely. After some discussion, Supervisors Gigante and Morrison withdrew their motion to table. The ordinance was moved for adoption by Supervisor Guido, seconded by Supervisor Grant. Discussion followed. Supervisor Morrison informed the Supervisors that since he initiated the invocation effort, he has had complete cooperation from Walworth County clergy. A roll call vote was conducted for adoption. Total vote: 24; Ayes: 3 – Peterson, Polyock, Wenglowksy; Noes: 21 – Arnold, Burwell, Felten, Gigante, Grant, Guido, Hilbelink, Ketchpaw, Kuhnke, Lightfield, Lohrmann, Miles, Morrison, Palzkill, Parker, Russell, Schaefer, Scharine, Shepstone, Shroble, Norem; Absent: 1 – Lothian. The motion to adopt failed.

Ordinance No. 227-07/02

DEFEATED

Amending Section 2.06 of the Code of Ordinances to Delete Paragraph (c) Thereof, Eliminating the Requirement for Invocations at County Board Meetings.

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

PART 1: THAT Section 2.06.010 of the Code of Ordinances is hereby repealed in its entirety and recreated to read as follows:

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

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

PART 2 BE IT FURTHER ORDAINED THAT this ordinance shall be effective upon passage and publication.

PART 3. BE IT FURTHER ORDAINED THAT all previously adopted policies, rules and resolutions relating to rules of the County Board are repealed to the extent they may conflict with this Ordinance.

PASSED and ADOPTED by the Board of Supervisors of Walworth County Wisconsin this ____ day of _____, 2002.

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	7/01/02 Date
	Gary Rehfeldt Corporation Counsel	7/01/02 Date
	N. Andersen Finance Director	7/01/02 Date

Action Required: 2/3 Membership

William M. Norem, Chairman
Walworth County Board of Supervisors

VOTE REQUIRED: 2/3 MAJORITY

Ordinance no. 227-07/02
Policy and Fiscal Note

- I. Title: "Amending Section 2.06 of the Code of Ordinances to Delete Paragraph (c) Thereof, Eliminating the Requirement for Invocations at County Board Meetings."
- II. Purpose and Policy Impact Statement: The purpose of this ordinance amendment is to eliminate the requirement for invocations at County Board meetings.
- III. Is this a budgeted item and what is its fiscal impact? There is no budgetary or fiscal impact associated with adoption of this ordinance amendment.
- IV. Referred to the following standing committees for consideration and date of referral:

The Executive Committee voted unanimously at its meeting on June 20, 2002 to forward this resolution to the County Board without recommendation.

V. Approved as to form: _____

David A. Bretl 7/01/02
County Administrator Date

Gary Rehfeldt 7/01/02
Corporation Counsel Date

N. Andersen 7/01/02
Finance Director Date

County Board Meeting Date: July 9, 2002

Resolution No. 36-07/02, Providing that County Board Invocations Be Performed on a Voluntary Basis by County Board Supervisors, was moved for adoption by Supervisor Arnold, seconded by Supervisor Felten. An amendment was offered by Supervisor Gigante, seconded by Supervisor Morrison, to add clergy to the list of those individuals who can present the invocation. After much discussion, the question was called on the amendment on motion by Supervisor Polyock, seconded by Supervisor Wenglowsky. A roll call vote was requested and conducted. Total vote: 24; Ayes: 15 - Felten, Gigante, Guido, Hilbelink, Ketchpaw, Kuhnke, Miles, Morrison, Palzkill, Parker, Polyock, Scharine, Shepstone, Shroble, Wenglowsky; Noes: 9 – Arnold, Burwell, Grant, Lightfield, Lohrmann, Peterson, Russell, Schaefer, Norem; Absent: 1 – Lothian. The amendment carried. The Board then proceeded to vote on Res. No. 36-07/02 as amended. A roll call vote was conducted. Total vote: 24; Ayes: 18 – Arnold, Burwell, Felten, Gigante, Grant, Guido, Hilbelink, Ketchpaw, Kuhnke, Lightfield, Lohrmann, Miles, Morrison, Palzkill, Parker, Scharine, Shepstone, Shroble; Noes: 6 – Peterson, Polyock, Russell, Schaefer, Wenglowsky, Norem; Absent: 1 – Lothian. The resolution, as amended, was adopted.

Resolution No. 36-07/02
Providing That County Board Invocations Be Performed
On a Voluntary Basis by County Board Supervisors or Clergy

AMENDED

Whereas, Section 2.06.010 (c) of the Code of Ordinances provides for an invocation at the beginning of each county board meeting; and

Whereas, the Executive Committee discussed many aspects of the invocation and decided to forward several proposals, without recommendation, to the County Board, for direction on this subject; and

~~Whereas, the County currently does not reimburse members of the clergy for performing the invocation; and~~

~~Whereas, asking clergy members to travel to Elkhorn, without reimbursement, for the purpose of delivering a two-minute invocation places a significant burden on them; and~~

Whereas, County Board supervisors have successfully delivered invocations, on a voluntary basis, at the May and June Board meetings and the clergy have performed invocations at the County Board Meetings in the past;

NOW, THEREFORE, BE IT RESOLVED by the Walworth County Board of Supervisors that the County Board invocation be delivered by Supervisors or members of the clergy on a voluntary basis and that the invocation continue provided there are sufficient volunteers.

Date this 9th day of July 2002.

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	7/01/02 Date
	Gary Rehfeldt Corporation Counsel	7/01/02 Date
	N. Andersen Finance Director	7/01/02 Date

Action Required : 2/3 majority elect

County Board Meeting July 9, 2002

Resolution No. 36-07/02
Policy and Fiscal Note

- I. Title: "Providing that County Board Invocations Be Performed on a Voluntary Basis by County Board Supervisors."

II. Purpose and Policy Impact Statement: The purpose of this resolution is to provide that County Board supervisors perform the invocation called for in section 2.06.010, (c) of the County Board's "Agenda Order of Business" of the Code of Ordinances.

III. Is this a budgeted item and what is the fiscal impact? There is no budgetary or fiscal impact associated with adoption of this resolution.

IV. Committee Consideration:

Executive Committee voted unanimously at its meeting on June 20, 2002 to forward this resolution to the County Board without recommendation.

V. Approved as to Form:

David A. Bretl County Administrator	7/01/02 Date
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Gary Rehfeldt Corporation Counsel	7/01/02 Date
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N. Andersen Finance Director	7/01/02 Date
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County Board meeting date: July 9, 2002

Resolution No. 37-07/02 – To Renovate County Board Room to Accommodate Public Seating, was moved for adoption by Supervisor Gigante, seconded by Supervisor Ketchpaw. The resolution was adopted by voice vote.

Resolution No. 37-07/02
To Renovate County Board Room to Accommodate Public Seating

WHEREAS, the existing County Board Room was designed to accommodate 35 County Supervisors desks, and

WHEREAS, The County Board reduced the number of Supervisor positions to 25 in 2002, and

WHEREAS, To accommodate additional spectator seating, it is recommended by Facilities Management to remove the last row of Supervisor desks, and

WHEREAS, Facilities Management personnel can accomplish this project in 16 man-hours through the repair and maintenance budget, and

NOW, THEREFORE, BE IT RESOLVED by the Walworth County Board of Supervisors that Facilities Management personnel be directed to remove the last row of County Board Supervisor desks to accommodate additional spectator seating.

Dated this 9th day of July 2002

William M. Norem
County Board Chair

Kimberly S. Bushey
ATTEST: County Clerk

Policy and Fiscal Note Attached: Yes

Approved as to Form:	David A. Bretl County Administrator	7/1/02 Date
	Gary Rehfeldt Corporation Counsel	7/1/02 Date
	N. Andersen Finance Director	7/1/02 Date

Action Required _____

County Board Meeting Date: July 9, 2002

Resolution No. 37-07/02

Policy and Fiscal Note

- I. Title: To remove the last row of County Board Supervisors desks in the existing County Board Room.
- II. Purpose and Policy Impact Statement: The purpose of this resolution is to provide authorization for the Facilities Management Department to remove the last row of County Board Supervisor Desks to accommodate additional spectator seating.

III. Is this a budgeted item and what is the fiscal impact? This request is not a budgeted item and would be accomplished with Facilities Management personnel charging their time to the Repair and Maintenance Budget.

IV. Committee Consideration:
Public Property Committee Vote: 3-0 June 18, 2002

V. Approved as to Form:

David A. Bretl 7/1/02
County Administrator Date

Gary Rehfeldt 7/1/02
Corporation Counsel Date

N. Andersen 7/1/02
Finance Director Date

Chairman Norem called the Supervisors' attention to the correspondence placed on their desks regarding travel to the September WCA Annual Convention. Chairman Norem then raised the subject of resolution placement on the agenda. He emphasized that, out of respect for the committees, resolutions should go through respective committee approval first before being placed on the agenda. In some instances, to do otherwise, means repeating work which has already been done, and keeps the Board from moving forward.

Supervisor Shepstone informed the Supervisors that the Public Property Committee would be making their tour of all County buildings on July 23rd and 24th. If anyone is interested in attending this, they should contact Facilities Manager Gary Payson and let him know they are coming.

On motion by Supervisor Lohrmann, seconded by Supervisor Gigante, the Board adjourned at 7:50 p.m. The next regularly scheduled meeting of the Walworth County Board of Supervisors is Tuesday, August 13, 2002 – 6:00 p.m. There will also be an orientation meeting of the Board conducted at 5:00 p.m. on Tuesday, August 13, 2002.

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 July 9, 2002 meeting.

THE AUGUST 13, 2002
SPECIAL ORIENTATION SESSION
OF THE
WALWORTH COUNTY BOARD OF SUPERVISORS

Chairman Norem welcomed the County Board of Supervisors. Roll call was conducted, with all Supervisors present except Supervisors Lightfield who had been excused. Supervisors Kuhnke, Lothian and Schaefer arrived after roll call was conducted.

A brief overview of the proper usage of the sound system was conducted.

County Administrator David Bretl introduced County Clerk Kim Bushey, Sheriff David Graves, Coroner John Griebel, District Attorney Phillip Koss, Clerk of Circuit Court Sheila Reiff and Register of Deeds Connie Woolever. Each of these elected officials presented an overview of the operations of their offices and addressed questions posed by the Board.

On motion by Supervisor Scharine, seconded by Supervisor Gigante, the meeting was adjourned until 6:00 p.m. when the regular session of the Walworth County Board of Supervisors would convene.

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 August 13, 2002 orientation meeting.

THE AUGUST 13, 2002 SESSION
OF THE
WALWORTH COUNTY BOARD OF SUPERVISORS

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

Supervisor Lohrmann presented the invocation.

On motion by Supervisor Lothian, seconded by Supervisor Ketchpaw, the evening's agenda was approved as presented.

The minutes of the July 9, 2002 Board of Supervisors Orientation and July 9, 2002 Meeting were approved on motion by Supervisor Gigante, seconded by Supervisor Morrison.

Chairman Norem requested public comment. Mr. Jerry Hoffman, N6595 Elm Road, Elkhorn, on behalf of the White River Cycling Club, thanked the Board of Supervisors for their support of the White River Bike Trail. He informed the Board of a fund raiser for the trail. Mr. Terry Johnson, N9144 Ash Street, East Troy, expressed concern regarding the passage of the bond issue for the new Justice Center. He encouraged tax reform and more conservative spending. Mr. Bret Strong, N9159 Maple St., East Troy, expressed concern regarding his property taxes and expressed that he felt that the County Board is spending money excessively. He specifically cited the construction of the new Court facility. He expressed concern that economic times are hard, and that people are losing their jobs and cannot afford the high taxes. Mr. Strong also was concerned that he could not access civil and criminal cases on the County website.

No claims were presented.

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

Bloomfield Storage, LLP (Scott Haldeman) Town of Bloomfield
Oak Hills Development, LLC (Ted Zess) Town of East Troy

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

Report of Petitions Referred to Land Management Committee

To: The County Board of Walworth County

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

Alvin R. and Susan M. Larson, Town of LaGrange, C-4 to A-5
Ram S. Goyal Trust and Akshama Goyal Trust (Kevin J. Robers, App.) Town of Lafayette, A-1 to B-4
Rita M. Leahy and Mark J Powers (Rita; M Leahy, App), Town of Lyons, A-1 to C-2
Bruce H. Reek and Molly R. Maguire-Reek, Town of Linn and Town of Bloomfield, A-1 to A-2
Robert A. Pearce Farms, Inc., Town of Walworth, A-1 to A-4

Above petitions referred July 10, 2002

Dated this 13th day of August, 2002
Kimberly S. Bushey
County Clerk

Chair Norem then excused himself from the room prior to discussion regarding the Report of Land Management Committee Report of Proposed Zoning Amendments due to concern about a potential conflict of interest. Vice-Chair Grant led the meeting.

On motion by Supervisor Kuhnke, seconded by Supervisor Schaefer, the following Land Management Committee Report of Proposed Zoning Amendments was approved.

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. Henry Clark, Town Sugar Creek – filed a petition on the 3rd day of May, 2002, to rezone from R-1 Single Family Residence District (Unsewered) to B-2 General Business district.

Recommendation: Said petition be approved.

2. Quarterline Evergreen Cemetery Association, Town Troy – filed a petition on the 3rd day of May, 2002, to rezone from P-1 Recreational Park District to P-2 Institutional Park District.

Recommendation: Said petition be approved.

3. Cyrel Bowker Estate, Ross Katzman, Trustee, Town Spring Prairie – filed a petition on the 8th day of May, 2002, to rezone from P-2 Institutional Park District to R-1 Single Family Residence District (Unsewered).

Recommendation: Said petition be approved.

4. Steve and Lawrence Norem (Kenneth R. Mulhollon, App.), Town Lyons – filed a petition on the 6th day of May, 2002, to rezone from A-1 Prime Agricultural Land District to A-5 Agricultural-Rural Residential District on the following described lands:

Part of Tax Parcel #N LY3300003

A parcel of land located in the Northwest $\frac{1}{4}$ of the Southeast $\frac{1}{4}$ of Section 33, Town 2 North, Range 18 East, Town of Lyons, Walworth County, Wisconsin, described as follows: Commence at the East $\frac{1}{4}$ Corner of said Section 33; thence South $89^{\circ}16'53''$ West, along the North line of said Southeast $\frac{1}{4}$ of Section 33, 1322.23 feet; thence South $1^{\circ}18'46''$ East, along the East line of the Northwest $\frac{1}{4}$ of said Southeast $\frac{1}{4}$, 520.47 feet; thence North $85^{\circ}52'47''$ West 64.05 feet to the Point of Beginning; thence South $44^{\circ}00'00''$ West, along a C-1 zoning line, 50.00 feet; thence South $25^{\circ}00'00''$ West, along a C-1 zoning line, 40.00 feet; thence South $10^{\circ}00'00''$ East, along a C-1 zoning line, 30.00 feet; thence South $26^{\circ}00'00''$ East, along a C-1 zoning line, 30.00 feet; thence South $50^{\circ}00'00''$ East, along a C-1 zoning line, 80.00 feet; thence South $36^{\circ}00'00''$ East, along a C-1 zoning line, 30.00 feet; thence South $15^{\circ}00'00''$ East, along a C-1 zoning line, 73.17 feet; thence South $84^{\circ}08'51''$ West 409.26 feet to the centerline of Town Line Road; thence North $17^{\circ}24'58''$ East, along said centerline, 350.00 feet; thence South $85^{\circ}52'47''$ East 238.40 feet to the Point of Beginning.

Intending to rezone 2.043 acres (89,006 sq. ft.) of land, more or less.

Intending to rezone 1.781 acres (77,561 sq. ft. of land, more or less, exclusive of the right-of-way of Town Line Road.

Recommendation: Said petition be denied.

5. Kenneth and Debra Blue, Town Lyons – filed a petition on the 1st day of May, 2002, to rezone from C-1 Lowland Resource Conservation District to A-1 Prime Agricultural Land District.

Recommendation: Said petition be approved.

6. Fairwyn Trading Partnership (Eric C. Craig, App.), Town Bloomfield – filed a petition on the 7th day of May, 2002 to rezone from A-1 Prime Agricultural Land District to A-4 Agricultural Related Manufacturing, Warehousing and Marketing District.

Recommendation: Said petition be approved after the appropriate findings were made as required by State Farmland Preservation Program S91.77(1) Wis. Stats. The use is agriculturally related and the applicant is using existing farm buildings.

7. Candice Suriano (Allen Van Allen & Charles W. Tucker, App.), Town Delavan – filed a petition on the 7th day of May, 2002, to rezone from B-2 General Business District to B-3 Waterfront Business District.

Recommendation: Said petition be approved.

8. James Mansky, Town Geneva – filed a petition on the 4th day of April, 2002 to rezone from A-2 Agricultural Land District to C-2 Upland Resource Conservation District.

Recommendation: Said petition be approved.

ORDINANCE AMENDING WALWORTH COUNTY ZONING ORDINANCE

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

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

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

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

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

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

1. Henry Clark, Town Sugar Creek – to amend said zoning maps R-1 Single Family Residence District to B-2 General Business district on the following described lands:

Tax Parcel #'s G SC 100006A and G SC 100019

Lots 1 thru 8 Block 80 in Lake Wandawega Subdivision (now vacated) and a parcel of land located in the SW1/4 of Section 1, Town 3 North Range 16 East, Walworth County, Wisconsin. Described more particularly as follows: Beginning at the Southeast corner of said Lot 8; thence N 1°03'49" W along the Westerly right-of-way of U.S. Highway 12, 209.21 feet to the centerline of Elkhorn Drive (now vacated) thence N 86°46'52" W along the centerline of said Elkhorn Drive 116.36 feet; thence N 12°00'15" W 32.55 feet; thence S 89°32'30" W 282.71 feet; thence S 1°26'29" E 424.91 feet; thence S 85°54'23" E 66.15 feet; thence N 1°29'07" W 218.80 feet; thence S 86°07'57" E 235.06 feet; thence S 00°08'36" E 12.54 feet to the Southwest corner of said Lot 8; thence S 86°37'47" E along the South line of said Lot 8 104.16 feet to the Point of Beginning. Said parcel contains 2.32 acres, 100,986.93 square feet. Exclusive of all A-3 zoned area.

2. Quarterline Evergreen Cemetery Association, Town Troy – to amend said zoning maps from P-1 Recreational Park District to P-2 Institutional Park District on the following described lands:

Part of Tax Parcel #L T 2200009

A lot line adjustment located in the SE1/4 of Section 22, T4N, R17E, Town of Troy, Walworth County, Wisconsin, described as follows: Commence at a concrete monument marking the E1/4 corner of said Section 22; thence West, along the East-West quarter section line of said Section 22, 1322.29 feet; thence South 797.38 feet to the centerline of Troy Marsh Road; thence S27°20'30"W, along said centerline, 525.71 feet; thence North 1264.35 feet to the East-West quarter section line; thence East, along said quarter section line, 241.50 feet to the Point of Beginning.

Parcel contains 5.72 acres, more or less, total, 5.23 acres, more or less, exclusive of road right of way, and is a lot line adjustment between adjoining parcels.

3. Cyrel Bowker Estate, Ross Katzman, Trustee, Town Spring Prairie – to amend said zoning maps from P-2 Institutional Park District to R-1 Single Family Residence District (Unsewered) on the following described lands:

Part of Tax Parcel #O SP3000015

Parcel 2:

All that tract or parcel of land lying and being in the County of Walworth and State of Wisconsin described as follows to-wit: Commencing 37 rods west of the Southeast corner of the North-East of Section Thirty (30), Town 3 North, Range 18 East, in said County and State; running thence West on the Quarter Section line five rods; thence North sixteen rods; thence East five rods; thence South sixteen rods to the Place of Beginning. Containing one half acre of land on which is situated a dwelling house.

5. Kenneth and Debra Blue, Town Lyons – to amend said zoning maps from C-1 Lowland Resource Conservation District to A-1 Prime Agricultural Land District on the following described lands:

Part of Tax Parcel #N LY3400001A

All that part of Tax Parcel #N LY3400001A currently zoned C-1.

6. Fairwyn Trading Partnership (Eric C. Craig, App.), Town Bloomfield – 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 #MB 100001

A part of the Northeast $\frac{1}{4}$ and Northwest $\frac{1}{4}$ of the Northeast $\frac{1}{4}$ of Section 1, Town 1 North, Range 18 East, Walworth County, Wisconsin, to be zoned A-4, described as follows: Commencing at the Northeast Corner of said Section 1 (T1N, R18E); thence S 02DEG 19MIN 33SEC E, 229.97 feet along the East line of the Northeast $\frac{1}{4}$ to the South line of State Trunk Highway "50"; thence S 88DEG 43MIN 40SEC W, 504.21 feet along said highway to the Point of Beginning; thence S 01DEG 16MIN 20SEC E, 305.12 feet; thence S 88DEG 43MIN 40SEC W, 1000.00 feet; thence N 01DEG 16MIN 20SEC W, 305.12 feet to said Highway "50"; thence N 88DEG 43MIN 40SEC E, 1000.00 feet to the Point of Beginning. Containing 7.00 acres of land More or less.

7. Candice Suriano (Allen Van Allen & Charles W. Tucker, App.), Town Delavan – filed a petition on the 7th day of May, 2002, to rezone from B-2 General Business District to B-3 Waterfront Business District on the following described lands:

Tax Parcel #FA120300001

Lot 1 of Certified Survey Map No. 1203 located in the Northeast ¼ of Section 22, T2N, R16E, Walworth County, Wisconsin

8. James Mansky, Town Geneva – to amend said zoning maps from A-2 Agricultural Land District to C-2 Upland Resource Conservation District on the following described lands:

Part of Tax Parcel #J G 2300011

A parcel of land located in the Southwest ¼ of Section 23, T2N, R17E, Walworth County, Wisconsin, more particularly described as follows: Commencing at the South 1.4 corner of said Section 23; thence N 00°48'20" W along the North South ¼ line of said Section 23, a distance of 418.44 feet; thence continuing N 00°48'20" W 957.23 feet to the centerline of Krueger Road; thence S 67°16'49" W along said centerline a distance of 341.75 feet; thence S 00°48'20" E 435.57 feet; thence N 89°11'40" E 100.00 feet; thence S 12°12'48" E 423.53 feet; thence N 80°13'13" E 134.93 feet to the Point of Beginning. Said parcel contains 5.27 acres 229,637.56 sq. ft.

ATTEST this 13th day of August, 2002.
William M. Norem
County Board Chairman

ATTEST this 13th day of August, 2002.

Kimberly S. Bushey
County Clerk

Chairman Norem returned to continue conducting the meeting.

Supervisor Arnold informed the County Board of the 4-H Statewide Shooting Competition held on August 3, 2002, an event hosted by Walworth County. 139 contestants participated which included 79 from Walworth County. Supervisor Arnold congratulated the 4-H staff, Kate Willett & Jan Ellsworth, for a job well done. A motion by Supervisor Guido, seconded by Supervisor Hilbelink, to send a congratulatory letter to the 4-H was carried by voice vote.

A motion was made by Supervisor Gigante, seconded by Supervisor Hilbelink, to refer Resolution No. 16-05/02, Resolution No. 38-08/02 and Ordinance No. 228-08/02 back to committee for further evaluation and clarification. Sheriff Graves spoke about the reorganization of the Sheriff's department. The question was called on motion by Supervisor Palzkill, seconded by Supervisor Grant. A roll call vote was conducted. Total Vote: 24; Ayes: 3 – Gigante, Hilbelink, Palzkill; Noes: 21 – Arnold, Burwell, Felten, Grant,

Guido, Ketchpaw, Kuhnke, Lohrmann, Lothian, Miles, Morrison, Parker, Peterson, Polyock, Russell, Schaefer, Scharine, Shepstone, Shroble, Wenglowsky, Norem; Absent: 1 - Lightfield. The motion failed.

A motion was made by Supervisor Grant, seconded by Supervisor Schaefer, to accept the recommendation of the Human Resources Committee as follows:

Resolution No. 16-05/02 To Eliminate Nine Corporal Positions at the Walworth County Sheriff's Department, to be placed on file;

Report and Recommendation of the Human Resources Committee
On Resolution #16-05/02

Resolution #16-05/02, To Eliminate Nine Corporal Positions At The Walworth County Sheriff's Department, was referred to the Human Resources Committee.

The Human Resources Committee has reviewed said resolution and at the meeting held on July 17, 2002, on a motion of 6-0, recommends that this resolution be placed on file.

Dated this 13th day of August, 2002

Allen Morrison
Human Resources Committee Chairman _____

RESOLUTION No. 16-05/02

PLACED ON FILE
(Recommendation of Human Resources Committee)

RESOLUTION TO ELIMINATE NINE CORPORAL POSITIONS
AT THE WALWORTH COUNTY SHERIFF'S DEPARTMENT

Moved by: _____ Seconded by: _____

WHEREAS, there are nine (9) corporal positions within the Walworth County Sheriff's Department organizational structure; and

WHEREAS, it appears that the duties of the corporals are duplicated by the lieutenants and sergeants within the Sheriff's Department; and

WHEREAS, the lieutenants and sergeants could absorb any duties that the corporals presently perform.

NOW, THEREFORE, BE IT RESOLVED, by the WALWORTH COUNTY BOARD OF SUPERVISORS that the nine (9) corporal positions at the Walworth County Sheriff's Department be eliminated.

ADOPTED this 14th day of May, 2002.

William M. Norem
Walworth County Board Chairman

Kimberly S. Bushey
Walworth County Clerk

Policy and Fiscal Note attached.

Sponsored by: Supervisor O'Dell Gigante. No committee action.

County Board Meeting Date: May 14th, 2002

Approved as to form:	David A. Bretl County Administrator	5/6/02 Date
	Dennis D. Costello Corporation Counsel	5/6/02 Date
	N. Andersen Finance Director	5/6/02 Date

Action Required: Two-Thirds Vote

POLICY AND FISCAL NOTE

I. Title: RESOLUTION No. 16-05/02

RESOLUTION TO ELIMINATE NINE CORPORAL POSITIONS AT THE WALWORTH COUNTY SHERIFF'S DEPARTMENT

II. Purpose and Policy Impact Statement:

The purpose of this resolution is to eliminate duplication of duties by eliminating nine (9) corporal positions at the Walworth County Sheriff's Department. Finance Note: The positions heretofore referred to as "Corporals" are formally referred to as "Correctional Supervisors" within the Walworth County classification system.

III. Budget and Fiscal Impact:

The elimination of the nine (9) corporal positions in the Sheriff's Department will result in wage and benefit savings of approximately \$492,000 per year. Initially, the county will be responsible for the cost of unemployment compensation. Per the Human Resource Director, these positions are eligible for the maximum benefit. The estimated cost of unemployment benefits associated with these positions is approximately \$110,000. In addition, the Jail Administrator has raised concerns about potential liability cost due to inadequate training and supervision if these positions are eliminated. We are unable to quantify the potential liability costs.

IV. Committee Consideration:

None.

I. Approved as to Form:

David A. Bretl County Administrator	5/6/02 Date
Dennis D. Costello Corporation Counsel	5/6/02 Date
N. Andersen Finance Director	5/6/02 Date

Resolution No. 38-08/02 Walworth County Sheriff's Department Reorganization, recommendation of the committee to approve;

Resolution No. 38-08/02
Walworth County Sheriff's Department Reorganization

Resolution Introduced by: Human Resources Committee

WHEREAS, the Sheriff's office, in coordination with goals set by the County Administrator, has completed a comprehensive review of its programs and essential services and submits the recommendations included herein for maintaining essential public protection services in a fiscally responsible manner; and

WHEREAS, these recommendations would be implemented on or before January 1, 2003 and included in the 2003 budget.

NOW, THEREFORE, BE IT RESOLVED that the following changes are hereby approved and shall be implemented on or before January 1, 2003:

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

Policy and Fiscal Note

I. Title. Resolution No. 38-08/02, Walworth County Sheriff's Department Reorganization.

II. Purpose and Policy Impact.

The Sheriff has worked closely with the County Administrator to develop the recommended reorganization which maintains essential public protection services in a fiscally responsible manner. The resolution addresses only management positions in the department.

In July 2002, the County Board approved the reassignment of Emergency Management services to the Sheriff. The Emergency Management Coordinator duties will be absorbed into one of the two Lieutenant positions created by this resolution.

The Sergeant (Planning/Training) position, which is to be re-titled as "Lieutenant", is a managerial position outside of the bargaining unit. All other sworn Sergeant positions are included in the bargaining unit and are not affected by this resolution.

III. Budget and Fiscal Impact.

1. Reducing one vacant "Shift Commander" position will result in an estimated cost savings of \$61,505.
2. Reclassifying the Corrections supervisory positions will result in an estimated cost increase of \$16,500.
3. The transfer of Emergency Management services to the Sheriff's office, which was approved by the County Board last month, will result in an estimated cost savings of \$87,650.

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

Human Resources Committee, on July 17, 2002 with a vote of 6 – 0 to recommend adoption.

V. Reviewed as to Form.

David A. Bretl
County Administrator

8/9/02
Date

RESOLUTION NO. 39-08/02

RESOLUTION PROVIDING COMMENTS ON THE PRELIMINARY PLAN
FOR RECONSTRUCTION OF THE REGIONAL FREEWAY SYSTEM
IN SOUTHEASTERN WISCONSIN

WHEREAS, the Southeastern Wisconsin Regional Planning Commission (SEWRPC) is engaged in a major study, being undertaken at the request of the Secretary of the Wisconsin Department of Transportation, to develop a plan and program to be used to guide the efforts of the Department over the next 30 years as the deteriorating regional freeway system serving Southeastern Wisconsin is rebuilt; and

WHEREAS, an Advisory Committee created by SEWRPC, including representation from Walworth County, has been engaged in studying the regional freeway system, in considering alternative ways in which that freeway system may be reconstructed, and in preparing a preliminary recommended regional freeway system reconstruction plan; and

WHEREAS, the regional freeway system carries on an average weekday over one-third of the daily travel in Southeastern Wisconsin and, accordingly, represents the single most important subsystem of facilities in the regional transportation system; and

WHEREAS, the SEWRPC Advisory Committee is seeking review of, and comment on, its preliminary recommendations in a wide variety of ways, including public informational meetings and hearings; and

WHEREAS, the reconstruction of the regional freeway system in Southeastern Wisconsin will represent a major public works program over the next several decades; and

WHEREAS, the course of action that is being charted through the current freeway study will lead to a reconstructed regional freeway system that will have to serve the Region, the State, and the Nation for the next 50 to 60 years; and

WHEREAS, the SEWRPC Advisory Committee is seeking specific reaction to the preliminary plan from the Walworth County Board of Supervisors before developing a final plan that is intended to be formally adopted by each of the seven county boards in Southeastern Wisconsin and by the SEWRPC, all in an effort to demonstrate that a substantial consensus exists in the Region as to how the Department should approach reconstruction of the regional freeway system; and

WHEREAS, the preliminary plan released by the SEWRPC Advisory Committee recommends that the freeway system be reconstructed to accomplish the following two major objectives:

1. To ensure that as the regional freeway system is reconstructed, every effort is made to meet up-to-date design standards and to thereby achieve certain safety improvements, including relocating left-hand on- and off-ramps to the right-hand sides of the freeway, eliminating lane drops at major freeway interchanges, improving driver sight lines and reducing sharp freeway curves, and providing full inside and outside shoulders for safety and refuge.
2. To provide additional capacity on 127 miles of freeways , or less than one-half of the 270-mile regional freeway system, in order to avoid a substantial increase in freeway system traffic congestion and the attendant inefficiencies, time delays, and safety and reliability problems that such increased congestion would bring; and

WHEREAS, the SEWRPC Advisory Committee desires formal County Board reaction on the preliminary plan as soon as possible so that that Committee can meet its charge and report its final recommendations to the SEWRPC in early fall 2002; and

WHEREAS, the SEWRPC study lists the reconstruction of the freeway system in Walworth County to take place beginning 20 to 25 years from today; and

WHEREAS, the Walworth County Board of Supervisors desire SEWRPC and the Wisconsin Department of Transportation to re-evaluate the needs of the freeway system in Walworth County 5 years prior to scheduled reconstruction.

NOW, THEREFORE BE IT HEREBY RESOLVED:

FIRST: That the Walworth County Board of Supervisors hereby expresses its full support for the preliminary recommended regional freeway system plan as put forth in by SEWRPC Advisory Committee and encourages that Committee to include in its final set of recommendations of the elements of freeway system improvement that were included in the preliminary recommended plan; and

SECOND: That SEWRPC and the Wisconsin Department of Transportation re-evaluate the study 5 years prior to scheduled reconstruction of the freeway system in Walworth County to assure that the improvements are consistent with the transportation demands at that time; and

THIRD: That the County Clerk transmit a certified copy of the resolution to the SEWRPC and the District Director of the Wisconsin department of Transportation.

Dated this 13th day of August, 2002.

William M. Norem
County Board Chair

Kimberly S. Bushey
Attest: County Clerk

Policy and Fiscal Note Attached: X Yes _____ No

David A. Bretl
Administrative Coordinator
8/6/02
Date

Approved as to Form: Dennis D. Costello
Corporation Counsel
8/6/02
Date

Reviewed
Budget/Fiscal Impact: N. Andersen
Finance Director
8/6/02
Date

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

Committee
Consideration: Highway Date: June 25, 2002 *Vote: 4 – 0
*Supervisor Ann Lohrmann being excused and Supervisor Jerry Grant
substituting for Supervisor Bill Norem.

POLICY AND FISCAL NOTE

I. Title:

Resolution No. 39-08/02
Resolution: Resolution Providing Comments on the Preliminary
Plan for Reconstruction of the Regional Freeway
System in Southeastern Wisconsin

This resolution is in support of preliminary reconstruction plan
which was approved by the Southeastern Regional Planning
Commission Advisory Committee for freeway reconstruction
planning.

II. Purpose and Policy Impact Statement:

Phil Evenson, Executive Director of SEWRPC, has requested that
the County Board of Supervisors in each of the seven counties
which comprise SEWRPC boundaries provide for input on the
preliminary freeway reconstruction plan. This item was presented
to the Highway Committee which voiced concerns that by

endorsing this preliminary plan which did not include constructing additional lanes along the freeways in Walworth County that the County would be agreeing to a plan which would not serve the future transportation needs of the County.

At the Highway Committee meeting of June 25, 2002, Leslie Fafard, the Wisconsin Department of Transportation District 2 Director assured the Committee that endorsement of this preliminary plan would not limit the Department of Transportation from constructing the necessary facilities to meet future transportation needs. Mr. Fafard indicated that during the detail design phase for the freeways in Walworth County consideration would be given to traffic needs at the time of the final design.

This resolution requests that the Department of Transportation and SEWRPC review the conclusions of the preliminary plan 5 years prior to the reconstruction of any of the freeway systems in Walworth County in order to assure that the County residents are being provided with a freeway system to serve the future traffic demand.

III. Budget and Fiscal Impact:

There is no direct fiscal impact to the County for the reconstruction of the freeway system. Current funding mechanisms for freeway reconstruction by the Department of Transportation are provided through state and federal taxes for fuel and registration of vehicles.

IV. Considered by the Following Committees Prior to County Board Consideration and Date of Referral:

Highway Committee, June 25, 2002
Vote: 4 – 0 with Supervisor Ann Lohrmann being excused and Supervisor Jerry Grant substituting for Supervisor Bill Norem.

V. Committee Consideration:

Highway Committee.

VI. Approved as to Form:

David A. Bretl	8/6/02
Administrative Coordinator	Date

Dennis Costello	8/6/02
Corporation Counsel	Date

Nicki Andersen
Finance Director

8/6/02
Date

RESOLUTION NO. 40-08/02

RESOLUTION AGREEING TO CONTROL OF ACCESS ALONG
C.T.H. "DD" NEAR THE INTERSECTION WITH S.T.H. "11"

WHEREAS, the Department of Transportation, hereinafter designated as the D.O.T., proposed the control of access along a portion of the County Roadway identified as C.T.H. "DD" extending north from the centerline of S.T.H. "11" in the SE 1/4 of the SW 1/4 of SEC 26, T3N, R18E, Town of Spring Prairie in connection with Controlled Access Project 1320-10-29, herein designated at the Project, in Walworth County, Wisconsin which Project is located and further described as follows:

Commencing at the intersection with the centerline of S.T.H. "11" and the east section line of SEC 28, T3N, R17E, thence continuing east along the centerline of S.T.H. "11" approx. 425 ft. to the point of beginning then heading in an easterly direction along the centerline of S.T.H. "11" to a point of intersection with the centerline of S.T.H. "11" and the north quarter line of SEC 35, T3N, R18E;
and

WHEREAS, s.84.25(g), Wisconsin Statutes, provides for cooperative agreements between the D.O.T. and the governing bodies of highways, and charges the D.O.T. to do all things necessary to carry out the cooperation contemplated and provided for by this Section.

NOW, THEREFORE, BE IT RESOLVED, for and in consideration of the D.O.T.'s undertaking of this project under the requirements of s.84.25 of the Statutes, that insofar as its legal jurisdiction over the local streets and highways is concerned, Walworth County assents to the requirements of s.84.25 of the statutes and pledges its good faith to carrying out the purposes stipulated therein, and to this end Walworth County hereby agrees that access will be controlled by the D.O.T. along the above-described County highway extending from the right-of-way limits of S.T.H. "11" to 100 ft. from said right-of-way limits and the County further agrees to consult with the D.O.T. staff regarding any access request between 100 ft. and 250 ft. from said right-of-way limits.

Dated this 13th day of August, 2002.

William M. Norem
County Board Chair

Kimberly S. Bushey
Attest: County Clerk

Policy and Fiscal Note Attached: Yes No

David A. Bretl 8/6/02
Administrative Coordinator Date

Approved as to Form: Dennis D. Costello 8/6/02
Corporation Counsel Date

Reviewed
Budget/Fiscal Impact: N. Andersen 8/6/02
Finance Director Date

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

Committee
Consideration: Highway Date May 21, 2002 Vote: 5 – 0

POLICY AND FISCAL NOTE

1. Title:

Resolution No. 40-08/02
Resolution: Resolution Agreeing to Control of Access Along
C.T.H. "DD" Near the Intersection with S.T.H. "11"

This resolution is requesting that the County transfer jurisdiction for access control along County highways along the intersection with the State and U.S. Highways in order to maintain proper traffic flow.

2. Purpose and Policy Impact Statement:

The Wisconsin Department of Transportation has instituted access control projects on U.S. Highway "14" throughout the County and State Trunk "11" from I-43 to the east County line. As part of these access control projects the State is requesting that the County transfer jurisdiction for this control near the State maintained highways to minimize conflicts near the intersections caused by the installation of new driveways. This item was presented at the May 21, 2002, Highway Committee meeting and was endorsed by the Highway Department staff in the current form.

3. Budget and Fiscal Impact:

This item would have no budget or direct fiscal impact as the County would be transferring only the approval for the location of driveways and would still require a driveway permit and associated

permit fee for any driveways constructed along County Trunk Highways.

4. Considered by the Following Committees Prior to County Board Consideration and Date of Referral:

Highway Committee, May 21, 2002
Vote: 5 – 0

5. Committee Consideration:

Highway Committee.

6. Approved as to Form:

David A. Bretl Administrative Coordinator	8/6/02 Date
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Dennis D. Costello Corporation Counsel	8/6/02 Date
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N. Andersen Finance Director	8/6/02 Date
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RESOLUTION NO. 41-08/02

RESOLUTION AGREEING TO CONTROL OF ACCESS ALONG
COUNTY TRUCK HIGHWAYS "C", "K" and "O"
NEAR THEIR INTERSECTON WITH U.S. HIGHWAY "14"

WHEREAS, the Department of Transportation, hereinafter designated as the D.O.T., proposed the control of access along a portion of the County Roadway identified as:

C.T.H. "C" extending northwest from the centerline of U.S.H. "14", in the SE 1/4 of the NE 1/4 of SEC 20 and in the NW 1/4 of NW 1/4 of SEC 7, T2N, R51E, Town of Darien, and

C.T.H. "K" extending north and south from the centerline of U.S.H. "14", in the NW 1/4 of the NW 1/4 of SEC 1, T1N, R15E, and the NE 1/4 of the NE 1/4 of Sec 2, T1N, R15E, Town of Sharon, and

C.T.H. "O" extending north of from the centerline of U.S.H. "14" in the SW 1/4 of the NE 1/4 and the SE 1/4 of the NW 1/4 of SEC 7, T1N, R16E, Town of Walworth in connection with Controlled-

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

Committee
Consideration: Highway Date May 21, 2002 Vote: 5 – 0

POLICY AND FISCAL NOTE

I. Title:

Resolution No. 41-08/02

Resolution: Resolution Agreeing to Control of Access Along
County Trunk Highways “C”, “K”, and “O” Near Their
Intersection with U.S. Highway “14”.

This resolution is requesting that the County transfer jurisdiction for
access control along County highways along the intersection with
the U.S. Highway in order to maintain proper traffic flow.

II. Purpose and Policy Impact Statement:

The Wisconsin Department of Transportation has instituted access
control projects on U.S. Highway “14” throughout the County and
State Trunk “11” from I-43 to the east County line. As part of these
access control projects the State is requesting that the County
transfer jurisdiction for this control near the State maintained
highways to minimize conflicts near the intersections caused by the
installation of new driveways. This item was presented at the May
21, 2002, Highway Committee meeting and was endorsed by the
Highway Department staff in the current form.

III. Budget and Fiscal Impact:

This item would have no budget or direct fiscal impact as the
County would be transferring only the approval for the location of
driveways and would still require a driveway permit and associated
permit fee for any driveways constructed along County Trunk
Highways.

IV. Considered by the Following Committees Prior to County Board
Consideration and Date of Referral:

Highway Committee, May 21, 2002
Vote: 5 – 0

V. Committee Consideration:

Highway Committee.

VI. Approved as to Form:

David A. Bretl 8/6/02
County Administrator Date

Dennis D. Costello 8/6/02
Corporation Counsel Date

N. Andersen 8/6/02
Finance Director Date

Chairman Norem called the Supervisors' attention to the chair selection in the basement hall. He informed the Board of Supervisors that the 2001 SEWRPC report is on file and available for viewing in the County Clerk's office. There are WCA reports on their desks.

On motion by Supervisor Schaefer, seconded by Supervisor Gigante, the Board adjourned at 7:00 p.m. The next regularly scheduled meeting of the Walworth County Board of Supervisors is Thursday, September 12, 2002 – 6:00 p.m.

Kimberly S. Bushey
County Clerk

STATE OF WISCONSIN)
)SS
COUNTY OF WALWORTH)

I, Kimberly S. Bushey, County Clerk in and for the County aforesaid do hereby certify that the foregoing is a true and correct copy of the proceedings of the County Board of Supervisors for the August 13, 2002 meeting.

THE AUGUST 22, 2002 SPECIAL MEETING
OF THE
WALWORTH COUNTY BOARD OF SUPERVISORS

The special meeting of the Walworth County Board of Supervisors was called to order by Chairman Norem at 1:00 p.m. Roll call was conducted with all Supervisors present except Supervisor Arnold, who was excused. A quorum was established.

A motion was made by Supervisor Gigante, seconded by Supervisor Scharine, to reverse the order of items under new business; item #2 would be first on the agenda and item #1 would be second. Motion carried by voice vote.

On motion by Supervisor Gigante, seconded by Supervisor Grant, the amended agenda was approved by voice vote.

A motion by Supervisor Lohrmann, seconded by Supervisor Gigante, called for unanimous approval to convene in closed session pursuant to the following exemption contained in the Wisconsin Statutes: Wis. Stats. Section 19.85 (1)(c), for the purpose of considering performance evaluation data of any public employee over which the government body has jurisdiction or exercises responsibility. The motion was unanimously carried by voice vote.

A motion by Supervisor Gigante, seconded by Supervisor Grant, to reconvene to open session was passed. No action was taken on the closed session discussion.

A motion by Supervisor Gigante, seconded by Supervisor Grant, to convene in closed session pursuant to the following exemption contained in the Wisconsin Statutes: Wis. Stats. Sec. 19.85 (1)(e), ...for the purpose of conducting other specified public business, whenever competitive or bargaining reasons require a closed session. The motion carried.

A motion by Supervisor Ketchpaw, seconded by Supervisor Lothian, to reconvene to open session carried.

On motion by Supervisor Grant, seconded by Supervisor Lothian, the Walworth County Board of Supervisors acknowledged the receipt of the resignation by David Bretl, Walworth County Administrator.

No further action was taken at this meeting.

On motion by Supervisor Lothian, seconded by Supervisor Gigante, the meeting was adjourned at 2:40 p.m.

William M. Norem, Chairman
Walworth County Board of
Supervisors

On motion by Supervisor Ketchpaw, seconded by Supervisor Lothian, Jean Holloway was appointed to the East Troy Lions Library Board for a term to expire June 30, 2005.

EAST TROY LIONS LIBRARY BOARD

STATE OF WISCONSIN)
)SS
COUNTY OF WALWORTH)

I, the undersigned Chairman of the Walworth County Board of Supervisors do hereby appoint Jean Holloway as a member of the East Troy Lions Library Board for a term of 3 years. Said term to expire June 30, 2005, or until a successor is named.

Dated this 12th day of September, 2002.

WILLIAM M. NOREM
Walworth County Board of Supervisors

On motion by Supervisor Schaefer, seconded by Supervisor Gigante, the claim of Robert R. Wasser was referred to the Executive Committee. Correspondence from Supervisor Arnold regarding revision of the Courthouse Parking Ordinance was referred to the Public Property Committee. Correspondence from Supervisor Polyock inquiring about the status of the Stone Manor taxes and the claim regarding Deputies was referred to the Corporation Counsel for an update.

Correspondence from Supervisors Russell and Guido recommending the creation of a Parks, Open Space and Recreation Committee was referred to the Executive Committee.

The following Reports of Zoning Gone into Effect were read and placed on file:
Quarterline Evergreen Cemetery Association, Town of Troy
James Mansky, Town of Geneva
Cyrel Bowker Estate, Ross Katzman, Trustee, Town of Spring Prairie
Candice Suriana (Allen Van Allen & Charles W. Tucker, App.) Town of Delavan
Kenneth and Debra Blue, Town of Lyons
Fairwyn Trading Partnership (Eric C. Craig, App.), Town of Bloomfield
Henry Clark, Town of Sugar Creek
F.W. and Rose Agnew (Allen C. Hicks, App.), Town of Whitewater

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

Report of Petitions Referred to Land Management Committee

To: The County Board of Walworth County

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

Robert and Karen Anderson, Town of Whitewater, A-1 to C-2
Michael B. Turner, Town of Richmond, A-1 to C-2
Guardian Pipeline, LLC, Town of Richmond, A-1 to P-1
Guardian Pipeline, LLC, Town of Walworth, A-1 to P-1
Kathleen S. Fox Declaration of Trust (George Fox, App.) Town of Spring Prairie,
A-1 to A-2 and C-2

Above petitions referred August 15, 2002.

Dated this 12th day of September, 2002.

Kimberly S. Bushey
County Clerk

A motion was made by Supervisor Gigante to have Res. No. 47-09/02 referred back to the Highway Committee. The motion died for lack of a second.

A motion was made by Supervisor Grant, seconded by Supervisor Ketchpaw, to approve Res. No. 47-09/02, Accepting Outdoor Recreation Aids for White River Recreation Trail.

Supervisor Gigante conducted some research regarding bicycle trails that indicated to him that bicycle trails are not well utilized. Supervisor Gigante recognized William Jacques, N6009 Bowers Rd, Elkhorn, who produced an article which ran in the newspaper and gave the article to the Clerk to enter into the record. Supervisors Lightfield and Lothian spoke regarding trespass, property damage, policing, protection and security concerns. A motion was made by Supervisor Lightfield, seconded by Supervisor Peterson, to amend the resolution to add the phrase "including patrol and protection of property" to the end of the paragraph which begins "Be It Further Resolved." Supervisor Lothian noted that it was his expectation that the Highway Commissioner would provide oversight of the patrol and protection to see that it is accomplished. Melissa Cook, DNR representative of the SE Region, stated that the White River Recreation Trail was a partnership trail which would incur less cost and have more local input. The amendment was carried by voice vote.

Supervisor Gigante expressed concerns regarding the maintenance of the trail and the City of Elkhorn's contribution to the trail, and he expressed concern that we were spending money for this project when employees' jobs were "at risk". Supervisor Grant noted that Monday, September 16th at the County Highway Department, there will be a meeting to discuss some of these concerns. Supervisor Hilbelink made the Board aware that over 400 people attended the recent fundraiser for the trail.

Supervisor Guido recognized Jerry Hoffman, a member of the White River Bike Club. Hoffman stated that there is a significant number of bikers who use many of the bike trails throughout the state and that Walworth County would realize ten-fold its investment. On motion by Supervisor Palzkill, seconded by Supervisor Lohrmann, the question was called. A roll call vote on the resolution as amended was conducted. Total Vote: 23; Ayes: 21 – Arnold, Burwell, Felten, Grant, Guido, Hilbelink, Ketchpaw, Lightfield, Lohrmann, Lothian, Miles, Morrison, Palzkill, Parker, Peterson, Russell, Schaefer, Shepstone, Shroble, Wenglowisky, Norem; Noes: 2 – Gigante, Polyock; Absent : 2 – Kuhnke, Scharine. The motion carried.

RESOLUTION NO. 47-09/02

AMENDED

RESOLUTION ACCEPTING OUTDOOR RECREATION AIDS FOR
WHITE RIVER RECREATIONAL TRAIL

WHEREAS, Walworth County Board of Supervisors approved Resolution 12-04/-02 on April 29, 2002 which resolved that upon acceptance of the Recreation Trails Grant, Walworth County will budget an amount not to exceed \$32,500.00 for its share of the completion of the proposed improvements to the White River Trail; and

WHEREAS, the Highway Commissioner was authorized to act on behalf of Walworth County to (among other items):

- a. Submit an application to the State of Wisconsin Department of Natural Resources for aid that may be available as a 50 percent reimbursement for the project; and

WHEREAS, the Highway Commissioner did submit a grant application on behalf of the County and the City of Elkhorn; and

WHEREAS, the City of Elkhorn requested participation in the grant application for \$38,000 of improvements at the end of the trail in the City limits. The city will fund the entire local match; and

WHEREAS, the White River Bicycle Club is committed to contribute \$3,000 to reduce the County and City's cost for the local match of the trail portion of this grant; and

WHEREAS, proposed 2003 Walworth County budget includes a \$130,000 cost for completing the trail portion of the grant; and

WHEREAS, the Wisconsin Department of Natural Resources has informed the County that this is the #1 rated trail project in the southeast district which they are providing a pending grant offer in the amount of \$84,000; and

WHEREAS, the Wisconsin Department of Natural Resources is requesting that the County accept this award as soon as possible.

NOW, THEREFORE, BE IT RESOLVED, that Walworth County accept the pending grant offer from the Wisconsin Department of Natural Resources and authorize the Clerk to send a certified copy of this acceptance to the Department of Natural Resources; and

BE IT FURTHER RESOLVED, that the Highway Commissioner be authorized to implement any remaining tasks from Resolution No. 12-04/02, which required the acceptance of the grant to be completed including patrol and protection of property.

ADOPTED this 12th day of September, 2002.

William M. Norem
Walworth County Board Chairman

Kimberly S. Bushey
Walworth County Clerk

Policy and Fiscal Note is attached. Yes

Sponsored by: Pauline Parker
County Board Meeting Date:

Parks Advisory Committee Meeting
September 12, 2002

Dave A. Bretl
County Administrator
9/5/02
Date

Approved as to form: Dennis D. Costello
Corporation Counsel
9/5/02
Date

Reviewed
Budget/Fiscal Impact: N. Andersen
Finance Director
9/5/02
Date

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

Committee Consideration: Parks Advisory Committee
Date: Aug. 11, 2001 Vote: 6 - 0

POLICY AND FISCAL NOTE

- I. Title: Resolution Accepting Outdoor Recreation Aids for
White River Recreational Trail

Resolution No. 47-09/02

- II. Purpose and Policy Impact Statement:

The Walworth County Board approved Resolution 12-04/02 on April 29, 2002 that authorized the Highway Commissioner to apply for matching grant funds from the Wisconsin Department of Natural Resources for the development of the White River Trail. At the request of the City of Elkhorn an additional \$38,000 of project costs was included with the grant application with the understanding that the additional improvements be installed in the City of Elkhorn between the end of the trail and the City's Babe Mann Park. The attached August 21, 2002 letter from City Administrator, Sam Tapson, documents the City's commitment to sharing the cost for trail improvements as well as assuming responsibility for the \$19,000 local match of the additional project costs requested by the City. The attached August 7, 2002 letter from Tom Blotz of the Wisconsin Department of Natural Resources indicates that the grant request has been designated for matching grant funding in the amount of \$84,000(\$65,000 for County Trail Project and \$19,000 for City Improvement Project) from the 2002-2003 federal Recreational National Trails program. The Wisconsin Department of Natural Resources has requested the County to "please advise us in writing if you will accept this pending grant offer, if awarded, as soon as possible". This resolution would provide necessary written acceptance of the grant offer and direct the Highway Commissioner to proceed with project implementation.

- III. Budget and Fiscal Impact:

This budget item and its fiscal impact is proposed to be funded in the 2003 capital improvement budget for the Highway Department in the total amount of \$130,000 for trail improvements. The \$130,000 trail construction cost is to be funded by \$65,000 of the stewardship grant, \$32,500 from the city of Elkhorn, and \$32,500 from the County. \$20,000 of the County's \$32,500 will be provided by the value of in-kind "work" using Highway labor and equipment to construct the trail leaving a net expense to the County of \$12,500. Mr. Michael Hurlburt of the White River Bicycle Club has indicated that the Club will provide \$3,000 in order

to reduce the local costs of the project. Any monies received from the Club will be shared equally to offset the City of Elkhorn and Walworth County costs. The Walworth County Snowmobile Alliance is committed to rehabilitating existing bridges by providing for decking and railing which would be required before opening the trail. Proposed 2003 operating budget for the Highway Department includes \$5,000 for the maintenance of the trail that would be offset by funds generated from the sale of trail passes. The petition circulated in support of the trail and fund raising activities conducted by White River Cycle Club anticipates that the sufficient trail passes will be sold to meet the estimated amount of the offset which is \$2,800.

IV. Considered by the Following Committees Prior to County Board Consideration and Date of Referral:

Parks Advisory Committee, 08/11/02
Vote: 6 - 0

V. Committee Consideration:

VI. Approved as to Form:

Dave A. Bretl County Administrator	9/5/02 Date
Dennis D. Costello Corporation Counsel	9/5/02 Date
N. Andersen Finance Director	9/5/02 Date

A motion was made by Supervisor Lohrmann, seconded by Supervisor Gigante, to convene in closed session pursuant to the exemption contained in WI Statute 19.85(1)(f) for the purpose of the preliminary consideration of specific personnel problems or the investigation of charges against specific persons except where par. (b) applies which, if discussed in public, would be likely to have a substantial adverse effect upon the reputation of any person referred to in such histories or data, or involved in such problems or investigations. A roll call vote was conducted. Total Vote: 23; Ayes: 23 – Arnold, Burwell, Felten, Gigante, Grant, Guido, Hilbelink, Ketchpaw, Lightfield, Lohrmann, Lothian, Miles, Morrison, Palzkill, Parker, Peterson, Polyock, Russell, Schaefer, Shepstone, Shroble, Wenglowksy, Norem; Noes: 0; Absent : 2 – Kuhnke, Scharine. The motion carried.

On motion by Supervisor Hilbelink, seconded by Supervisor Polyock, the Board of Supervisors reconvened in open session by a unanimous vote. Supervisor Schaefer was excused.

On motion by Supervisor Polyock, seconded by Supervisor Ketchpaw, Res. No. 53-09/02, Approval of a Retirement Agreement By and Between Dennis Costello and Walworth County, recommended by Finance and Executive Committees, was adopted unanimously. Dennis Costello, Corporation Counsel, informed the Supervisors he was retiring one year earlier than he had first thought and stated that he had enjoyed working with four different County Boards of Supervisors.

Resolution No. 53 – 09/02
Approval of Retirement Agreement by and between
Dennis Costello and Walworth County

WHEREAS, Dennis Costello (“Costello”) has served as Corporation Counsel for Walworth County honorably and with distinction since October 7, 1996; and

WHEREAS, Costello has expressed an interest in voluntarily retiring prior to his 62nd birthday in June of 2003; and

WHEREAS, by mutually agreeing to the specific date of Costello’s retirement Walworth County has the ability to better plan, organize and budget the operations of the Corporation Counsel office; and

WHEREAS, Costello’s retirement prior to January 1, 2003 will permit the County to enjoy considerable financial savings in the operation of the office of Corporation Counsel;

NOW, THEREFORE, BE IT RESOLVED by the Walworth County Board of Supervisors that the attached retirement agreement and general release pertaining to the employment of Dennis Costello be and the same is hereby approved.

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	9/12/02 Date
	Dennis D. Costello Corporation Counsel	9/12/02 Date
	N. Andersen	9/12/02

Finance Director

Date

Action Required: Majority Vote Two-thirds Vote Other _____

County Board Meeting Date: September 12, 2002

Walworth County, Wisconsin

Policy and Fiscal Impact Statement

Resolution no. 53 – 09/02

- I. Title: Approval of Retirement Agreement by and between Dennis Costello and Walworth County.
- II. Purpose and Policy Impact Statement: The purpose of this resolution is to approve the voluntary retirement of Dennis Costello, Corporation Counsel. Approval of this agreement will permit the County to enjoy financial savings in subsequent budgets provided the position is not refilled.
- III. Is this a budgeted item and what is its fiscal impact: Monies are available in the current severance reserve budget to fund this agreement.
- IV. Referred to the following standing committees for consideration and date of referral:

Committee:

Date:

- V. Approved as to form:

David A. Bretl	9/12/02
County Administrator	Date

Dennis D. Costello	9/12/02
Corporation Counsel	Date

N. Andersen	9/12/02
Finance Director	Date

On motion by Supervisor Shepstone, seconded by Supervisor Grant, the Board approved the following Report of the Land Management Committee:

REPORT OF LAND MANAGEMENT COMMITTEE

TO COUNTY BOARD ON HEARING ON PETITION
TO AMEND THE WALWORTH COUNTY ZONING ORDINANCE

TO THE COUNTY BOARD OF WALWORTH COUNTY:

The Land Management Committee, having considered the petitions to amend the Walworth County Zoning Ordinance and Shoreland Zoning Ordinance; and having held public hearings thereon, pursuant to Section 59.69(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. Berg Construction, Inc. (Thomas J. Berg, Pres.), Town East Troy – filed a petition on the 22nd day of April, 2002, to rezone from C-2 Upland Resource Conservation District to R-2 Single Family Residence District.

Recommendation: Said petition be modified and approved to reflect a rezone from C-2 to R-2 & P-1.

2. Beach Road Partnership (James Klick, App.), Town East Troy – filed a petition on the 5th day of November, 2001, to rezone from B-3 Waterfront Business District to R-1 Single-Family Residence District (Unsewered).

Recommendation: Said petition be approved.

3. Kristina L. Cruse and Stacey S. Cruse, Town Whitewater – filed a petition on the 30th day of May, 2002, to rezone from B-2 General Business District to R-1 Single Family Residence.

Recommendation: Said petition be approved.

ORDINANCE AMENDING
WALWORTH COUNTY ZONING ORDINANCE

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

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

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

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

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

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

1. Berg Construction, Inc. (Thomas J. Berg, Pres.), Town East Troy – to amend said zoning maps from C-2 Upland Resource Conservation District to R-2 Single Family Residence District (Sewered) and P-1 Recreational park District on the following described lands:

Tax Parcel #P ET1100015

Being part of the SE1/4 and SW1/4 of the NW1/4 of Section 11, Town 4 North, Range 18 East, Town of East Troy, Walworth County, Wisconsin, described as follows: Beginning at the North ¼ corner of said Section 11; thence with the North line of said NW1/4 S89°56'10"W, a distance of 786.23' to a point; thence S00°00'16"W, a distance of 1358.47' to a point on the South line of Miramar Rd. also being the Point of Beginning; thence with said south line S89°39'43"W, a distance of 1079.33' to a point; thence leaving said south line S00°01'58"W, a distance of 692.73' to a point; thence S89°38'08"W, a distance of 180.02' to a point; thence S00°01'27"W, a distance of 150.56' to a point; thence S28°21'00"W, a distance of 273.85' to a point on the Northerly line of Miramar Rd.; thence with said Northerly line of Miramar Rd. S13°36'00"W, a distance of 66.65' to a point; thence S35°10'00"E, a distance of 83.22' to a point; thence S71°45'00"E, a distance of 129.44' to a point; thence S86°37'00"E, a distance of 214.24' to a point; thence S51°48'00"E, a distance of 252.01' to a point; thence N24°23'47"E, a distance of 420.51' to a point; thence S82°42'42"E, a distance of 377.56' to a point; thence S82°53'38"E, a distance of 276.56' to a point; thence N00°00'16"E, a distance of 1132.80' to the Point of Beginning. Said parcel contains 32.173 acres more or less.

2. Beach Road Partnership (James Klick, App.), Town East Troy – to amend said zoning maps from B-3 Waterfront Business District to R-1 Single-Family Residence District (Unsewered) on the following described lands:

Tax Parcel #PA 78400002

Lot 2 of Certified Survey Map No. 784 located in part of the NW1/4 of the NW1/4 of Section 10, T4N, R18E, Walworth County, Wisconsin.

3. Kristina L. Cruse and Stacey S. Cruse, Town Whitewater – filed a petition on the 30th day of May, 2002, to rezone from B-2 General Business District to R-1 Single Family Residence on the following described lands:

Tax Parcel #'s DA 87300001 and DA 87300002

Lot 1 and Lot 2 of Certified Survey Map 873 being a part of the NW1/4 of Section 25 T4N, R15E, in the Town of Whitewater, Walworth County, Wisconsin.

ATTEST this 12th day of September, 2002.

William M. Norem

County Board Chairman

ATTEST this 12th day of September, 2002.

Kimberly S. Bushey

County Clerk

On motion by Supervisor Ketchpaw, seconded by Supervisor Hilbelink, Res. No. 48-09/02, Requesting the Department of Transportation to Advance Planning and Construction of the Realignment of U.S. Highway "12" Between Elkhorn and Whitewater, was approved.

RESOLUTION NO. 48-09/02

RESOLUTION REQUESTING THE WISCONSIN DEPARTMENT
OF TRANSPORTATION TO ADVANCE PLANNING AND
CONSTRUCTION OF THE REALIGNMENT OF U.S. HIGHWAY "12" BETWEEN
ELKHORN AND WHITEWATER

WHEREAS, the Regional Transportation Plan prepared by the Southeastern Wisconsin Regional Planning Commission (SEWRPC) has called for a realignment of U.S.H. "12" since the 1960's; and

WHEREAS, the recent freeway reconstruction study prepared by SEWRPC continues to endorse the realignment and upgrade of this highway, ultimately to a limited access freeway; and

WHEREAS, the U.S.H. "12" bypass of Whitewater, which is being scheduled to be completed in 2004, will remove a major obstacle to through traffic movement in the highway corridor; and

WHEREAS, existing U.S.H. "12" between Elkhorn and Whitewater has had a higher than average accident rate for many years which is a safety concern to motoring public in the County as well as a strain on services of the County's Sheriffs, local police and emergency service providers; and

WHEREAS, Wisconsin Department of Transportation performed a preliminary corridor study in 1996 to study alternates of the traditional alignment that was mapped in the 1960's; and

WHEREAS, the conclusion of that study was that the original alignment may have to be altered in order to minimize impacts to environmental areas and the development that had taken place since the original alignment was mapped; and

WHEREAS, the preliminary study did not choose a particular alternate because the traffic demand and local support for a more detail study did not exist at that time; and

WHEREAS, traffic and development pressures have greatly increased over the last six years from when the preliminary study was performed and may be expected to substantially increase once the Whitewater Bypass is completed; and

WHEREAS, property owners along the corridor continue to submit development proposals to the County's Land Management Department and local planning commissions; and

WHEREAS, the scope of this project requires enumeration by the Transportation Projects Committee of the Wisconsin Department of Transportation and needs to be approved by Wisconsin State Legislature which is likely to take a minimum of 4 years; and

WHEREAS, the Wisconsin Department of Transportation District 2 would need a resolution of support from the Walworth County Board in order to submit the U.S.H. "12" realignment to the Transportation Projects Committee.

NOW, THEREFORE, BE IT RESOLVED, that Walworth County request the Wisconsin Department of Transportation advance the planning and construction of the realignment of U.S.H. "12" from Elkhorn to Whitewater in order to preserve the future highway corridor from development pressures and to provide a safer and more efficient transportation facility serving the northwest quadrant of the County and the southeastern portion of the state of Wisconsin.

BE IT FURTHER RESOLVED, that the Walworth County Highway Department will coordinate and provide support from the towns of LaGrange, Sugar Creek, and Whitewater and the cities of Elkhorn and Whitewater as well as their constituents and state representatives.

BE IT FURTHER RESOLVED, that the Clerk provide a copy of this resolution to all affected government representatives as well as the Wisconsin Department of Transportation and the Southeastern Wisconsin Regional Planning Commission.

ADOPTED this 12th day of September, 2002.

William M. Norem
Walworth County Board Chairman

Kimberly S. Bushey
Walworth County Clerk

Policy and Fiscal Note is attached. Yes

Sponsored by:
County Board Meeting Date:

Highway Committee
September 12, 2002

Approved as to form:	David A. Bretl County Administrator	9/4/02 Date
Reviewed	Dennis D. Costello Corporation Counsel	9/4/02 Date
Budget/Fiscal Impact:	N. Andersen Finance Director	9/4/02 Date

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

Committee Consideration: Highway Committee Date: Aug. 20, 2002 Vote: 5 - 0

POLICY AND FISCAL NOTE

Title: Resolution Requesting the Wisconsin Department of
Transportation to Advance Planning and Construction of the Realignment
of U.S. Highway "12" Between Elkhorn and Whitewater

Resolution No. 48-09/02
Resolution Description

II. Purpose and Policy Impact Statement:

The Walworth County Highway Committee met with representatives of the Wisconsin Department of Transportation at their meeting of June 25 and discussed the status of the realignment of U.S.H. "12" between Elkhorn and Whitewater. Attached is a copy of a letter from Edward Friede, Systems Manager, from the Wisconsin Department of Transportation which outlines the requirement for the County to pass a resolution of support for this proposal in order for this project to be advanced at this time. The Southeastern Wisconsin Regional Planning Commission and the Wisconsin Department of Transportation continue to show the

realignment on regional transportation plans, but the implementation of this project is not being advanced at this time. Existing U.S.H. "12" freeway between Elkhorn and Genoa City was constructed in the early 70's as part of a freeway system that would run from the Chicago area to Madison, Wi. The Wisconsin Department of Transportation constructed the existing segment of freeway on U.S.H. "12" in anticipation that the State of Illinois would construct a freeway to the south Walworth County line. There is an approximately 30 mile gap between the freeway coming from Chicago and the south end of the U.S.H. "12" freeway near the state line. While traffic continues to grow along the U.S.H. "12" corridor in northern Illinois, the Illinois Department of Transportation does not currently have a definitive time frame on when a freeway to close the 30 mile gap would be constructed.

At the August 20th Highway Committee meeting, the Committee directed the staff to investigate what is required to study and implement U.S.H. "12" realignment in order to promote the safe and efficient travel of motorists through the County and to provide a definitive location for the facility so that area property owners can plan for any development with the new highway corridor known.

III. Budget and Fiscal Impact:

This item would not require any funding for planning and construction of the U.S.H. "12" realignment. These costs would be born by the Wisconsin Department of Transportation if the project was approved by the Transportation Projects Committee. It is typical for supporters of these projects to go to hearings regarding the selection of projects which takes place in Madison, Wi. If this project was to be presented at a public hearing, the County would incur travel expenses for staff and elected officials to present testimony at such hearings in the next several years. These expenses would consist of mileage and meals and could be absorbed in normal travel budgets in subsequent years.

IV. Considered by the Following Committees Prior to County Board Consideration and Date of Referral:

Highway Committee of 08/20/02
Vote: 5 - 0

V. Committee Consideration:

VI. Approved as to Form:

David A. Bretl 9/4/02
County Administrator Date

Dennis D. Costello 9/4/02
Corporation Counsel Date

N. Andersen 9/4/02
Finance Director Date

A motion was made by Supervisor Lothian, seconded by Supervisor Gigante, to approve Res. No. 42-09/02, Lakeland Health Care Center Intergovernmental Transfer Program (IGT) Funding Increase. On motion by Supervisor Palzkill, seconded by Supervisor Grant, the resolution was adopted by unanimous consent.

Resolution No. 42-09/02

Lakeland Health Care Center Intergovernmental Transfer Program (IGT) Funding Increase

WHEREAS Lakeland Health Care Center is a 245-bed nursing facility licensed under S.50.03, Wisconsin Statutes, and certified by the Wisconsin Medicaid Program and the federal Medicare Program;

WHEREAS Lakeland Health Care Center participates in the federal-state Intergovernmental Transfer Program (IGT) which distributes funds under Section 4775 of the Medicaid State Plan for nursing facility payments;

WHEREAS IGT funds are distributed based upon financial reports that determine necessary financial information and quantify nursing facility deficits with special provisions for facilities involved in facility bed reductions or downsizing initiatives;

WHEREAS Lakeland Health Care Center qualifies for IGT funding governed by IGT federal and state policies, as well as provisions set forth in an agreement among the Wisconsin Counties Association, the State of Wisconsin, and certain counties, including Walworth County;

WHEREAS the agreement calls for distribution of funds to be revised by the State of Wisconsin periodically based upon required financial cost reports; and a recent revision of the fund distribution has been done by the State of Wisconsin;

WHEREAS the revised estimates mean Walworth County will receive additional funds above the original budget level for the calendar year 2002;

WHEREAS the total amount of funds for calendar year 2002 now is estimated to be \$5,793,758 compared to the original budget amount of \$3,889,816;

NOW, THEREFORE, BE IT RESOLVED that the Lakeland Health Care Center accounts be changed for the Intergovernmental Transfer Program (IGT) program increase of \$1,903,942 for the 2002 budget year.

Dated this 12th day of September, 2002.

William M. Norem
County Board Chair

Kimberly S. Bushey
County Clerk

Policy and Fiscal Note Attached: ___ Yes ___ No

David A. Bretl
Administrator
8/29/02
Date

Approved as to Form:

Dennis D. Costello
Corporation Counsel
8/29/02
Date

Reviewed
Budget/Fiscal Impact:

N. Andersen
Finance Director
8/29/02
Date

Circle

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

Consideration: _____ Date _____ Vote: _____

Resolution Introduced By: _____

Policy and Fiscal Note

TITLE: Lakeland Health Care Center Intergovernmental Transfer Program (IGT)
Funding Increase

- I. PURPOSE AND POLICY IMPACT STATEMENT: The purpose of the Intergovernmental Transfer Program funding is to provide funding for the care and services provided by Wisconsin's nursing facilities, to help reduce County nursing home budget deficits, and to maximize federal funds.

WHEREAS, on April 25, 2002 the county administrator proposed consolidating the highway and facilities management departments into a department of public works as a means of achieving cost savings; and

WHEREAS, the county administrator met with staff from the two departments as well as representatives from the finance and human resources departments and chairs of the finance, property and highway committees and developed a plan for the consolidation of the two departments (hereafter "the Consolidation Plan"); and

WHEREAS, the Consolidation Plan has been endorsed by the highway committee and given a favorable report by the human resources committee; and

WHEREAS, the Consolidation Plan will result in the following actions which are set forth fully in the 2003 administrator's budget:

Action	Estimated fiscal impact on 2003 budget Savings are shown by ()
Create position of Public Works Director	\$113,124
Eliminate position of Director of Facilities Management #04004 and create the position of Facilities Manager #04990	(\$10,499)
Eliminate position of Assistant Director of Facilities #04036 and create the position of Facilities Superintendent #04991.	(\$2,361)
Eliminate position of Facilities Supervisor #04020.	(\$82,377)
Eliminate position of Facilities Supervisor #04034.	(\$82,377)
Reclassify position #04018 from BME II to BME III.	\$1,843
Reclassify position #04023 from BME I to BME III.	\$5,873
Eliminate Seasonal position #04027	(\$6,022)

Eliminate position of BME I #04024 (Position is currently vacant)	(\$50,966)
Reclassification of Highway Commissioner position	(\$17,113)
Elimination of Account Clerk III position #04033	(\$50,684)
Elimination of Account Clerk III position #24007	(\$51,056)
Reallocation of Administrative Assistant #04006, OT Retirement and WC adjustments	\$675
Reassign the following Janitor I and II positions from supervision of the Director of Facilities Management to the supervision of the Lakeland School Director or Director of Human Services: 04007, 04008, 04009, 04015, 04029	\$0

WHEREAS, consolidation of the two departments will have the effect of saving approximately \$231,940 in 2003 and will result in annual savings each year thereafter due to reduced payroll costs; and

WHEREAS, consolidation of the two departments will lead to greater operating efficiency and accountability in the future;

NOW, THEREFORE, BE IT RESOLVED by the Walworth County Board of Supervisors that consolidation of the highway and facilities management departments into a public works department, effective January 1, 2003, is hereby approved.

BE IT FURTHER RESOLVED THAT the County Administrator is authorized to take any necessary steps during 2002, consistent with the Consolidation Plan, to ensure successful implementation of the public works department next year.

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	9/5/02 Date
	Dennis D. Costello Corporation Counsel	9/5/02 Date
	N. Andersen Finance Director	9/5/02 Date

Action Required: Majority Vote Two-thirds Vote Other_____

County Board Meeting Date: September 12, 2002

Walworth County, Wisconsin

Policy and Fiscal Note No. 52 – 09/02

I. Title: Resolution Approving Consolidation of Highway and Facilities Management Departments into a Department of Public Works

II. Purpose and Policy Impact Statement:

The purpose of this resolution is to provide for a consolidation of the highway and facilities management departments into a public works department. This resolution will not amend the 2002 budget. Changes which would be required in the 2003 budget are set forth in the administrator’s proposed county budget. The resolution would also authorize the county administrator to take any necessary steps this year, consistent with the plan, so that implementation of the consolidation can take effect on January 1, 2003.

III. Budget and fiscal impact:

Some cost savings have been achieved during 2002 due to vacant positions in the departments that have not been refilled due to the pendency of this plan and the limited hiring freeze. In 2003 it is estimated that consolidation of the two departments will save \$231,940. Given that the cost savings have been achieved through the reduction of positions, the County could expect to achieve similar cost savings annually. Details concerning the reductions are set forth in the text of the resolution.

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

WHEREAS, the State Department of Health and Family Services is authorized at this time to make increased payments to nursing facilities for State Fiscal Year 2003 under applicable provisions of Wisconsin's Medicaid State Plan, including sections 1.304, 1.400, 4.100 and 4.500 of the Methods of Implementation for Wisconsin Medicaid Nursing Home Payment Rates for the Period July 1, 2002 through June 30, 2003; and

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

WHEREAS, the State of Wisconsin has calculated that the State has an additional \$598,579,708 within its Medicare Upper Limit for State Fiscal Year 2003; and

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

participation in such payments from CMS under Title XIX of the Social Security Act and CMS regulations, thus maximizing the amount of federal reimbursement available to the State within the Medicare Upper Limit for State Fiscal Year 2003; and

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

WHEREAS, the County desires to participate in the IGT Program with the State of Wisconsin and deems it to be in the County's best interest to enter into an Intergovernmental Transfer Agreement (the "IGT Agreement") with the State as provided herein and to participate in the IGT Program in order to enhance the County facility's reimbursement under Title XIX of the Social Security Act for State Fiscal Year 2003; and

WHEREAS, under the IGT Agreement, the County will be entitled to receive in the current fiscal year certain payments from the State of Wisconsin (the "IGT Payments") attributable to State Fiscal Year 2003; and

WHEREAS, the County has not yet received those payments and is temporarily in need of funds in an amount not to exceed \$157,545,489 for the purpose of paying the

cost of general and current municipal expenses, consisting of making the payments it is required to make pursuant to the IGT Agreement; and

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

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

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

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

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

2. Authorization of the Notes. In anticipation of receiving the IGT Payments and for the purpose of paying the cost of general and current municipal expenses, consisting of payments to be made by the County under the IGT Agreement, there shall be borrowed, pursuant to Section 67.12(1), Wisconsin Statutes, the principal sum of not to exceed \$157,545,489 from U.S. Bank, National Association, Milwaukee, Wisconsin (the "Purchaser").

3. Terms of the Note. To evidence such borrowing, the Chairperson and County Clerk are hereby authorized, empowered and directed to make, execute, issue, sell and deliver to the Purchaser for and on behalf of the County, the County's Taxable Revenue Anticipation Notes (the "Notes") in an aggregate principal amount of not to exceed \$157,545,489. The Notes shall be designated "Taxable Revenue Anticipation Notes"; shall be dated their date of issuance; shall mature on December 1, 2002 and shall bear interest at the rate set forth below:

a. in the event the Note is repaid before the close of the banking day on the date of the issuance of the Note, no interest shall be payable thereon. For

purposes of this provision, the term "banking day" shall mean that period from 8:30 a.m. to 4:00 p.m. on any single day on which the Purchaser is open to conduct its banking business in the State of Wisconsin; and

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

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

ii. if the Note is repaid during the period starting thirty-one (31) days after the issuance of the Note until the maturity date of the Note, the rate shall be the Purchaser's prime lending rate minus 0.50%.

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

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

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

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

7. Execution of the Notes. The Notes shall be executed on behalf of the County by the Chairperson and County Clerk, or others authorized by law to sign on their behalf, sealed with the official or corporate seal, if any, and delivered to the

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

8. Payment of the Notes; Transfer of the Notes. The Notes shall be payable in lawful money of the United States of America by the County Treasurer. The transfer of a Note may be effected only by surrender of the old Note and either the reissuance by the County of the old Note to the new holder or the issuance by the County of a new Note to the new holder or through a book entry system maintained by the County or its agent. The County hereby appoints the Purchaser identified in Paragraph 2 above, or the Purchaser's designee, as its agent (the "Agent") for the purpose of maintaining a book entry system. The Agent is hereby directed to maintain a record of ownership that identifies all of the owners of interests in the Notes.

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

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

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

Adopted and recorded this 12th day of September, 2002.

Transfer Program as reimbursement to cover Lakeland Health Care Center's Medicaid operating deficit based on financial reports.

The transfer of \$157,545,489 will allow the State to seek federal financial match funds to provide Medicaid funding to Lakeland Health Care Center and the other nursing homes in Wisconsin. It is in the County's best interest to enter into an Intergovernmental Transfer Agreement with the State due to the importance of IGT to the operating budget and due to the increased IGT revenues this generates directly back to Walworth County. Without the additional funding, we would only qualify for an estimated \$1,750,000 in 2002. For 2002, IGT is budgeted at \$3,889,816. IGT revenue for 2002 is estimated to exceed the budget amount by a projected \$1,903,942. This increased amount is due to new estimates of the Lakeland Health Care Center deficit by the State using updated financial reports.

As a transfer county, Walworth County will be entitled to receive increased payments in 2002 and in 2003. In 2003, the current estimate of IGT revenue is approximately \$4,927,500 assuming continued participation as a transfer county and meeting certain other criteria. Without the County transfer participation, the estimate of IGT for 2003 would be approximately \$1,750,000.

Amounts are based upon projections provided by the Lakeland Health Care Center Finance Manager.

IV. Committee Consideration:

Finance Committee	August 22, 2002	Recommend Approval
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V. Approved as to Form:

David A. Bretl County Administrator	8/29/02 Date
Dennis D. Costello Corporation Counsel	8/29/02 Date
N. Andersen Finance Department Director	8/29/02 Date

EXHIBIT A
(Form of Intergovernmental Transfer Agreement)

EXHIBIT B
(Form of Note)

TAXABLE REVENUE ANTICIPATION NOTE

No. ___

Dated October __, 2002

KNOW ALL MEN BY THESE PRESENTS that Walworth County, Wisconsin (the "County") hereby acknowledges itself to owe and promises to pay, solely from the sources pledged below, in lawful money of the United States of America to _____, _____, _____, or registered assigns (the "Bank"), on December 1, 2002, the sum of _____ Dollars (\$ _____) together with interest thereon and at a rate set forth below:

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

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

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

ii. if the Note is repaid during the period starting thirty-one (31) days after the issuance of the Note until the maturity date of the Note, the rate shall be the Bank's prime lending rate minus 0.50%.

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

This Note is issued pursuant to Section 67.12(1) of the Wisconsin Statutes in anticipation of receiving payments to which the County is entitled under an Intergovernmental Transfer Agreement between the County and the State of Wisconsin dated as of October 1, 2002 (the "IGT Agreement"), and for the purpose of paying the cost of general and current municipal expenses, consisting of payments to be made by the County under the IGT Agreement, as authorized by a resolution of the Governing Body of the County duly adopted at a lawful open meeting held on September 12, 2002. Said resolution is recorded in the official minutes of said Governing Body for said date.

THIS NOTE IS PAYABLE ONLY FROM PAYMENTS MADE UNDER THE IGT AGREEMENT WHICH THE COUNTY IS ENTITLED TO RECEIVE AND ANTICIPATES RECEIVING IN THE CURRENT FISCAL YEAR (THE "IGT PAYMENTS"), AND, TO THE EXTENT NECESSARY, OTHER AVAILABLE REVENUES RECEIVED FOR

OPERATION AND MAINTENANCE OF THE COUNTY. THIS NOTE DOES NOT CONSTITUTE AN INDEBTEDNESS OF THE COUNTY WITHIN THE MEANING OF ANY CONSTITUTIONAL OR STATUTORY LIMITATION OR PROVISION. BOTH THE PRINCIPAL OF AND INTEREST ON THIS NOTE ARE PAYABLE IN LAWFUL MONEY OF THE UNITED STATES AT THE OFFICE OF THE COUNTY TREASURER, COURTHOUSE SQUARE, ELKHORN, WISCONSIN.

It is hereby certified and recited that all conditions, things and acts required by law to exist or to be done prior to and in connection with the issuance of this Note have been done, have existed and have been performed in due form and time; and that the County has irrevocably pledged the IGT Payments to pay this Note, together with interest thereon, when and as payable.

IN WITNESS WHEREOF, the County, by its Governing Body, has caused this Note to be executed by its duly qualified Chairperson and County Clerk and to be sealed with its official or corporate seal, if any, as of the day and year first above written.

WALWORTH COUNTY, WISCONSIN

By: _____
Chairperson

(SEAL)

And: _____
County Clerk

A motion was made by Supervisor Ketchpaw, seconded by Supervisor Felten, to adopt Res. No. 46-09/02, Transfer \$20,000 from Contingency Fund to Pay for Outside Legal Counsel for County Board. A motion by Supervisor Lohrmann, seconded by Supervisor Gigante, called for unanimous consent. Motion carried.

Resolution No. 46-09-/02

Resolution to Transfer \$20,000 from Contingency Fund to Pay for Outside Legal Counsel for County Board

WHEREAS, the 2002 budget does not contain funds within the County Board budget for outside legal counsel, and

WHEREAS, situations periodically arise which may necessitate the use of outside legal counsel by the County Board, and

WHEREAS, it is prudent to have funds available to the address the legal needs of Walworth County,

NOW THEREFORE BE IT RESOLVED by the Walworth County Board of Supervisors that \$20,000 be and the same is hereby transferred from the contingency fund to the County Board fund to provide funding for the provision of outside legal services.

BE IT FURTHER RESOLVED that the County Board Chair is authorized to obtain legal services, from time to time, on behalf of the County Board in an amount not to exceed the level authorized in the annual budget.

Dated this 12th day of September, 2002.

William M. Norem
County Board Chair

Kimberly S. Bushey
ATTEST: County Clerk

Policy & Fiscal Note Attached: Yes

Approved as to form:	David A. Bretl County Administrator	9/4/02 Date
	Dennis D. Costello Corporation Counsel	9/4/02 Date
	N. Andersen Finance Director	9/4/02 Date

Action Required: Majority Vote Two-thirds Vote

County Board Meeting Date: September 12, 2002

Resolution No. 46-09/02

Policy and Fiscal Note

I. Title: Resolution to Transfer \$20,000 from Contingency Fund to Pay for Outside Legal Counsel for County Board.

II. Purpose and Policy Impact:

The transfer of funds would allow the County Board Chair to authorize the use of outside legal counsel in an amount not to exceed \$20,000.

III. Budget and Fiscal Impact:

There are no funds allocated in the 2002 County Board budget for legal services. The County Board Chair has estimated that \$20,000 is required to acquire legal advice for the County Board. The Contingency Fund has \$254,698 available for general purposes.

IV. Committee Consideration:

Finance Committee voted to recommend adoption at their meeting on August 22, 6-0.

V. Reviewed as to Form:	David A. Bretl County Administrator	9/4/02 Date
	Dennis D. Costello Corporation Counsel	9/4/02 Date
	N. Andersen Finance Director	9/4/02 Date

A motion was made by Supervisor Ketchpaw, seconded by Supervisor Arnold, to approve Res. No. 49-09/02, Approving Intergovernmental Agreement By and Between the City of Elkhorn and Walworth County To Provide for the Relocation of Certain County Facilities and Operations. Questions were asked and answered regarding the agreement with the City of Elkhorn and its use of the first floor on the west end of the Courthouse as well as the total land area to be annexed by the City. On motion by Supervisor Ketchpaw, seconded by Supervisor Grant, the question was called. A roll call vote on approval of the resolution was conducted. Total Vote: 22; Ayes: 20 – Arnold, Burwell, Felten, Grant, Guido, Hilbelink, Ketchpaw, Lightfield, Lothian, Miles, Morrison, Palzkill, Parker, Peterson, Polyock, Russell, Shepstone, Shroble, Wenglowisky, Norem; Noes: 2 – Gigante, Lohrmann; Absent : 3 – Kuhnke, Schaefer, Scharine. The motion carried.

Resolution No. 49-09/02

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

WHEREAS, Walworth County ("the County") desires to build a judicial facility on land that it owns in the Town of Geneva; and

WHEREAS, the County deems it in the public interest to construct the facility within the corporate limits of the City of Elkhorn ("the City"), being the county seat, to eliminate the chance of litigation over construction of said facility, which litigation has the potential to be costly, time consuming and against the public interest: and

WHEREAS, to that end on June 7, 2001 the Walworth County Board authorized the chair of its property committee and county administrator ("Negotiating Team") to negotiate with the City to facilitate an annexation of the Town of Geneva site; and

WHEREAS, on June 11, 2002 the Negotiating Team reported to the County Board that it had reached an agreement with the City's mayor and administrator providing for the relocation of certain county facilities and operations ("Intergovernmental Agreement") and recommended approval of the Agreement by the Board; and

WHEREAS, the Board approved the Agreement and forwarded the same to the City for its consideration; and

WHEREAS, the City, by its common council has reviewed the Agreement and approved it on August 19, 2002 with several modifications and additions to the Agreement ("Changes"); and

WHEREAS, the Negotiating Team and the Finance committee of the County Board reviewed the Changes and recommends adoption of the Agreement;

NOW, THEREFORE, BE IT RESOLVED BY THE WALWORTH COUNTY BOARD OF SUPERVISORS THAT the attached intergovernmental agreement by and between the City of Elkhorn and Walworth County To Provide for the Relocation of Certain County Facilities and Operations be and the same is hereby approved.

ADOPTED this 12th day of September 2002.

William M. Norem
Walworth County Board Chairman

Kimberly S. Bushey
Walworth County Clerk

Policy and Fiscal Note is attached.

Approved as to form:

David A. Bretl
County Administrator (Date)

Dennis D. Costello 9/05/02
Corporation Counsel (Date)

N. Andersen 9/5/02
Finance Director (Date)

Action Required:

Majority Vote

County Board Meeting Date: September 12, 2002

POLICY AND FISCAL NOTE

I. Title: RESOLUTION No. 26-06/02 APPROVING AN INTERGOVERNMENTAL AGREEMENT BY AND BETWEEN CITY OF ELKHORN AND WALWORTH COUNTY TO PROVIDE FOR THE RELOCATION OF CERTAIN COUNTY FACILITIES AND OPERATIONS

II. Purpose and Policy Impact Statement:

The following changes are proposed by the City following adoption of the agreement by the County Board at its June 11, 2002 meeting:

1. Section 1.05. The definition of Judicial Facility has been modified as shown below by the underlined text which was added.

Judicial Facility means a building designed as a public use building to house the circuit courts of Walworth County and associated offices and functions as may be modified from time to time in accordance with the terms of this Agreement.

2. Section 3.02 (a) has been modified as shown below. The underlined text was added.

(a) Subject to subsection (d) below and Article 7, City shall remodel the West wing at its sole expense, for use by it as a police station. The West wing shall be used primarily by the City as a police station and municipal court facility and shall not be subleased or put to a different use without written permission of the County, which permission shall not be unreasonably withheld.

3. Section 3.02 (c) has been modified to provide for possible location of Elkhorn communications equipment. The following language was added to the original agreement:

Subject to the ability of the equipment to safely hold it, the County shall allow the City to attach any and all necessary police communications equipment to the existing tower located on the Courthouse's western-most parking lot. City will maintain the new or relocated equipment installed for its use. County will grant access to the City to maintain, repair or modify such equipment to meet the City's needs. City will hold County harmless for any harm cause by

City's negligence in constructing, maintaining or repairing said equipment. County will grant this right as long as the West wing is occupied by the City.

4. Section 3.02 (d) has been modified as shown below by the strike-throughs and underlines:

(d) County shall provide a credit to the City for the purpose of remodeling the West wing in an amount not to exceed \$150,000, which shall be a one-time credit paid to the City after remodeling is complete and within ~~30~~ 45 days of receipt by the County of invoices detailing remodeling expenses of the West wing ~~consistent with this Agreement.~~

5. Section 3.02 (i) has been modified as shown below by the addition of text shown in underline:

(i) City shall maintain, during City's term of occupancy of the West wing, a policy insuring the Courthouse, inclusive of the West wing, but excluding the contents thereof against fire, storm damage, vandalism and such other hazards as are from time to time included in a standard commercial insurance policy. City and County will name each other as additional insures on all such policies in at least the amounts of existing coverages. In the event the West wing is destroyed by fire or any other casualty during the term of the City's occupancy of the same, to the extent the loss is covered by the insurance policy, the County shall cause the same to be repaired and restored, but in no event shall the County be responsible for the City's loss of use of the West wing. A reasonable program of self-insurance shall be deemed acceptable under this paragraph.

6. Section 3.03 (d) has been modified by inserting the text shown in underline:

(d) The City's right of first refusal shall survive the expiration of the City's occupancy of the West wing. Nothing in section 3 of this agreement shall relieve the County of its obligations under section 4.01, below.

7. Section 4.01(b) has been modified by inserting the text shown in underline:

(b) Provided adequate space continues to be available, the County shall relocate offices to the Courthouse which are presently housed in its annex building and shall continue to remain there in the future as long as adequate space remains available. The following order of priority shall be followed by the County with respect to occupation of space vacated by the offices specified in paragraph (a):

- (1) Land management;
- (2) Land conservation;
- (3) Human resources;

(4) UW-Extension

8. Section 4.01(e) has been created by inserting the text shown in underline:

(e) In the event the County experiences a bona fide space needs problem as a result of the growth of those offices specified in 4.01 (b) or the offices specified to remain at the Courthouse pursuant to 4.01 (a), the County shall remove offices in the following order to the extent necessary to alleviate said space needs problem:

- (1) UW- Extension;
- (2) Human Resources;
- (3) Land Conservation;
- (4) Land Management.

9. Section 7.03 has been created by inserting the text shown in underline:

7.03 The parties shall reasonably cooperate in the abatement of any hazardous materials which may be encountered during remodeling by the City in the following manner:

(a) The City shall provide the County with a copy of its remodeling plan for the West wing. The parties shall cooperate to minimize the need for abatement of hazardous materials, consistent with applicable laws and the need for the City to create appropriate space.

(b) If during the course of remodeling, the City encounters hazardous materials, it shall immediately notify the County who shall cause the hazardous material to be abated at the County's sole expense. The County understands that time is of the essence with regard to abatement of hazardous materials brought to its attention by the City.

10. Section 8.09 has been modified by inserting the text shown in underline:

8.09 City is aware of the condition of the West wing and subject to the terms of Section 3 and Article 7 above and as set forth elsewhere in this Agreement, accepts the same in "as is" condition. No representations or warranties to the condition of the West wing have been made by the County prior to or at the time of execution of this Agreement. County shall not be required to recondition, improve or re-work the West wing in any manner whatsoever for the City's use except as set forth in this Agreement.

III. Budget and Fiscal Impact:

There is no initial cost of the Agreement for year 2002. The Agreement obligates the County to occupy the courthouse for the next 25 years and provide certain

consideration to the City of Elkhorn. A summary of the basic terms of the agreement is set forth in the attached joint letter of the County Board Chairman and County Administrator which was previously distributed to the County Board. A major fiscal component of the proposed changes involves clarifying responsibility for the abatement of asbestos encountered during remodeling by the City. The County will control the abatement process and abatement will be limited to that which is necessary to accomplish the remodeling. The cost of abatement is unknown at this time.

IV. Committee Consideration:

Sponsored by County Board Finance Committee.

Reviewed on August 22, 2002 Vote: 6 – 1

V. Approved as to Form:

David A. Bretl County Administrator	(Date)
Dennis D. Costello Corporation Counsel	9/5/03 (Date)
N. Andersen Finance Director	9/5/03 (Date)

A motion was made by Supervisor Grant, seconded by Supervisor Ketchpaw, to approve Ord. No. 229-09/02, An Ordinance Creating Chapter 43, Walworth County Code of Ordinances: "Rural Building Numbering System". Supervisor Gigante recognized Bill Jacques, N6009 Bowers Road, Elkhorn, who expressed concern regarding the number of times his property had been renumbered. Gene Kovacs, Land Management Director, stated Walworth County has been issuing numbers since 1993.

Kovacs indicated that this ordinance would affect the nine towns which are utilizing the County's numbering system. On motion by Supervisor Ketchpaw, seconded by Supervisor Palzkill, the question was called. On motion by Supervisor Palzkill, seconded by Supervisor Morrison, the ordinance was approved by unanimous consent.

ORDINANCE NO. 229-09/02

An ordinance creating Chapter 43, Walworth County Code of Ordinances: "Rural Building Numbering System."

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

WHEREAS, The purpose of this ordinance is to establish a formal procedure for the issuance and reporting of new rural building numbers pursuant to the authority granted in s.59.54(4) and (4m), Wis. Statutes, and

WHEREAS, This ordinance will not change existing building numbers; and

WHEREAS, The proposed regulations shall be mandatory for the following townships currently utilizing Walworth County's address assignment service: East Troy, Geneva, LaFayette, Linn, Richmond, Sharon, Spring Prairie, Troy, and Walworth, including any extraterritorial zoning areas within said town; and

WHEREAS, The proposed regulations shall be advisory for townships assigning their own addresses with the exception of Section 43.03(5)(b) which requires all townships not utilizing the county's address assignment service to notify the Walworth County Sheriff's Department within one week of a new building number issuance, and

WHEREAS, The Rural Building Numbering System Ordinance shall be administered by the Walworth County Land Management Department.

NOW, THEREFORE, BE IT ORDAINED, That pursuant to Section 59.54(4) and (4m) of the Wisconsin Statutes, the Walworth County Board of Supervisors hereby adopts the document titled Rural Building Numbering System Ordinance to be included in the Walworth County Code of Ordinances.

BE IT FURTHER ORDAINED, That the County Clerk transmit a certified copy of the Rural Building Numbering System Ordinance to the Town Clerks.

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

PASSED and ADOPTED by the BOARD OF SUPERVISORS of Walworth County Wisconsin this 12th day of September, 2002.

WILLIAM M. NOREM
County Board Chariman

KIMBERLY S. BUSHEY
ATTEST: County Clerk

Committee Action: Executive Committee

Date: June 20, 2002 Vote: 6-0

Published this _____ day of September, 2002.

Policy and Fiscal Note is Attached.

Approved as to Form: David A. Bretl 9/3/03
County Administrator (Date)

Dennis D. Costello 9/3/03
Corporation Counsel (Date)

N. Andersen 9/03/02
Finance Director (Date)

Action Required: Majority Vote

County Board Meeting Date: September 12, 2002.

POLICY AND FISCAL NOTE

- I. Title: ORDINANCE No. 229- 09/02
An ordinance creating Chapter 43, Walworth County Code of Ordinances:
"Rural Building Numbering System."
- II. Purpose and Policy Impact Statement:
The current method of building number issuance will basically remain the same with the following notable exceptions:
- Establishes a formal procedure and authority for the issuance and reporting of new rural building numbers.
 - Requires the installation of a culvert and/or base gravel at the approved driveway location prior the number issuance.
 - Requires a fee to be charged for the number issuance commensurate with the cost to the Land Management Department.
 - Requires a re-inspection fee that will be charged if base gravel and/or culvert are not present at time of the first inspection, or there is a change of driveway location.
- III. Budget and Fiscal Impact:
The Planning Division of the Land Management Department has been assigning rural building numbers since 1993 and has borne the administrative cost in its budget. Adoption of this ordinance will allow our department to recover staff time and inspection vehicle costs by establishing a fee commensurate with the cost to the department. It will also save staff inspection time by creating a disincentive, through a re-inspection fee, for applicants who do not adequately identify their driveway

BE IT FURTHER RESOLVED THAT the appointment shall expire at the first to occur of the following two dates: five months after the date of Kohl's appointment or 30 days after the appointment of a new county administrator, unless a different date is established by the County Board.

BE IT FURTHER RESOLVED THAT the appointment of Kohl shall commence at 12:01 a.m. on Friday, September 13, 2002 at which time Bretl shall vacate the office of administrator but shall continue to serve the county under the terms of his contract as an in-house consultant to ensure a smooth transition until October 20, 2002 or such earlier date as the Executive Committee may establish.

BE IT FURTHER RESOLVED THAT Kohl shall be entitled to acting pay for the performance of interim administrator duties consistent with the Walworth County Human Resources Code upon assumption of the duties of interim administrator.

ADOPTED this 12th day of September 2002.

William M. Norem
Walworth County Board Chairman

Kimberly S. Bushey
Walworth County Clerk

Policy and Fiscal Note is attached.

Approved as to form:	David A. Bretl County Administrator	9/5/03 (Date)
	Dennis D. Costello Corporation Counsel	9/5/03 (Date)
	N. Andersen Finance Director	9/5/03 (Date)

County Board Meeting Date: September 12, 2002 Action Required: Majority Vote
Policy & Fiscal Impact Statement

I. Title: Resolution No. 50-09/02 Appointing Mike Kohl as Interim Walworth County Administrator

II. Purpose and Policy Impact Statement:

The purpose of this resolution is to maintain continuity in the office of county administrator, provide for a smooth transition in operations and secure adequate time for the Board to find a new administrator.

III. Is this a budgeted item and what is its fiscal impact:

Bretl will continue to serve under the terms of his original contract as an in-house consultant. Pursuant to the Human Resources Code and recommendation of the Executive committee, Kohl is entitled to receive acting pay for this work. This is estimated to cost an additional \$650 per month. Bretl's salary, including benefits, totals approximately \$11,330 per month. The County's obligation to Bretl ends upon his departure. After Bretl leaves, the County will save approximately \$10,680 per month by virtue of the appointment.

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

Committee: Executive Date: August 29, 2002 Vote: 4 – 0

County Board Chair

Attest: County Clerk

Policy and Fiscal Note is attached.

Approved as to Form:	David A. Bretl	9/5/03
	County Administrator	Date
	Dennis D. Costello	9/5/03
	Corporation Counsel	Date
	N. Andersen	9/5/03
	Finance Director	Date

Action Required: Majority Vote Two-thirds Vote Other _____

County Board Meeting Date: September 12, 2002

A motion was made by Supervisor Gigante, seconded by Supervisor Ketchpaw, to approve Res. No. 51-09/02, Walworth County Internet Privacy Statement. A motion was made by Supervisor Russell, seconded by Supervisor Lohrmann, to send this resolution back to committee. On motion by Supervisor Gigante, seconded by Supervisor Wenglow sky, the question was called. A roll call vote was conducted. Total Vote: 22; Ayes: 4 – Felten, Guido, Lohrmann, Russell; Noes: 18 – Arnold, Burwell, Gigante, Grant, Hilbelink, Ketchpaw, Lightfield, Lothian, Miles, Morrison, Palzkill, Parker, Peterson, Polyock, Shepstone, Shroble, Wenglow sky, Norem; Absent : 3 – Kuhnke, Schaefer, Scharine. The motion failed. The original motion approving the resolution carried by voice vote.

Resolution No. 51-09/02

WALWORTH COUNTY INTERNET PRIVACY STATEMENT

WHEREAS, Walworth County maintains an Internet web-site with an Internet Protocol address of www.co.walworth.wi.us; and

WHEREAS, the Walworth County Board of Supervisors created this privacy statement in order to demonstrate their firm commitment to privacy; and

WHEREAS, the Walworth County Internet Privacy Statement sets forth the county's information gathering and dissemination practices for the web-site www.co.walworth.wi.us.

NOW, THEREFORE, BE IT RESOLVED, that the WALWORTH COUNTY BOARD OF SUPERVISORS does hereby adopt the Walworth County Internet Privacy Statement as set forth in Attachment A.

BE IT FURTHER RESOLVED, that the Information Services Department place this policy on the Walworth County web-site, www.co.walworth.wi.us, forthwith.

ADOPTED this 12th day of September, 2002.

William M. Norem
Walworth County Board Chairman

Kimberly S. Bushey
Walworth County Clerk

Policy and Fiscal Note attached.

Sponsored by: Executive Committee. August 22, 2002. Vote: 6-0.

County Board Meeting Date: September 12, 2002

Approved as to form:	David A. Bretl County Administrator	9/4/03 (Date)
	<u>Dennis D. Costello</u> Corporation Counsel	<u>9/4/03</u> (Date)
	<u>N. Andersen</u> Finance Director	<u>9/4/03</u> (Date)

Action Required: Majority Vote

your visit to www.co.walworth.wi.us information that is not readily identifiable to an individual is automatically collected and stored. We use this information to improve our services.

We may use your Internet Protocol address to help diagnose problems with our server and to administer our web site.

Information Collected and How It is Used

If you do nothing during your visit to www.co.walworth.wi.us but browse or download information, we automatically collect and store the following information about your visit:

1. The Internet Protocol address and domain name used but not the email address. The Internet Protocol address is a numerical identifier assigned either to your Internet service provider or directly to your computer. We use the Internet Protocol Address to direct Internet traffic to you;
2. The type of browser and operating system you used and your connection speed;
3. The date and time you visited this site; and
4. The web pages or services you accessed at this site.

The information we automatically collect or store is used to improve the content of our web services and to help us understand how people are using our services. Our website logs are not personally identifiable, and we make no attempt to link them with the individuals that browse www.co.walworth.wi.us.

If during your visit to www.co.walworth.wi.us you participate in a survey or send an email, the following additional information will be collected:

1. E-mail correspondence: The e-mail address and contents of the e-mail;
2. Surveys: Any information you volunteered in response to a survey.

The information collected is not limited to text characters and may include audio, video, and graphic information formats you send us.

We use your email to respond appropriately. This may be to respond to you, to address issues you identify, to further improve our website, or to forward the email to another agency for appropriate action. Survey information is used for the purpose designated.

Public Disclosure

State laws exist to ensure that government is open and that the public has a right to access appropriate records and information possessed by state government. At the same time, there are exceptions to the public's right to access public

records that serve various needs; the privacy of individuals is included among these exceptions. Both state and federal laws provide exceptions.

This site collects the information necessary to deliver our services. All information retained at this site becomes public record that may be subject to inspection and copying by the public, unless an exemption in law exists.

In the event of a conflict between this Privacy Notice and the Wisconsin Open Records Law or other law governing the disclosure of records, the Wisconsin Open Records Law or other applicable law will control.

Cookies

Our site may use cookies to save requested login information to validate the user in subsequent pages.

What is a Cookie?

A cookie is a small amount of data, which may include an anonymous unique identifier, that is sent to your browser from a website's computers and may either be used only during your session (a "session" cookie) or may be stored on your computer's hard drive (a "persistent" cookie). Cookies can contain data about user movement during the visit to the website. If your browser software is set to allow cookies, a website can send its own cookie to you. A website that has set a cookie can only access those cookies it has sent to you, it cannot access cookies sent to you by other sites.

Why are Cookies Used on Websites?

Cookies are one mechanism for maintaining continuity during a user's visit to a website. They allow data to be maintained for users' benefit as they navigate a site. This is referred to as "session" or "state management" cookie. These cookies go away when you terminate your visit to the website as they are maintained only in your browser's active memory during your session. Cookies may also be stored on your computer so that you can be recognized by a website on subsequent visits. They can be read by the website that set them whenever you enter the website. They are often used on websites that require you to log in to save you entering all of your log-in information. They may store information on your unique identifier and the areas of the website you have visited before. These cookies are stored on your computer's hard drive after you have left your website visit and consequently are often referred to as "persistent" cookies.

Choices about Cookies.

You can configure your browser to accept all cookies, reject all cookies, or notify you when a cookie is set. (Each browser is different, so check the "Help" menu of your browser to learn how to change your cookie preferences.)

of substitute goods or services; loss of use, data, or profits; or business interruption) however caused and on any theory of liability, whether in contract, strict liability, or tort (including negligence or otherwise) arising in any way out of the use of this system, even if advised of the possibility of such damage. This disclaimer of liability applies to any damages or injury, including but not limited to those caused by any failure of performance, error, omission, interruption, deletion, defect, delay in operation or transmission, computer virus, communication line failure, theft or destruction or unauthorized access to, alteration of or use of record, whether for breach of contract, tortious behavior, negligence or under any other cause of action.

Disclaimer of Warranties and Accuracy of Data

Although the data found using the County's access systems have been produced and processed from sources believed to be reliable, no warranty, expressed or implied, is made regarding accuracy, adequacy, completeness, legality, reliability or usefulness of any information. This disclaimer applies to both isolated and aggregate uses of the information. The County provides this information on an "as is" basis. All warranties of any kind, express or implied, including but not limited to the implied warranties of merchantability, fitness for a particular purpose, freedom from contamination by computer viruses and non-infringement of proprietary rights are disclaimed. Changes may be periodically made to the information herein; these changes may or may not be incorporated in any new version of the publication. If you have obtained information from any of the County's web pages from a source other than the County web site, be aware that electronic data can be altered subsequent to original distribution. Data can also quickly become out of date. It is recommended that careful attention be paid to the contents of any data associated with a file, and that the originator of the data or information be contacted with any questions regarding appropriate use. If you find any errors or omissions, we encourage you to report them to www.co.walworth.wi.us.

(Rev 08.12.02)

Sheriff David Graves informed the Board of the recent Domestic Violence Award his department received for its outstanding work with domestic violence victims. Sheriff Graves complimented individual employees as well as the entire department for their dedicated work with domestic violence.

Supervisor Gigante complimented the Sheriff's Department on the outstanding job they performed with the Grateful Dead concert.

Kimberly Bushey, County Clerk, informed the County Board of Supervisors that Judi Pieper, Deputy Clerk, was retiring from Walworth County

THE SEPTEMBER 25, 2002 SESSION
SPECIAL MEETING OF THE
WALWORTH COUNTY BOARD OF SUPERVISORS

The Walworth County Board of Supervisors was called to order by Chairman Norem at 1:00 p.m. at the Walworth County Courthouse, 100 W. Walworth St., Elkhorn, Wisconsin. Roll call was read with all Supervisors present except Supervisors Kuhnke, Lothian, Peterson and Polyock.

On motion by Supervisor Gigante, seconded by Supervisor Felten, the agenda was approved as presented.

A motion was made by Supervisor Hilbelink, seconded by Supervisor Morrison, that the Board convene in closed session pursuant to the exemption contained in section 19.85 of the Wisconsin Statutes for the purpose of conducting specified public business whenever competitive or bargaining reasons require a closed session. A roll call vote was conducted. Total Vote: 21; Ayes - 21 Arnold, Burwell, Felten, Gigante, Grant, Guido, Hilbelink, Ketchpaw, Lightfield, Lohrmann, Miles, Morrison, Palzkill, Parker, Russell, Scharine, Schaefer, Shepstone, Shroble, Wenglowisky, Norem; Noes: 0; Absent: 4 - Kuhnke, Lothian, Peterson, Polyock.

On motion by Supervisor Gigante, seconded by Supervisor Ketchpaw, the Board reconvened in open session. The motion carried unanimously.

The following motion was made by Supervisor Gigante, seconded by Supervisor Lohrmann:

RESOLVED: That William Norem, County Board Chair, shall, on behalf of Walworth County, execute the Employment Agreement in Concept with David A. Bretl, County Administrator, for performance of his services as County Administrator/Corporate Counsel, which Employment Agreement shall be refined by mutual agreement of the parties and presented to the County Board for approval at its next regular meeting. Additionally, it is specified that the salary allocated for the performance of Corporate Counsel duties be \$25,000.

On motion by Supervisor Palzkill, seconded by Supervisor Scharine, the motion was approved by unanimous consent.

County Administrator David Bretl was then requested to attend the meeting. The Board responded with a standing ovation. Administrator Bretl said how much he appreciated the opportunity and the support of the County Board of Supervisors.

