

THE OCTOBER 8, 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 Supervisors Burwell and Shepstone who had been excused. A quorum was established.

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

There were no withdrawals from the agenda.

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

On motion by Supervisor Ketchpaw, seconded by Supervisor Hilbelink, the minutes of the September 12, 2002 Special Orientation Session, the September 12, 2002 County Board of Supervisors Meeting and the September 25, 2002 Special Meeting were approved as presented.

Chairman Norem requested public comment, and none was presented.

Supervisor Shroble introduced Bill Gardner, President of the Wisconsin & Southern Railroad Company and Ken Lucht, Transportation Planner for Southwestern Wisconsin Regional Planning Commission and Wisconsin River Rail Transit Commission. Mr. Gardner gave a brief history of the Wisconsin & Southern Railroad Company and an overview on what types and quantities of product are being shipped by rail. This, he explained, results in a reduction of truck traffic and maintenance costs on our roads. Mr. Lucht informed the Supervisors that the Wisconsin River Rail Transit Commission is comprised of eight counties and is the largest transit commission in the State of Wisconsin. He explained the relationship between the Commission, the Wisconsin Dept. of Transportation and the County, and how this all works together. A question and answer period then followed.

On motion by Supervisor Lothian, seconded by Supervisor Grant, the claim of Robert R. Wasser was denied per the recommendation of Corporation Counsel Dennis Costello.

The claim of Eric LaRue was denied on motion by Supervisor Gigante, seconded by Supervisor Schaefer.

County Clerk Bushey called attention to the Charge-back of Illegal Taxes, which had been prepared by the Treasurer; no action was required.

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

Berg Construction, Inc. (Thomas J. Berg. Pres.), Town of East Troy
Kristina L. Cruse and Stacey S. Cruse, Town of Whitewater
Beach Road Partnership (James Klick, App.), 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:

Jay and Laura Myers, Town of Richmond, A-1 to C-2
Duane Newman, Town of Lafayette, A-1 to A-4
Robert N. Nick (George and Margaret Downing, App.), Town of Geneva, B-3 to R-1

Above petitions referred September 10, 2002
Dated this 25th day of September, 2002
Kimberly S. Bushey
County Clerk

On motion by Supervisor Gigante, seconded by Supervisor Scharine, Resolution No. 55-10/02-Approving an Employment Agreement with David A. Bretl for Performance of His Services as County Administrator/Corporate Counsel, was moved for adoption. Attorney George Steil presented a brief review of this agreement. Motion carried.

Walworth County, Wisconsin

Resolution No. 55 – 10/02
Approving an Employment Agreement with David A. Bretl
For Performance of His Services as Administrator/Corporation Counsel

WHEREAS, the Walworth County Corporation Counsel entered into an agreement to retire on December 31, 2002; and

WHEREAS, due to the unique qualifications of David A. Bretl, the vacancy offers an opportunity to reorganize the functions and duties of County Administrator and Corporation Counsel at a net savings to Walworth County; and

WHEREAS, the Walworth County Board of Supervisors, on September 25, 2002, authorized by unanimous vote, that a Conceptual Employment Agreement with David A. Bretl be refined by mutual agreement of the parties and then to be submitted to the Walworth County Board of Supervisors for approval; and

WHEREAS, a copy of the final Employment Agreement negotiated between David A. Bretl and Walworth County is attached to this resolution.

NOW, THEREFORE, BE IT RESOLVED that the Walworth County Board of Supervisors ratifies and approves the attached Employment Agreement with David A. Bretl as its County Administrator/Corporation Counsel and that Bretl be appointed as County Administrator effective on this date and as Corporation Counsel effective on January 1, 2003.

BE IT FURTHER RESOLVED THAT William M. Norem, County Board Chair, shall, on behalf of Walworth County, execute the Employment Agreement attached hereto with David A. Bretl, County Administrator/Corporation Counsel, to be co-signed by Kimberly S. Bushey, County Clerk.

BE IT FURTHER RESOLVED THAT this resolution supercedes Resolution No. 50 – 09/02 Appointing Mike Kohl as Interim Walworth County Administrator.

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	10/8/03 Date
	Dennis D. Costello Corporation Counsel	10/8/03 Date
	N. Andersen Finance Director	10/8/02 Date

Action Required: Majority Vote

County Board Meeting Date: October 8, 2002

Policy and Fiscal Note No. 55 – 10/02

I. Title: Approving an Employment Agreement with David A. Bretl for Performance of His Services as Administrator/Corporation Counsel

II. Purpose and Policy Impact Statement:

The purpose of this resolution is to submit a name for consideration by the County board to fill the position of County Administrator/Corporation Counsel.

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

The County Administrator/Corporation Counsel contract results in a net increase of \$22,015 over the County Administrator's current contract. The increase is related to the assignment of additional duties related to Corporation Counsel responsibilities. The section(s) of the contract related to Corporation Counsel duties would become effective January 1, 2003.

The County Administrator/Corporation Counsel will be eligible for within-range step increases and all other salary increases available to department heads of the County. Two within-range step increases are currently available. The Administrator/Corporation Counsel will be eligible for a single step increase on January 1, 2004. Each step is equivalent to approximately a 3.75% salary increase. Based upon the reorganization proposed in Resolution No. 61-10/02, it is anticipated that the County will realize a net annual savings of a minimum of \$23,013 per year. Savings could be more depending upon how frequently outside counsel is utilized. The preliminary budget together with the reorganization plan would allocate the sum of \$35,000 to the County Board budget for legal services. Assuming that not all of the funds are utilized, additional savings could be realized versus the 2002 budget.

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

None

V. Approved as to form:	David A. Bretl County Administrator	10/8/03 Date
	Dennis D. Costello Corporation Counsel	10/8/03 Date
	N. Andersen Finance Director	10/8/03 Date

County Board Meeting Date: October 8, 2002

On motion by Supervisor Kuhnke, seconded by Supervisor Schaefer, the Board approved the following Report of the Land Management Committee.

Supervisor Gigante voiced his concern regarding the amount of A-1 land that is being rezoned, and requested periodic updates as to how much of this agricultural land we are losing.

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. Alvin R. and Susan M. Larson, Town of La Grange, filed a petition on the 20th day of June, 2002, to rezone from C-4 Lowland Resource Conservation District (Shoreland) to A-5 Agricultural-Rural Residential District.

Recommendation: Said petition be approved to reflect a rezone from C-4 to A-5.

2. Ram S. Goyal Trust and Akshama Goyal Trust (Kevin J. Robers, App.), Town of LaFayette, filed a petition on the 28th day of June, 2002, to rezone from A-1 Prime Agricultural Land District to B-4 Highway Business District.

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

1. The property is substandard in size.
2. There is a need in Walworth County for a facility accommodating the trucking industry along I43.

3. Rita M. Leahy and Mark J. Powers (Rita M. Leahy, App.), Town of Lyons, filed a petition on the 27th day of June, 2002, to rezone from A-1 Prime Agricultural Land District to C-2 Upland Resource Conservation District on the following described lands:

Tax Parcel #N LY3400004A
E1/2 NW 1/4 Sec 34, T2N R18E, EXC N LY34-4A1 Desc in Vol 205 Records
pg. 280, in the Town of Lyons, Walworth County, Wisconsin.

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

1. The Town denied the request.
 2. There was no development plan in conjunction with the rezone request.
 3. No one appeared at the Town or County hearings.
 4. The request is speculative
4. Bruce H. Reek and Molly R. Maquire-Reek, Towns of Linn and Bloomfield, filed a petition on the 3rd day of July, 2002, to rezone from A-1 Prime Agricultural Land District to A-2 Agricultural Land District.

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

1. There are 35 percent non-rime soils.
 2. The area proposed for rezone contains the non-agricultural soils.
5. Robert A. Pearce Farms, Inc., Town of Walworth, filed a petition on the 3rd day of July, 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.

1. There is already an existing graveled area.
2. The site has not been historically farmed since 1966.

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. Alvin R. and Susan M. Larson, Town of LaGrange – to amend said zoning maps from C-4 Lowland Resource Conservation District (Shoreland) to A-5 Agricultural-Rural Residential District on the following described lands:

Part of Tax Parcel #H LG 800001A

All property on the parcel excluding the following delineated wetland: All that part of the East ½ of Section 8, Town 4 North, Range 16 East, in the Town of LaGrange, Walworth County, Wisconsin, described as follows: Commencing at the Southeast corner of the Southeast ¼ of said Section 8; thence North along the East line of said Section 8, 2361.30 feet; thence South 89°54'44" West 33.00 feet to the West line of Duffin Road and the Place of Beginning; thence continuing S 89°54'44" West 509.99 feet; thence North 00°04'35" West 199.56 feet; thence North 50°39'46" East 38.88 feet; thence North 51°32'27" East 47.71 feet; thence North 43°38'25" East 30.10 feet; thence North 05°39'04" West 20.62 feet; thence North 21°54'34" East 17.24 feet; thence North 47°54'40" East 19.20 feet; thence North 85°06'47" East 38.62 feet; thence South 44°22'23" East 17.60 feet; thence South 61°14'08" East 20.92 feet; thence South 26°22'05" East 46.41 feet; thence South 61°10'12" East 25.58 feet; thence South 57°09'48" East 40.70 feet; thence South 69°55'09" East 49.16 feet; thence South 27°32'11" East 39.27 feet; thence South 42°37'30" East 38.93 feet; thence South 44°39'10" East 40.61 feet; thence South 53°41'41" East 41.48 feet; thence South 40°06'50" East 18.92 feet; thence South 80°51'50" East 39.92 feet; thence South 54°56'45" East 35.44 feet; thence South 56°44'27" East 28.45 feet to the West line of Duffin Road; thence South along said West line, 38.36 feet to the place of beginning.

2. Ram S. Goyal Trust and Akshama Goyal Trust (Kevin J. Robers, App.), Town of LaFayette – to amend said zoning maps from A-1 Prime Agricultural Land District to B-4 Highway Business District on the following described lands:

Tax Parcel #K LF2800006

A parcel of land described in a Quit Claim Deed recorded in Vol. 649 on Page 3070 as Document No. 362657, as shown below:

That part of the W ½ - NW ¼ of Section 28, Township 3 North, Range 17 East, described as follows: Begin in the East line of the W ½ of Said NW ¼ at a point 1320.43 North 89°36'16" East and 110 feet North 0°23'44" West of the Southwest corner of said NW ¼ as measured along and normal to the South line of said NW ¼; thence South 89°36'16" West 924.37 feet; thence North 34°44'20" East 1149.82 feet; thence North 39°45'55" East 344.00 feet to the East line of the

W ½ of said NW ¼; thence South 2°20'15" East to the Point of Beginning. Containing 13.16 acres, more or less.

1. The property is substandard in size.
2. There is a need in Walworth County for a facility accommodating the trucking industry along I43.

3. Bruce H. Reek and Molly R. Maguire-Reek, Towns of Linn and Bloomfield – to amend said zoning maps from A-1 Prime Agricultural Land District to A-2 Agricultural Land District on the following described lands:

Part of Tax Parcel #I L 1200015A and all of Tax Parcel #'s IA290700001 and MB 700006A

Located in part of the Southeast ¼ of Section 12, Town 1 North, Range 17 East and in part of the Southwest ¼ of Section 7, Town 1 North, Range 18 East, Walworth County, Wisconsin, more particularly described as follows:

Commencing at the Southeast corner of said Section 12 (T1N, R17E); thence along the South line of the Southeast 1/4 of said Section 12, S89DEG 25MIN 59SEC W, 50.60 feet to the Westerly right of way line of Westside Road; thence along said road, N 20DEG 30MIN 39SEC E, 70.73 feet to the Point of Beginning; thence S 89DEG 25MIN 59SEC W, 930.80 feet; thence N 00DEG 33MIN 21SEC W, 903.35 feet; thence N 89DEG 26MIN 39SEC E, 573.49 feet; thence S 10DEG 28MIN 44SEC W, 48.99 feet; thence S 66DEG 18MIN 42SEC E, 650.54 feet to the Westerly right of way line of said Westside Road; thence along said road, S 20DEG 30MIN 39SEC W, 630.07 feet to the Point of Beginning.

1. There are 35 percent non-prime soils.
2. The area proposed for rezone contains the non-agricultural soils.

4. Robert A. Pearce Farms, Inc., Town of Walworth – 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 #E W 300001

A part of the Southeast ¼ of the Northeast ¼ of Section 3, Town 1 North, Range 16 East, Walworth County, Wisconsin, described as follows: Beginning at the East ¼ corner of said Section 3 (T1N, R16E); thence S 89DEG 16MIN 51SEC W, 349.92 feet along the South line of the Northeast ¼; thence N 00DEG 29MIN 50SEC E, 292.86 feet; thence N 89DEG 46MIN 03SEC E, 346.21 feet to the East line of said Northeast ¼; thence S 00DEG 13MIN 34SEC E, 289.87 feet to the Point of Beginning. Containing 2.33 acres of land more or less.

1. There is already an existing graveled area.
2. The site has not been historically farmed since 1966.

ATTEST this 8th day of October, 2002.

William M. Norem
County Board Chairman

ATTEST this 8th day of October, 2002.

Kimberly S. Bushey
County Clerk

Resolution No. 56-10/02 - Walworth County Aging Plan for Older People 2003-2005, was moved for adoption by Supervisor Gigante, seconded by Supervisor Grant. The resolution was adopted by unanimous consent on motion by Supervisor Grant, seconded by Supervisor Gigante.

RESOLUTION NO. 56-10/02

WALWORTH COUNTY AGING PLAN
FOR OLDER PEOPLE 2003-2005

Resolution Introduced by: Walworth County Health and Human Services Board

WHEREAS, Walworth County is required to prepare an annual service plan for older people which contains proposed uses of Federal/State Older Americans Act funds, State Senior Community Service funds, and State Elderly Benefit Service funds, and

WHEREAS, the Walworth County Commission on Aging and the Walworth County Health and Human Services Board have reviewed the Walworth County Aging Plan for Older People 2003-2005, and

WHEREAS, the above named committees have approved the proposed Plan as presented.

NOW, THEREFORE, BE IT RESOLVED by the Walworth County Board of Supervisors that the Walworth County Plan for Older People 2003-2005 be approved and the programs listed be funded by Federal and State revenues as set forth below:

FEDERAL/STATE OLDER AMERICANS ACT

PROGRAM	REVENUE
Administrative/Fiscal Support	\$13,000
Public Information	\$1,000
Benefit/Legal Assistance	14,000

II. Purpose & Policy Impact Statement:

Federal and State regulations require County Board approval of the Walworth County Aging Plan for Older People 2003-2005. The Plan includes federal and state grant revenues for direct and indirect costs.

III. Budget & Fiscal Impact:

Revenue: \$397,486

Expenditures: \$397,486

IV. Standing Committee Consideration & Referral:

Health and Human Services Board

V. Considered by the Following Committee Prior to County Board Consideration:

Health and Human Services Board on September 17, 2002 with a vote of 8 - 0 to recommend approval of the Plan.

VI. Reviewed as to Form:

David A. Bretl County Administrator	9/30/02 Date
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Dennis D. Costello Corporation Counsel	9/30/02 Date
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N. Andersen Finance Director	9/30/02 Date
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Resolution No. 57-10/02 – State Funding for Long Term Mental Health Inpatient Care at State Institutions, was moved for adoption by Supervisor Miles, seconded by Supervisor Ketchpaw, and was unanimously approved by voice vote.

RESOLUTION NO. 57-10/02

STATE FUNDING FOR LONG TERM MENTAL HEALTH INPATIENT CARE AT
STATE INSTITUTIONS

WHEREAS, Walworth County will expend more than \$900,000 this year for mental health inpatient treatment, and;

WHEREAS, the financial burden on county property tax payers continues to escalate, and;

WHEREAS, the State of Wisconsin continues to increase rates for mental health inpatient treatment at the state mental health institutions, while decreasing funding that would help pay for such services;

NOW, THEREFORE, BE IT RESOLVED that the Walworth County Board of Supervisors urges the State of Wisconsin to amend current policies, procedures and laws regarding funding for mental health inpatient hospitalizations so that counties fund short-term mental health placements and the state fund's long-term placements in the state mental health institutes.

BE IT FURTHER RESOLVED that any counties facing this financial crisis are encouraged to pass a similar resolution, and;

BE IT FURTHER RESOLVED that a copy of this resolution be sent to the Governor, all elected state representatives from this area, the Secretary of the Department of Health and Family Services, the Wisconsin Counties Association, all Wisconsin County Board Chairpersons, and all Directors of Human/Social Services and Community Programs in Wisconsin.

Dated this 8th day of October, 2002.

William M. Noren
County Board Chairman

KIM BUSHEY
ATTEST: County Clerk

Policy and Fiscal Note Attached: Yes No

FISCAL NOTE: Adoption of this resolution will not require additional expenditure of tax levy funds.

Approved as to Form:	David A. Bretl County Administrator	9/30/02 Date
	Dennis D. Costello Corporation Counsel	9/30/02 Date
	N. Andersen Finance Director	9/30/02 Date

Action Required: Majority Vote Two-thirds Vote Other: _____

Resolution
Policy & Fiscal Note

I. Title: Increase State Funding for Mental Health Inpatient

II. Purpose & Policy Impact Statement:

To support advocates and communicate to members of the Wisconsin Legislature to increase funding for Mental Health inpatient treatment.

III. Is This a Budgeted Item?

No

IV. Fiscal Impact:

There is no fiscal impact at this time.

V. Referred to the following standing committees for consideration:

Health & Human Services Board

Administrative Committee

VI. Reviewed as to Form:

David Bretl County Administrator	9/30/02 Date
Dennis D. Costello Corporation Counsel	9/30/02 Date
Nicki Andersen Director of Finance	9/30/02 Date

I. Title. Resolution No. 58-10/02, " Appropriate Funds to Implement the 2001-2003 Lakeland Education Association Collective Bargaining Agreement "

II. Purpose and Policy Impact.

The bargaining representatives of the parties reached tentative agreement on the terms of a 2001-2003 agreement with Lakeland Education Association ("LEA"). The agreement has been ratified by the union. The Children with Disabilities Education Board on September 26, 2002 ratified the agreement contingent upon County Board approval of an additional appropriation to fund the settlement.

The economic settlement with LEA is comparable with the settlement ratified by the County Board in April 2002 with other professional employees of the County.

Year 1: \$21,000 longevity pay
2000-2001 schedule continued for 2001-2002

Year 2: \$24,000 longevity pay
2002-2003 salary schedule represents a 3.78% increase
Extra duty pay increased by 5%
Credit reimbursement increased from \$125 to \$150 per credit
The County 3-tier insurance is effective November 1, 2002

III. Budget and Fiscal Impact.

An additional appropriation of approximately \$88,000 is required for the 2002 budget. The proposed 2003 budget has been adjusted to fund the agreement for the 2002-2003 school year. The costs for the 2003-2004 school year are unknown and an additional appropriation could be required in 2003 for Fall semester 2003.

IV. Standing Committee Consideration.

The Children with Disabilities Education Board on September 26, 2002 on a vote of 6 to 0 recommends adoption.

The Finance Committee on 10-8-02 on a vote of 6-0 recommends adoption.

V. Approved as to Form.

Finance Committee and Administrator, through its Finance Committee, as set forth in section 30-35.

- (c) Following the adoption of the annual budget, the County Board shall adopt a tax levy resolution, which shall be in compliance with the operating tax levy limit set forth in state statute.
- (d) Unless otherwise specified herein, the vote required on any matter, item or resolution related to the preparation of the annual budget shall be a majority of the members present.

Part II. Section 30-35 of the Walworth County Code of Ordinances entitled "Budget Amendments" is hereby amended as follows:

Sec. 30-35. Budget Amendments

- (a) The amounts of the appropriations and the purposes for such appropriations stated in the budget may not be changed unless authorized by a vote of two-thirds of the entire membership of the Board except as provided below:
 - 1. Authority to transfer between the budget categories specified in Sec. 30-33 is delegated to the Finance Committee.
 - 2. Authority to transfer within budget categories specified in Sec. 30-33 in amounts in excess of \$25,000 for an individual purpose is delegated to the Finance Committee.
 - 2 3. The Administrator is authorized to ~~make and~~ approve transfers at a level subordinate to the adopted budget categories specified in Sec. 30-33 in amounts not to exceed \$25,000 for an individual purpose.
- (b) Authorized use of the undesignated general fund or the contingency fund shall require approval of the County Board and shall be published by the County Clerk pursuant to Wisconsin State statutes.
- (c) The Administrator shall prescribe the format in which budget amendments will be prepared.
- (d) Budget amendments presented to the County Board and/or Finance Committee will bear the Finance Director's or his/her designee's signature, if the amendment has been reviewed and the Finance Director is in agreement with the financial presentation of

the amendment.

- (e) From time to time, amendments may be required to meet proper financial reporting requirements. The Finance Director, subject to approval of the Administrator is authorized to administratively amend the budget to meet these requirements. Administrative budget amendments shall be consistent with the authorized budget and shall be in conformance with generally accepted accounting principles for government as promulgated by the Governmental Accounting Standards Board or other authoritative sources.
- (f) Amendments authorized pursuant to paragraph (a) are subject to the following limitations:
 - 1. The transfer or change of purpose for any county department throughout the year shall not exceed the amount set up in the contingent fund as adopted in the annual budget.
 - 2. In the case of an individual department, the transfers or change ~~or~~ of purpose for that department shall not exceed more than ten percent in the aggregate of funds originally provided in the budget for expenditures for the department.

Part III. This ordinance shall be effective upon passage and publication.

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

William M. Norem
County Board Chairman

Kimberly S. Bushey
Attest: County Clerk

Policy and Fiscal Note attached:

X Yes ___ No

Approved as to Form:

David A. Bretl 9/30/02
County Administrator

Dennis D. Costello
Corporation Counsel

Nicki Andersen 9/30/02
Finance Director

Action Required: Majority Vote X Two-thirds vote ___ Other ___

County Board Meeting Date: October 8, 2002

Resolution No. 60-10/02 – Approving Transfer of \$21,000 from the Contingency Fund to the Appropriate Lakeland School Account To Pay for a Settlement in the Matter of J.R., was moved for adoption by Supervisor Gigante, seconded by Supervisor Wenglowsky. The resolution was adopted by unanimous consent on motion by Supervisor Grant, seconded by Supervisor Morrison.

Resolution No. 60 - 10/02

APPROVING TRANSFER OF \$21,000 FROM THE CONTINGENCY FUND TO THE APPROPRIATE LAKELAND SCHOOL ACCOUNT TO PAY FOR A SETTLEMENT IN THE MATTER OF J.R.

Sponsored by: Walworth County Children With Disabilities Education Board.

WHEREAS, the Walworth County Children With Disabilities Education Board (CDEB) has been considering the special education case of J.R. and has approved a settlement in the matter which includes a transfer of \$21,000 from the Contingency Fund to the appropriate account of Lakeland School; and

WHEREAS, the Finance Committee considered this settlement at a special meeting immediately prior to the October County Board meeting and has made its recommendation to the full Board.

NOW, THEREFORE, BE IT RESOLVED, by the Walworth County Board of Supervisors that the sum of \$21,000 be and the same is hereby transferred from the Contingency Fund to the appropriate account of Lakeland School for the settlement in the matter of J. R.

ADOPTED this 8th day of October, 2002.

William M. Norem
County Board Chairperson

Kimberly S. Bushey
Attest: County Clerk

Policy and Fiscal Note is attached.

Approved as to form:

David A. Bretl
County Administrator

10/4/02
(Date)

Dennis D. Costello
Corporation Counsel

10/4/02
(Date)

N. Andersen
Finance Director

10/4/02
(Date)

Action Required: 2/3 Vote

County Board Meeting Date: October 8, 2002

Resolution No. 60 - 10/02
Policy and Fiscal Note

I. Title: Approving Transfer Of \$21,000 From The Contingency Fund To The Appropriate Lakeland School Account To Pay For A Settlement In The Matter Of J.R.

II. Purpose and Policy Impact Statement:

The purpose is to transfer funds in the amount of \$21,000 to settle the special education case of J.R.

III. Budget and Fiscal Impact:

There are no funds in the Lakeland School budget for the settlement of special education claims. The contingency fund has approximately \$234,698 available for general purpose.

IV. Committee Consideration:

The Walworth County CDEB voted 4-0 to approve this settlement and recommend transfer of funds from the contingency fund at its special meeting on October 2, 2002. The Finance Committee voted _____ to approve the transfer of funds at its special meeting on October 8, 2002.

V. Approved as to Form: David A. Bretl 10/4/02
County Administrator (Date)

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

N. Andersen 10/4/02
Finance Director (Date)

Resolution No. 61-10/02 – Authorizing Reorganization of the Office of Corporation Counsel, was moved for adoption by Supervisor Gigante, seconded by Supervisor Morrison, and was unanimously approved by voice vote.

Policy and Fiscal Note No. 61 -10/02

I. Title: Authorizing Reorganization of the Office of Corporation Counsel

II. Purpose and Policy Impact Statement: The purpose of this resolution is to provide for reorganization of the Corporation Counsel office to consolidate operations with the Office of County Administrator.

III. Is this a budgeted item and what is its fiscal impact: While the resolution authorizes implementation of the Plan this year, it will be implemented using existing funds. No transfer from the contingency is necessary to implement this Plan in 2002. Beginning in 2003, the Plan will reduce costs when compared to 2003 estimates of running the offices separately. The worksheet below provides a summary of the budgetary impact of the reorganization.

<u>Recommendations</u>	FTE	<u>Pos #</u>	<u>Co Admin.</u> <u>2003 Budget</u>	<u>Corp Counsel H&HS</u> <u>2003 Budget</u>	<u>2003 Budget</u>	<u>Net Impact</u>
Delete Clerk IV position in Corp Counsel	-0.50	09005		(21,312)		
Delete Clerk II in Child Support	-0.50	20289			(16,495)	
Add Clerk IV in Child Support	1.00	New #			42,568	
Create a Deputy Corp Counsel position	1.00	New #		107,953		
Delete Assistant Corporation Counsel	-1.00	t/b/d		(101,235)		
Delete Corporation Counsel position	-1.00	09003		(127,813)		
Create confidential Clerk III position	1.00	New #		51,306		
County Administrator revised contract				22,015		
	0.00		-	(69,086)	26,073	(43,013)

As shown in the above-stated table, the Plan is estimated to save \$43,013 in personnel costs. Assuming \$20,000 of the \$43,013 in savings is transferred to

the County Board for legal fees and used, the Plan would save \$23,013 versus the current operations. Savings will be higher if outside counsel is utilized less.

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

Committee: Human Resources Date: October 3, 2002

V. Approved as to form: David A. Bretl 10/4/02
County Administrator Date
Dennis D. Costello 10/4/02
Corporation Counsel Date
N. Andersen 10/04/02
Finance Director

County Board Meeting Date: October 8, 2002

Resolution No. 59-10/02 – Resolution Authorizing the County Board Chairman to Enter Into a Sister County Agreement with Landkreises Waldeck-Frankenberg, Germany, was moved for adoption by Supervisor Lothian, seconded by Supervisor Ketchpaw. The resolution was adopted by voice vote, with Supervisor Polyock recording a “no” vote.

Walworth County, Wisconsin

Resolution No. 59 – 10/02
Authorizing the County Board Chairman To Enter into
A Sister County Agreement with Landkreises Waldeck-Frankenberg, Germany

Moved/Sponsored by: Executive Committee

WHEREAS, in April 2002 the County of Waldeck-Frankenberg, Germany proposed that Walworth County enter into a “Sister County” relationship between the two counties; and

WHEREAS, Waldeck-Frankenberg officials attended the Walworth County Board annual dinner in April 2002 where officials of both governments had opportunity to meet and exchange ideas relative to such a partnership; and

WHEREAS, Walworth County and the County of Waldeck-Frankenberg did on April 30, 2002 proclaim their intention to further explore the establishment of a "Sister County" partnership; and

WHEREAS, the Executive committee has discussed the merits of continuing the exchange of ideas between the counties, including the parameters of a "Sister County" partnership, and unanimously recommends entering into such an arrangement;

NOW, THEREFORE, BE IT RESOLVED by the Walworth County Board of Supervisors that Walworth County does hereby enter into a "Sister County" partnership with Landkreises Waldeck-Frankenberg provided that no financial commitment shall be made by the Board for overseas travel.

BE IT FURTHER RESOLVED that the Walworth County Board Chairman and Executive committee are authorized to continue to further explore partnership ideas, which ideas will periodically be reported to the County Board.

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	9/30/02 Date
Dennis D. Costello Corporation Counsel	9/30/02 Date
Nicki Andersen Finance Director	10/1/02 Date

Action Required:

Majority Vote

Two-thirds Vote

Other _____

County Board Meeting Date: October 8, 2002

Policy and Fiscal Note No. 59 – 10/02

- I. Title: Authorizing the County Board Chairman To Enter into A Sister County Agreement with Landkreises Waldeck-Frankenberg, Germany

- II. Purpose and Policy Impact Statement: The purpose is to establish a "Sister County" partnership with the County of Waldeck-Frankenberg, Germany and authorize the Walworth County Board Chairman and Executive committee to explore partnership ideas which will be periodically reported to the County Board.

- III. Is this a budgeted item and what is its fiscal impact? Authorization to enter the partnership does not include authority for any county financed travel. There is no fiscal impact associated with approval of this resolution. Any expenditures attendant to this relationship will have to be authorized by the Board first.

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

Committee: Executive Date: September 19, 2002 Vote: 7 – 0

- V. Approved as to form:

David A. Bretl	9-30-02
County Administrator	Date
Dennis D. Costello	9/30/02
Corporation Counsel	Date
Nicki Andersen	10/1/02
Finance Director	Date

County Board Meeting Date: October 8, 2002

Supervisor Lohrmann gave a progress report on the budget process. She informed the Supervisors that the 2003 Public Budget Hearing will be held on Thursday, October 24, 2002, 6:00 p.m., in the County Board room. Amendments to the Preliminary Budget are due in the Finance Department on Friday, October 25, 2002. The 2003 Budget will be adopted at the November 4, 2002 County Board Meeting.

Supervisor Grant announced that plans for the White River Trail are well underway and that construction would be starting the following day. Representatives from the ATV, snowmobile and bicycle communities are all involved in this project.

Supervisor Gigante reported that there would be an informational meeting held on October 23, 2002 regarding the Highway 12 project.

Chairman Norem reminded the Supervisors of the Walworth County Board of Supervisors Public Budget Hearing to be held on Thursday, October 24, 2002 at 6:00 p.m., in the County Board room. He also shared the following invitations with the Supervisors: County Board Secretary Judi Pieper's retirement party to be held on October 9, 2002, and the 50th Wedding Anniversary Open House for former County Board Supervisor Stanley Muzatko and his wife, to be held on November 3, 2002.

On motion by Supervisor Gigante, seconded by Supervisor Scharine, the Board adjourned at 6:55 p.m. The Public Budget Hearing will be held on Thursday, October 24, 2002 – 6:00 p.m. The next regularly scheduled meeting of the Walworth County Board of Supervisors is Monday, November 4, 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 October 8, 2002 meeting.

WALWORTH COUNTY BOARD OF SUPERVISORS
PUBLIC BUDGET HEARING
OCTOBER 24, 2002

The meeting was called to order at 6:00 p.m. by Chairman Norem at the Walworth County Courthouse, 100 W. Walworth St., Elkhorn, Wisconsin. Roll call was read with all Supervisors present except Supervisors Hilbelink, Wenglowisky, and Polyock. A quorum was established.

The invocation was delivered by Supervisor Dell Gigante.

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

Motion by Supervisor Gigante, seconded by Supervisor Russell, to convene as a "Committee of the Whole." Motion by Scharine, seconded by Schaefer, for unanimous consent. Motion carried unanimously. Chairman Norem turned the chair over to Supervisor Lohrmann, Chair of the Finance Committee.

Supervisor Lohrmann welcomed everyone to the evening's Public Budget Hearing for the 2003 Budget and gave a brief outline of the procedure that would be followed. She introduced Nicki Andersen, Finance Director.

Nicole Andersen presented a Power Point presentation. Andersen thanked the Finance Department staff, specifically Peggy Watson, Budget Manager and Stacie Johnson, Budget Analyst for their efforts in the preparation of the 2003 Budget Presentation.

Andersen presented an overview of the Preliminary Budget for 2003. Andersen started her presentation with the County's mission statement. She stated that the County Administrator worked closely with the County Board Supervisors and department heads to establish both short and long-term goals. The Finance Committee directed County Administrator Bretl to prepare a preliminary budget that would remove \$2.8 million dollars from the 2003 budget. Numerous staff meetings were held and options to reduce the levy were discussed. Andersen stated that the planning sessions resulted in five major proposals.

The first proposal was to consolidate departments for anticipated savings of \$320,000 as well as long-term operational efficiencies. Three departmental consolidations were initially proposed: Department of Public Works (Highway and Facilities Management), Emergency Government, and County Conservation & Development (Land Management, Land Conservation, and Economic Development). The Board recently authorized a fourth consolidation. The

consolidation of the Administration and Corporation Counsel offices is projected to save between \$23,000 and \$78,000 depending on how often we use outside counsel. These savings will be formally incorporated into the document at the November meeting.

The second proposal was related to the reduction of non-essential positions. Overall a net reduction of 23.57 positions resulted in a savings of approximately \$1.2 million.

The third proposal was to look at County revenues. The amount of funds received for land rentals has been increased. Departments evaluated fee schedules and proposed increases where appropriate. The sales tax budget was increased by \$600,000 based on increased activity in the County. Due to our large tourism industry, we receive approximately \$6.3 million in total sales tax in this County, which directly offsets the property tax.

The fourth proposal was to develop an intermediate plan to fund the Lakeland Health Care Center. Walworth County must face the anticipated loss of millions of dollars in State aid for the nursing home. Unless changes are made at the State or Federal level, funding will be significantly reduced in 2005. A study is underway to evaluate the long-term options for the nursing home. This budget will allow the County to level off the nursing home's impact on our levy for the next three years. This will allow time for the County to study its options and prepare to absorb the lost State aid.

The fifth proposal is the development of Walworth County's 5-Year Capital Plan. Based upon our recent agreement with the City of Elkhorn, the County is proceeding with the construction of a new court facility on the East edge of the City. The total cost of the project is estimated to be \$11,600,000. The project will be funded over three years using long-term debt proceeds. In 2003 we will issue \$6,750,000 of debt for this project. In addition, \$2,600,000 in debt will be issued for road construction this year and another \$1,000,000 (\$500,000 will be debt financing) to complete our Geographical Information System. To minimize the cost of long-term debt, the County limits the issuance of this debt to less than \$10,000,000 each year.

Based on the changes that were incorporated into the preliminary budget document, long-range projections were recalculated. The fiscal restraints that were implemented in this budget will provide for a manageable levy through 2006. The net result of all changes highlighted in Andersen's presentation is a reduction of the average mill rate from 5.14 per thousand of equalized value to 5.13 per thousand dollars of equalized value. The mill rate is made up of three components: 1) The County library levy provides funding for the Lakeshores Library System and is allocated just to the townships. The cities and villages provide their own tax levy for libraries. 2) The debt service levy is used to repay previous long-term debt issues and is allocated to all residents of the County. 3)

The operating levy funds all other County operations. The 2003 budget reductions are reflected in the operating levy and is allocated to all County residents.

In concluding the budget presentation, Andersen stated that the cost of County services in 2003, for a family that owns a \$150,000 household, will be \$770.00 per year or \$2.11 per day. Last year this same house would have cost \$771.00, assuming there was no reassessment.

Supervisor Lohrmann thanked Andersen for her presentation. Lohrmann then read from a list of departments, highlighting changes in departmental budgets. She asked that the Public wishing to comment on those specific departments wait until she was finished reading and then come up to the podium, state their name and address, and sign in. Speakers had three minutes for their comments.

Bill Seemeyer, W2198 Wilmers Grove Road, Town of East Troy, asked about the wage increases in the 2003 budget. Administrator Bretl said that six of the seven collective bargaining units have settled contracts through 2004 with an increase of 3% in wages and 19% for health insurance.

Rulo Clark, W6961 Taylor Road, Elkhorn, representing the Walworth County Farm Bureau, made comments regarding his concerns about the combination of the Land Management and Land Conservation departments. He is not in favor of consolidating the two departments. Clark is also concerned about the loss of agricultural land in the County.

Lohrmann thanked the members of the public for coming and then turned the meeting back over to Chairman Norem.

On motion by Supervisor Scharine, seconded by Supervisor Schaefer, the Committee of the Whole was dissolved, the Public Budget Hearing was closed, and the Committee returned to a Board.

Chairman Norem reminded the Supervisors that the meeting to approve the budget would be held Monday, November 4, 2002.

The meeting adjourned at 6:58 p.m. on motion by Supervisor Gigante, seconded by Supervisor Schaefer. The next regularly scheduled meeting of the Walworth County Board of Supervisors is Monday, November 4, 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 October 24, 2002 Public Budget Hearing.

THE NOVEMBER 4, 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.

In honor of Veteran's Day, Supervisor Guido recognized and honored the Supervisors on the Walworth County Board who served in the U. S. armed forces. Chris Jordan, Veteran's Service Officer and Linda Eastburg presented each Supervisor with an American flag. Supervisors Larry Scharine, served during World War II; Jerome Palzkill, World War II; Bill Miles, World War II; Robert Shepstone, occupation of Japan; Toby Shroble, Korea; Robert Arnold, served during peacetime; Gigante, Korea; Guido, Korea; and William Norem, Korea. Chairman Norem was given a flag of the State of Wisconsin as well as a United States flag. Supervisor Joe Schaefer, senior member of the Board, served in Vietnam as did Supervisor Wenglowsky.

Supervisor Guido then presented the invocation by reading the U.S. Military Academy at West Point Cadet Prayer. Chairman Norem said he would like us all to think beyond tonight about any veterans in hospitals and those who have passed away, and more importantly those who lie around the world in unmarked graves.

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

On motion by Supervisor Lohrmann, seconded by Supervisor Gigante, the agenda was amended by moving Resolution No. 68-11/02, Resolution Establishing the Tax Levy to Support the 2003 Budget Appropriation to the end of the agenda.

On motion by Supervisor Grant, seconded by Supervisor Gigante, Resolution No. 73-11/02, Approving Vacation of 0.31 Acres of Land, More or Less, Which Land is No Longer Needed for Highway Purposes, and Ordinance No. 232-11/02, Repealing and Recreating Article II of Chapter 10 of the Walworth County Code of Ordinances Relating to Concerts and Certain Events, were removed from the agenda; and Resolution 71-11/02, Approving an Intergovernmental Agreement with the City of Whitewater and an Agreement with the Wisconsin Department of Transportation Concerning Construction of an Underpass Under U. S. Highway 12 for the Purpose of Facilitating a Trail, was moved to the front of the agenda.

Supervisor Arnold made a motion to remove Resolution No. 72-11/02, Supporting the Original U. S. Highway 12 Corridor, from the agenda and refer it back to the Highway Committee, seconded by Supervisor Lohrmann. Supervisor Arnold said that the Towns of La Grange and Sugar Creek have not had an opportunity to act on this subject and give their input. Discussion ensued. Chair Norem said he was opposed to taking this off the agenda as there were people present who wanted to speak to the issue and would not be able to if removed from the agenda. On motion by

Supervisor Lothian, seconded by Supervisor Arnold, the question was called to end debate. On motion by Supervisor Gigante, seconded by Supervisor Ketchpaw, a roll call vote was held. Total Vote: 23; Ayes: 2 – Arnold and Lohrmann; Noes: 21- Burwell, Felten, Gigante, Grant, Guido, Hilbelink, Ketchpaw, Kuhnke, Lightfield, Lothian, Miles, Morrison, Palzkill, Parker, Russell, Schaefer, Scharine, Shepstone, Shroble, Wenglowisky, Norem; Absent: 2 – Peterson and Polyock. The motion failed.

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

On motion by Supervisor Miles, seconded by Supervisor Schaefer, the minutes of the October 8, 2002 County Board of Supervisors Meeting were approved as presented.

Chair Norem recognized Suzanne Harrington. Harrington came forward to present David Bretl a special gift in appreciation of his decision to stay in Walworth County. With the help of Vicki Wedig, from the Elkhorn Independent, Harrington contacted a caricature artist from Milwaukee. The picture was signed by all the County Board Supervisors. Bretl thanked Suzanne and all the Supervisors.

Chairman Norem requested comments from the public.

Richard Lies, President of the Walworth County Senior Center Advisory Board, N6423 Foster Drive, Elkhorn, introduced himself and Karlyne Karr, P.O. Box 298, Lyons. Ms. Karr is the Senior Activities Advisory Council Vice Chair. Karr said that she was asked to speak on behalf of the seniors at the Senior Center. The seniors wanted the Supervisors to know how upset they are to have to give up their Senior Program because of removal of their funding. The seniors are asking that the Board please restore the funding.

The following Reports of Zoning Gone into Effect were read and placed on file:
Alvin R. and Susan M. Larson, Town of LaGrange
Ram S. Goyal Trust and Akshama Goyal Trust (Kevin J. Robers, App.),
Town of Lafayette
Bruce H. Reek and Molly R. Maguire-Reek, Towns of Linn and Bloomfield
Robert A. Pearce Farms, Inc., Town of Walworth

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:

Bromley Woodland Trust (Mark Bromley, Trustee), Town of LaGrange,
A-1 to C-2
Richard H. and Beverly L. Good (Jeffrey J. Auberger, App.), Town of Troy,
A-2 to C-2
Denise and Todd Fink, Town of Lafayette, A-1, A-2 and M-3 to A-5 and
C-1
Sheldon C. and Janice M. Latz, Town of Sugar Creek, M-3 and C-1 to A-2
Shawn and Thomas G. Whowell and Jeff and Trallee Chupich, Town of
Walworth, A-1 to A-2
Paul M. Dudley, Town of Bloomfield, A-2, C-4 and C-1 to C-2
Art Pierce, Town of Bloomfield, A-1 to A-5
Richard and Shirley J. Finster, Town of Lyons, C-2 to A-1

Above petitions referred October 21, 2002
Dated this 29th day of October, 2002
Kimberly S. Bushey
County Clerk

Resolution No. 71-11/02 - Approving an Intergovernmental Agreement with the City of Whitewater and an Agreement with the Wisconsin Department of Transportation Concerning Construction of an Underpass Under U. S. Highway 12 for the Purpose of Facilitating a Trail, was moved for adoption by Supervisor Grant, seconded by Supervisor Hilbelink.

Supervisor Grant recognized Paul Lauritzen, Whitewater Bicycle Advocacy Committee. Lauritzen spoke to the Board to ask for the Board's support of the bypass, which would go under Highway 12.

Ginny Coburn, 2 Coburn Lane, Whitewater, addressed the Board regarding the Ice-Age Trail and what it means and could mean to Whitewater in the future. The construction of the Highway 12 underpass would enable plans to continue for the Whitewater Ice-Age Trail.

Supervisor Gigante recognized Ron Fero, Chairman, Town of Whitewater. Fero said that this bike path is in the Township of Whitewater not in the City of Whitewater. The Town of Whitewater has voted against this. Fero said that the landowners don't want this bike trail on their land. Fero asked how the City of Whitewater could enter into an agreement when it is not part of the City. Fero strongly feels that the decision should not be made without consulting the Town of Whitewater.

Motion by Gigante to refer the resolution back to the Highway Committee, and that the County and the Town of Whitewater get together to discuss their concerns. The motion was held until everyone had an opportunity to speak.

Supervisor Grant recognized Paul Sandgren, State Forest Superintendent. Sandgren asked everyone to keep in mind the purpose of the resolution, which is an underpass under U. S. Highway 12 to create a connection between the City of Whitewater and the Whitewater Lake Recreation Area in the Kettle Moraine State Forest. Sandgren said that the Town of Whitewater did approve the concept of a connection between the City of Whitewater and the Kettle Morriane State Forest; however, the bike route itself has not been finalized. Supervisor Grant emphasized that the resolution has to be passed now, as the DOT is in the process of creating this bypass at this time. Highway Commissioner DuPont stated that the Department of Transportation has extended the deadline to November. Gigante said he believes that the Town of Whitewater should be part of what is put together with the City of Whitewater.

Supervisor Guido recognized Mike Hurlburt, President of the White River Cycle Club. Mr. Hurlbert said that the development of these bike trails is new to him as well as the County. The cycle club is in favor of the bypass. The Department of Transportation has begun the construction of the bypass.

Administrator Bretl stated that Resolution No. 71-11/02 in support of the agreement between the City of Whitewater and the Department of Transportation will have no fiscal impact on the County.

A motion was offered by Supervisor Gigante, seconded by Lohrmann, to send Resolution No. 71-11/02-Approving an Intergovernmental Agreement with the City of Whitewater and an Agreement with the Wisconsin Department of Transportation Concerning Construction of an Underpass under U.S. Highway 12 for the Purpose of Facilitating a Trail, back to the Highway Committee for discussions between the County and the Township of Whitewater. The motion failed by voice vote.

On motion by Supervisor Ketchpaw, seconded by Supervisor Hilbelink, the question was called to end debate and passed by unanimous voice vote. A roll call vote on Resolution No. 71-11/02-Approving an Intergovernmental Agreement with the City of Whitewater and an Agreement with the Wisconsin Department of Transportation Concerning Construction of an Underpass Under U.S. Highway 12 for the Purpose of Facilitating a Trail, was held and the resolution was adopted. Total vote: 23; Ayes: 18 – Arnold, Burwell, Felten, Grant, Guido, Hilbelink, Ketchpaw, Lightfield, Lothian, Miles, Palzkill, Parker, Russell, Schaefer, Scharine, Shroble, Wenglowksy, Norem; Noes: 5 – Gigante, Kuhnke, Lohrmann, Morrison, Shepstone; Absent: 2 – Peterson and Polyock.

Resolution No. 71 – 11/02
Approving an Intergovernmental Agreement with the City of Whitewater and an
Agreement with the Wisconsin Department of Transportation Concerning
Construction of an Underpass under U. S. Highway 12 for the Purpose of
Facilitating a Trail

and an Agreement with the Wisconsin Department of Transportation concerning construction of an Underpass under U. S. Highway 12 for the Purpose of Facilitating a Trail

II. Purpose and Policy Impact Statement:

The purpose of the resolution is to permit the appropriate county officials to execute agreements with the Department of Transportation and the City of Whitewater. The D.O.T. would then construct an underpass under the new Highway 12 bypass. The City of Whitewater is supportive of the underpass, however, the state will not build it unless the county is signatory to an agreement. There are strings attached to the agreement with the D.O.T., including payment of a local share, maintenance of the underpass and repayment of the cost of construction in the event a bike trail is never built. The purpose of the agreement between the County and Whitewater is to shift all of the County's obligations to the City. Whitewater would then be responsible for performance of the D.O.T. agreement and the County would have no financial obligation. Whitewater City Manager Gary Boden indicated that the City was agreeable to this approach. According to the resolution, the County would not execute the D.O.T agreement until the City executes the intergovernmental agreement with the County.

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

This resolution has no fiscal impact to the County.

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

Committee: Highway

Date: October 15, 2002

Note: This resolution was referred by the Highway committee without recommendation.

V. Approved as to form:	David A. Bretl County Administrator	11/1/02 Date
	(no signature) Corporation Counsel	Date
	Nicki Andersen (pw) Finance Director	11/1/02 Date

County Board Meeting Date: November 4, 2002

On motion by Supervisor Lothian, seconded by Supervisor Morrison, Resolution No. 62-11/02-Proclamation Officially Recognizing the Veterans of Foreign Wars and

public hearings thereon, pursuant to Section 59.69(5)(e) Wisconsin Statutes, notice thereof having been given as provided by law, and being duly informed of the facts pertinent to the changes proposed and duly advised of the wishes of the people in the area affected, hereby recommends as follows:

1. Robert and Karen Anderson, Town of Whitewater – filed a petition on the 6th day of August, 2002, to rezone from A-1 Prime Agricultural Land District to C-2 Upland Resource Conservation District.

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

1. There are forty percent non-prime soils on the site.
2. The property has steep slopes.
3. The rezone would result in no new homes on the site.
4. The property has not been historically farmed.

2. Michael B. Turner, Town of Richmond – filed a petition on the 17th day of July, 2002, to rezone from A-1 Prime Agricultural Land District to C-2 Upland Resource Conservation District.

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

1. The property is separated from the remainder of the farm by a drainage ditch.
2. It is part of a ridge area to the south containing non-prime farm soils.
3. It would be consistent with the surrounding uses.

3. Kathleen S. Fox Declaration of Trust (G. George Fox, App.), Town of Spring Prairie – filed a petition on the 5th day of August, 2002, to rezone from A-1 Prime Agricultural Land District to A-2 Agricultural Land District & C-2 Upland Resource Conservation District the following described lands:

Tax Parcel #O SP 100003

Proposed Rezone – A-1 to C-2: A parcel of land located in the Northwest ¼ of Section 1, Town 3 North, Range 18 East, Town of Spring Prairie, Walworth County, Wisconsin, described as follows: Commence at the Center ¼ Corner of said Section 1; thence North, along the East line of said Northwest ¼ and the centerline of Bell School Road, 450 feet to the Northeast Corner of Certified Survey Map No. 3459 and the Point of Beginning; thence West, along the North line of said Certified Survey Map, 355 feet; thence South, along the West line of said Certified Survey Map, 87 feet; thence South 145 feet; thence West 283 feet; thence North 214 feet; thence West 210 feet; thence North 615 feet; thence East 850 feet to the East line of said Northwest ¼ of Section 1; thence South, along said East line and the centerline of Bell School Road, 600 feet to the Point of Beginning.

Intending to rezone 13.3 acres of land, more or less, from A-1 to C-2.

Proposed Rezone – A-1 to A-2: A parcel of land located in the Northwest ¼ of Section 1, Town 3 North, Range 18 East, Town of Spring Prairie, Walworth County, Wisconsin,

described as follows: Commence at the Center ¼ Corner of said Section 1; thence North, along the East line of said Northwest ¼ and the centerline of Bell School Road, 1050 feet to the Point of Beginning; thence West 850 feet; thence South 615 feet; thence West 195 feet; thence South 216 feet; thence West 203 feet; thence North 700 feet; thence West 824 feet; thence South 917 feet to the South line of said Northwest ¼ of Section 1 and the centerline of county Trunk Highway D; thence West, along said South line and centerline, 300 feet; thence North, along the East line of Certified Survey Map No. 538, 450 feet; thence West, along the North line of said Certified Survey Map, 280 feet to the West line of said Northwest ¼ of Section 1; thence North, along said West line, 1088 feet; thence Northeasterly, along the Southeasterly line of Certified Survey Map No. 2538, 480 feet; thence Northeasterly, along said Southeasterly line, 134 feet; thence Northeasterly, along the Southeasterly line of Certified Survey Map No. 2371, 720 feet; thence Northerly, along the East line of said Certified Survey Map No. 2371, 242 feet to the North line of said Northwest ¼ of Section 1; thence East, along said North line and the South line of Honey Creek Road, 984 feet; thence South, along the West line of Certified Survey Map No. 2434, 1520 feet; thence East, along the South line of said Certified Survey Map No. 2434, 608 feet to the East line of said Northwest ¼ and the centerline of Bell School Road; thence South, along said East line and centerline, 50 feet to the Point of Beginning.

Intending to rezone 80.3 acres of land, ore or less, from A-1 to A-2

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

- 1. The property is zoned properly as is.
- 2. It is prime agricultural farmland.
- 3. The majority of the soils meet the prime agricultural soil classification.
- 4. The rezone would not be consistent with the Comprehensive Plan.

ORDINANCE AMENDING
WALWORTH COUNTY ZONING ORDINANCE

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

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

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

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

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

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

1. Robert and Karen Anderson, 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:

Tax Parcel #D W 3200003B

COM NW COR SEC 32 T4N R15E, E 1008.41' TO POB, E 306', S1D 32'W 730.80', N86D12'W 306.36' N1D32'E 710.48' TO POB. 5.06A

1. There are forty percent non-prime soils on the site.
2. The property has steep slopes.
3. The rezone would result in no new homes on the site.
4. The property has not been historically farmed.

2. Michael B. Turner, Town of Richmond – 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 #C R 2700003

A proposed rezone of a parcel of land located in the Northwest ¼ of the Northwest ¼ of Section 27, T3N, R15E, Walworth County, Wisconsin and described as follows:

Commencing at the Northwest corner of said Section 27; thence South along the West line of said Northwest ¼, 358.11 feet to the Place of Beginning; thence S 88°49'22" E 748.77 feet; thence South 304.17 feet to the North line of Certified Survey Map No. 3090; thence N 88°51'06" W along said North line and the North line of Certified Survey Map No. 1975, 748.76 feet to the Northwest corner of said Certified Survey Map No. 1975 and the West line of said Northwest ¼; thence North along said West line, 304.55 feet to the Place of Beginning, containing 5.23 acres of land more or less including road R-O-W.

1. The property is separated from the remainder of the farm by a drainage ditch.
2. It is part of a ridge area to the south containing non-prime farm soils.
3. It would be consistent with the surrounding uses.

ATTEST this 4th day of November, 2002.

William M. Norem
County Board Chairman

ATTEST this 4th day of November, 2002.

Kimberly S. Bushey
County Clerk

Resolution No. 63-11/02-Resolution Authorizing the Issuance and Sale of Approximately \$3,875,000 General Obligation Refunding Bonds was moved for

adoption by Supervisor Lohrmann, seconded by Supervisor Lothian. Supervisor Lohrmann introduced Bradley Viegut, representing Robert W. Baird. Mr. Viegut explained that the current bond would refinance a previous issue dated November 1, 1993. The original issue size was \$6.6 million. The \$3,875,000 bond issue date is December 1, 2002, maturing in 2003, 2004, and 2005. Refinancing at this time will save Walworth County \$137,000 in interest. A motion offered by Supervisor Lothian, seconded by Supervisor Scharine, to adopt Resolution No. 63-11/02-Resolution Authorizing the Issuance and Sale of Approximately \$3,875,000 by unanimous consent.

RESOLUTION NO. 63-11/2002

RESOLUTION AUTHORIZING THE ISSUANCE AND SALE OF \$3,875,000 GENERAL OBLIGATION REFUNDING BONDS

Moved/Sponsored by: Walworth County Finance Committee

Dated this 4th day of November, 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	10/28/02 Date
	Dennis D. Costello Corporation Counsel	10/28/02 Date
	N. Andersen Finance Director	10/25/02 Date

Action Required: Majority Vote Two-thirds Vote

County Board Meeting Date: November 4, 2002

RESOLUTION NO.63 – 11/2002

RESOLUTION AUTHORIZING THE ISSUANCE AND SALE OF \$3,875,000 GENERAL OBLIGATION REFUNDING BONDS

WHEREAS Walworth County, Wisconsin (sometimes hereinafter called the "County") is presently in need of the sum of Three Million Eight Hundred Seventy-Five Thousand Dollars (\$3,875,000) for the public purpose of refunding obligations of the County, including interest on them; and

WHEREAS the County Board of Supervisors of the County deems it necessary and in the best interest of the County that said sum be borrowed pursuant to the provisions of Section 67.04, Wis. Stats., upon the terms and conditions hereinafter provided; and

WHEREAS the County has duly received bids for its proposed issue of General Obligation Refunding Bonds (the "Bonds") as described on the bid tabulation attached hereto as Exhibit A and incorporated herein by this reference (the "Bid Tabulation"); and

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

NOW, THEREFORE, BE IT RESOLVED that the County borrow an amount not to exceed \$3,875,000 by issuing its general obligation bonds for the public purpose of refunding obligations of the County, including interest on them;

BE IT FURTHER RESOLVED that:

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

Section 2. The Bonds. The Chairperson and County Clerk shall make, execute and deliver the Bonds to the Purchaser, for and on behalf of the County. The Bonds shall be negotiable, general obligation bonds of the County in the aggregate principal amount of \$3,875,000, registered as to both principal and interest, in the denomination of Five Thousand Dollars (\$5,000) each or whole multiples thereof, numbered from R-1 upward and dated December 1, 2002. The Bonds shall bear interest at the rates per annum set forth in the Proposal and shall mature on December 1 of each year, in the years and principal amounts set forth in the Proposal and the debt service schedule attached hereto as Exhibit C and incorporated herein by this reference (the "Schedule").

Interest on the Bonds shall be payable on June 1 and December 1 of each year, commencing June 1, 2003.

The Bonds shall not be subject to call and payment prior to maturity.

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

Section 4. Tax Provisions.

(A) Direct Annual Irrepealable Tax. For the purpose of paying the principal of and interest on the Bonds as the same become due, the full faith, credit and resources of the County are hereby irrevocably pledged and there be and there hereby is levied on all the taxable property in the County a direct, annual, irrepealable tax in the years 2002 through 2004 for payment of principal of and interest on the Bonds in the years 2003 through 2005 in the amounts set forth in the Schedule.

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

(C) Additional Funds. If in any year there shall be insufficient funds from the tax levy to pay the principal of or interest on the Bonds when due, the said principal or interest shall be paid from other funds of the County on hand, said amounts to be returned when said taxes have been collected.

Section 5. Debt Service Fund and Account.

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

Within the debt service fund, there be and there hereby is established a separate and distinct account designated as the "Debt Service Account for \$3,875,000 'General Obligation Refunding Bonds' dated December 1, 2002" (the "Debt Service Account") and said Account shall be maintained until the indebtedness evidenced by the Bonds is fully paid or otherwise extinguished. The County Treasurer shall deposit in such Debt Service Account (i) all accrued interest received by the County at the time of delivery of and payment for the Bonds; (ii) the taxes herein levied for the specific purpose of meeting principal of and interest on the Bonds when due; (iii) such other sums as may be necessary at any time to pay principal of and interest on the Bonds when due; (iv) any premium which may be received by the County over and above the par value of the Bonds and accrued interest thereon; (v) surplus monies in the Borrowed Money Fund as specified in Section 6 hereof; and (vi) such further deposits as may be required by Sec. 67.11, Wis. Stats.

(B) Use and Investment. No money shall be withdrawn from the Debt Service Account and appropriated for any purpose other than the payment of principal of and

interest on the Bonds until all such principal and interest has been paid in full and canceled; provided (i) the funds to provide for each payment of principal of and interest on the Bonds prior to the scheduled receipt of taxes from the next succeeding tax collection may be invested in direct obligations of the United States of America maturing in time to make such payments when they are due or in other investments permitted by law; and (ii) any funds over and above the amount of such principal and interest payments on the Bonds may be used to reduce the next succeeding tax levy, or may, at the option of the County, be invested by purchasing the Bonds as permitted by and subject to Section 67.11(2)(a), Wis. Stats., in interest-bearing obligations of the United States of America, in other obligations of the County or in other investments permitted by law, which investments shall continue to be a part of the Debt Service Account.

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

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

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

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

provide among other things, for the performance by the Fiscal Agent of the functions listed in Wis. Stats. Sec. 67.10(2)(a) to (j), where applicable, with respect to the Bonds.

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

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

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

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

Section 10. Compliance with Federal Tax Laws. (a) The County represents and covenants that the projects financed by the Bonds and the Refunded Obligations defined in Section 13 and their ownership, management and use will not cause the Bonds or the Refunded Obligations to be "private activity bonds" within the meaning of Section 141 of the Code. The County further covenants that it shall comply with the provisions of the Code to the extent necessary to maintain the tax-exempt status of the interest on the Bonds including, if applicable, the rebate requirements of Section 148(f) of the Code. The County further covenants that it will not take any action, omit to take any action or permit the taking or omission of any action within its control (including, without limitation, making or permitting any use of the proceeds of the Bonds) if taking, permitting or omitting to take such action would cause any of the Bonds to be an arbitrage bond or a private activity bond within the meaning of the Code or would otherwise cause interest on the Bonds to be included in the gross income of the recipients thereof for federal income tax purposes. The County Clerk or other officer of the County charged with the responsibility of issuing the Bonds shall provide an appropriate certificate of the County certifying that the County can and covenanting that it will comply with the provisions of the Code and Regulations.

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

Section 11. Qualified Tax-Exempt Obligations. (a) Pursuant to Section 265(b)(3)(D)(ii) of the Code, \$3,850,000 of the principal amount of the Bonds is deemed designated as "qualified tax-exempt obligations" for purposes of Section 265 of the Code, relating to the ability of financial institutions to deduct from income for federal income tax purposes, interest expense that is allocable to carrying and acquiring tax-exempt obligations.

(b) The balance of the principal amount of the Bonds is hereby designated as "qualified tax-exempt obligations" for purposes of Section 265 of the Code relating to the ability of financial institutions to deduct from income for federal income tax purposes, interest expense that is allocable to carrying and acquiring tax-exempt obligations.

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

Section 13. Redemption of Refunded Obligations. The County has outstanding an issue of General Obligation County Jail/Law Enforcement Center Bonds, Series 1993B, dated November 1, 1993 (the "1993 Bonds"). The 1993 Bonds maturing in the years 2003 through 2005 (the "Refunded Obligations") are called for prior payment on December 1, 2002 at the price of par plus accrued interest to the date of redemption.

Any actions taken by or on behalf of the County to call the Refunded Obligations for redemption on December 1, 2002 are hereby ratified and approved.

Section 14. Undertaking to Provide Continuing Disclosure. The County covenants and agrees, for the benefit of the holders of the Bonds, to enter into a written undertaking (the "Undertaking") required by SEC Rule 15c2-12 promulgated by the Securities and Exchange Commission pursuant to the Securities and Exchange Act of 1934 (the "Rule") to provide continuing disclosure of certain financial information and operating data and timely notices of the occurrence of certain events in accordance with the Rule. The Undertaking shall be enforceable by the holders of the Bonds or by the original purchaser(s) of the Bonds on behalf of such holders (provided that the rights of the holders and the purchaser(s) to enforce the Undertaking shall be limited to a right to obtain specific performance of the obligations thereunder and any failure by the County

to comply with the provisions of the Undertaking shall not be an event of default with respect to the Bonds).

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

Section 15. Records. The County Clerk shall provide and keep a separate record book and shall record a full and correct statement of every step or proceeding had or taken in the course of authorizing and issuing these Bonds.

Section 16. Initial Resolution. The first resolution paragraph of this Resolution shall constitute the initial resolution required under Sec. 67.05(1) Wis. Stats.

Section 17. Bond Insurance. If the purchaser of the Bonds determines to obtain municipal bond insurance with respect to the Bonds, the officers of the County are authorized to take all actions necessary to obtain such municipal bond insurance. The Chairperson and County Clerk are authorized to agree to such additional provisions as the bond insurer may reasonably request and which are acceptable to the Chairperson and County Clerk including provisions regarding restrictions on investment of Bond proceeds, the payment procedure under the municipal bond insurance policy, the rights of the bond insurer in the event of default and payment of the Bonds by the bond insurer and notices to be given to the bond insurer. In addition, appropriate reference to the municipal bond insurance policy shall be made in the form of Bond provided herein.

Section 18. Closing. The Chairperson and County Clerk are hereby authorized and directed to execute and deliver the Bonds to the purchaser thereof upon receipt of the purchase price. The Chairperson and County Clerk may execute the Bonds by manual or facsimile signature, but at least one of said officers shall sign the Bonds manually.

The officers of the County hereby are directed and authorized to take all necessary steps to close the bond issue as soon as practicable hereafter, in accordance with the terms of sale thereof, and said officers are hereby authorized and directed to execute and deliver such documents, certificates and acknowledgments as may be necessary or convenient in accordance therewith.

Adopted this 4th day of November, 2002.

County Clerk

Chairperson

Policy and Fiscal Note attached.

Sponsored by: Finance Committee.

County Board Meeting Date: November 4, 2002.

Approved as to form:

County Administrator	Date
Corporation Counsel	Date
Finance Director	Date

Action Required: majority of a quorum.

EXHIBIT A

BID TABULATION

(SEE ATTACHED)
EXHIBIT B

PURCHASE PROPOSAL

(SEE ATTACHED)

EXHIBIT C

DEBT SERVICE SCHEDULE AND IRREPEALABLE TAX LEVIES

(SEE ATTACHED)

EXHIBIT D

(Form of Bond)

UNITED STATES OF AMERICA
STATE OF WISCONSIN
WALWORTH COUNTY

GENERAL OBLIGATION REFUNDING BOND

<u>Number</u>	<u>Rate</u>	<u>Date of</u> <u>Maturity Date</u>	<u>Original Issue</u>	<u>Amount</u>	<u>CUSIP</u>
R-	%		December 1, 2002	\$	

KNOW ALL MEN BY THESE PRESENTS: That Walworth County, Wisconsin (the "County"), hereby acknowledges itself to owe and for value received promises to

pay to _____, or registered assigns, the principal amount of _____ DOLLARS (\$_____)

on the maturity date specified above, together with interest thereon from December 1, 2002 or the most recent payment date to which interest has been paid, unless the date of registration of this Bond is after the 15th day of the calendar month immediately preceding an interest payment date, in which case interest will be paid from such interest payment date, at the rate per annum specified above, such interest being payable on June 1 and December 1 of each year, with the first interest on this issue being payable on June 1, 2003. For the prompt payment of this Bond with interest hereon as aforesaid, the full faith, credit and resources of the County have been and are hereby irrevocably pledged.

The Bonds shall not be subject to call and payment prior to maturity.

Both principal hereof and interest hereon are hereby made payable to the registered owner in lawful money of the United States of America. The principal of this Bond shall be payable only upon presentation and surrender of this Bond at the principal office of Associated Trust Company, National Association, Green Bay, Wisconsin, the Fiscal Agent, or any successor thereto. Interest hereon shall be payable by check or draft dated as of the applicable interest payment date and mailed from the office of the Fiscal Agent to the person in whose name this Bond is registered at the close of business on the fifteenth day of the calendar month next preceding each interest payment date.

This Bond is transferable only upon the books of the County kept for that purpose at the principal office of the Fiscal Agent, or any successor thereto, by the registered owner in person or his duly authorized attorney, upon surrender of this Bond together with a written instrument of transfer (which may be endorsed hereon) satisfactory to the Fiscal Agent duly executed by the registered owner or his duly authorized attorney. Thereupon a new Bond or Bonds of the same aggregate principal amount, series and maturity shall be issued to the transferee in exchange therefor. The County and Fiscal Agent may deem and treat the person in whose name this Bond is registered as the absolute owner hereof for the purpose of receiving payment of or on account of the principal or interest hereof and for all other purposes. The Bonds are issuable solely as negotiable, fully-registered Bonds without coupons in authorized denominations of \$5,000 or any whole multiple thereof.

This Bond is one of an issue aggregating \$3,875,000, each of which is of like original issue date and tenor except as to numbers, interest rates and maturities, issued for the public purpose of refunding obligations of the County, including interest on them, pursuant to an initial resolution duly adopted by the County Board of Supervisors and in full conformity with the Constitution and laws of the State of Wisconsin thereunto enabling.

This Bond is a "qualified tax-exempt obligation" for purposes of Section 265 of the Internal Revenue Code of 1986, as amended.

It is hereby recited and certified that all acts, conditions and things required by law to be done precedent to and in the issuance of this Bond have been done, have happened and have been performed in regular and due form, time and manner; that a direct, annual irrevocable tax has been levied by the County sufficient in times and amounts to pay the interest on this Bond when it falls due and also to pay and discharge the principal hereof at maturity; and that this Bond, together with all other existing indebtedness of the County, does not exceed any constitutional or statutory limitation of indebtedness.

IN WITNESS WHEREOF, Walworth County, Wisconsin has caused this Bond to be executed in its behalf by its duly qualified and acting Chairperson and County Clerk, and its corporate seal to be impressed hereon, all as of the date of original issue specified above.

(SEAL) WALWORTH COUNTY, WISCONSIN

By _____ By _____
County Clerk Chairperson

(Form of Assignment)

FOR VALUE RECEIVED the undersigned hereby sells, assigns and transfers unto

(Please print or typewrite name and address, including zip code, of Assignee)

Please insert Social Security or other identifying number of Assignee

the within Bond, and all rights thereunder, hereby irrevocably constituting and appointing

Attorney to transfer said Bond on the books kept for the registration thereof with full power of substitution in the premises.

Dated:

NOTICE: The signature to this assignment must correspond with the name as it appears upon the face of the within Bond in every particular, without alteration or enlargement or any change whatever.

Signature(s) guaranteed by:

EXHIBIT E

FISCAL AGENCY AGREEMENT

THIS AGREEMENT, made as of December 1, 2002 between Walworth County, Wisconsin ("Municipality"), and Associated Trust Company, National Association, Green Bay, Wisconsin ("Bank" or "Fiscal Agent").

WITNESSETH:

WHEREAS, the Municipality has authorized the issuance of its \$3,875,000 General Obligation Refunding Bonds, dated December 1, 2002 (the "Obligations"); and

WHEREAS, the Municipality is issuing the Obligations in registered form pursuant to Section 149 of the Internal Revenue Code of 1986, as amended, and applicable Treasury Regulations promulgated thereunder; and

WHEREAS, pursuant to a Resolution adopted by the Municipality on November 4, 2002 and Sec. 67.10(2) Wis. Stats. the Municipality has authorized the appointment of the Bank as fiscal agent of the Municipality for payment of principal and interest on, registering, transferring and authenticating the Obligations as well as other applicable responsibilities permitted by Sec. 67.10(2) Wis. Stats.

NOW, THEREFORE, the Municipality and the Bank hereby agree as follows:

I. APPOINTMENT

The Bank is hereby appointed fiscal agent of the Municipality with respect to the Obligations for the purpose of performing such of the responsibilities stated in Sec. 67.10(2) Wis. Stats. as are delegated herein or as may be otherwise specifically delegated in writing to the Fiscal Agent by the Municipality.

II. INVESTMENT RESPONSIBILITY

The Fiscal Agent shall not be under any obligation to invest funds held for the payment of interest or principal on the Obligations.

III. PAYMENTS

At least one business day before each interest payment date (commencing with the interest payment date of June 1, 2003 and continuing thereafter until the principal of and interest on the Obligations should have been fully paid or prepaid in accordance with their terms) the Municipality shall pay to the Fiscal Agent, in good funds available to the Fiscal Agent on the interest payment date, a sum equal to the amount payable as principal of, premium, if any, and interest on the Obligations on such interest payment date. Said interest and/or principal payment dates and amounts are outlined on Schedule A.

IV. CANCELLATION

In every case of the surrender of any Obligation for the purpose of payment, the Fiscal Agent shall cancel and destroy the same and deliver to the Municipality a certificate regarding such cancellation. The Fiscal Agent shall be permitted to microfilm or otherwise photocopy and record said Obligations.

V. REGISTRATION BOOK

Fiscal Agent shall maintain in the name of the Municipality a Registration Book containing the names and addresses of all owners of the Obligations and the following information as to each Obligation: its number, date, purpose, amount, rate of interest and when payable. The Fiscal Agent shall keep confidential said information in accordance with applicable banking and governmental regulations.

VI. INTEREST PAYMENT

Payment of each installment of interest on each Obligation shall be made to the registered owner of such Obligation whose name shall appear on the Registration Book at the close of business on the 15th day of the calendar month next preceding the interest payment date and shall be paid by check or draft of the Fiscal Agent mailed to such registered owner at his address as it appears in such Registration Book or at such other address as may be furnished in writing by such registered owner to the Fiscal Agent.

VII. PAYMENT OF PRINCIPAL

Principal shall be paid to the registered owner of an Obligation upon surrender of the Obligation on or after its maturity date.

VIII. UTILIZATION OF THE DEPOSITORY TRUST COMPANY

The Depository Trust Company's Book-Entry-Only System is to be utilized for the Obligations. The Bank agrees to comply with the provisions of The Depository Trust Company's Operational Arrangements, as they may be amended from time to time. The provisions of the Operational Arrangements and this Section VIII supersede and control any and all representations in this Agreement.

IX. OBLIGATION TRANSFER & EXCHANGE

The Fiscal Agent shall transfer Obligations upon presentation of a written assignment duly executed by the registered owner or by such owner's duly authorized representative. Upon such a transfer, new registered Obligation(s) of the same maturity, in authorized denomination or denominations in the same aggregate principal amount for each maturity shall be issued to the transferee in exchange therefor, and the name of such transferee shall be entered as the new registered owner in the Registration Book. No Obligation may be registered to bearer. The Fiscal Agent may exchange Obligations of the issue for a like aggregate principal amount of Obligations of the same maturity in authorized whole multiples of \$5,000.

The Obligations shall be numbered R-1 and upward. Upon any transfer or exchange, the Obligation or Obligations issued shall bear the next highest consecutive unused number or numbers.

X. STATEMENTS

The Fiscal Agent shall furnish the Municipality with an accounting of interest and funds upon reasonable request.

XI. FEES

The Municipality agrees to pay the Fiscal Agent fees for its services hereunder in the amounts set forth on Schedule B hereto.

XII. MISCELLANEOUS

(a) Nonpresentment of Checks. In the event the check or draft mailed by the Fiscal Agent to the registered owner is not presented for payment within five years of its date, then the monies representing such nonpayment shall be returned to the Municipality or to such board, officer or body as may then be entitled by law to receive the same together with the name of the registered owner of the Obligation and the last mailing address of record and the Fiscal Agent shall no longer be responsible for the same.

(b) Resignation and Removal; Successor Fiscal Agent. (i) Fiscal Agent may at any time resign by giving not less than 60 days written notice to Municipality. Upon receiving such notice of resignation, Municipality shall promptly appoint a successor fiscal agent by an instrument in writing executed by order of its governing body. If no successor fiscal agent shall have been so appointed and have accepted appointment within 60 days after such notice of resignation, the resigning fiscal agent may petition any court of competent jurisdiction for the appointment of a successor fiscal agent. Such court may thereupon, after such notice, if any, as it may deem proper and prescribes, appoint a successor fiscal agent. The resignation of the fiscal agent shall take effect only upon appointment of a successor fiscal agent and such successor fiscal agent's acceptance of such appointment.

(ii) The Fiscal Agent may also be removed by the Municipality at any time upon not less than 60 days' written notice. Such removal shall take effect upon the appointment of a successor fiscal agent and such successor fiscal agent's acceptance of such appointment.

(iii) Any successor fiscal agent shall execute, acknowledge and deliver to Municipality and to its predecessor fiscal agent an instrument accepting such appointment hereunder, and thereupon the resignation or removal of the predecessor fiscal agent shall become effective and such successor fiscal agent, without any further act, deed or conveyance, shall become vested with all the rights, powers, trusts, duties and obligations of its predecessor, with like effect as if originally named as fiscal agent herein; but nevertheless, on written request of Municipality, or on the request of the successor, the fiscal agent ceasing to act shall execute and deliver an instrument transferring to such successor fiscal agent, all the rights, powers, and trusts of the fiscal agent so ceasing to act. Upon the request of any such successor fiscal agent, Municipality shall execute any and all instruments in writing for more fully and certainly vesting in and confirming to such successor fiscal agent all such rights, powers and duties. Any predecessor fiscal agent shall pay over to its successor fiscal agent any funds of the Municipality.

(iv) Any corporation, association or agency into which the Fiscal Agent may be converted or merged, or with which it may be consolidated, or to which it may sell or transfer its corporate trust business and assets as a whole or substantially as a whole, or any corporation or association resulting from any such conversion, sale, merger, consolidation or transfer to which it is a party, ipso facto, shall be and become successor fiscal agent under this Agreement and vested with all the trusts, powers, discretions, immunities and privileges and all other matters as was its predecessor, without the execution or filing of any instrument or any further act, deed or conveyance on the part of any of the parties hereto, anything herein to the contrary notwithstanding.

(v) Any successor fiscal agent shall be qualified pursuant to Sec. 67.10(2) Wis. Stats., as amended.

(c) Termination. This Agreement shall terminate five years after (i) the last principal payment on the Obligations is due (whether by maturity or earlier redemption) or (ii) the Municipality's responsibilities for payment of the Obligations are fully discharged, whichever is later. The parties realize that any funds hereunder as shall remain upon termination shall, except as may otherwise by law, be turned over to the Municipality after deduction of any unpaid fees and disbursements of Fiscal Agent or, if required by law, to such officer, board or body as may then be entitled by law to receive the same. Termination of this Agreement shall not, of itself, have any effect on Municipality's obligation to pay the outstanding Obligations in full in accordance with the terms thereof.

(d) Indemnification. The Fiscal Agent undertakes to perform only such duties as are specifically set forth herein and may conclusively rely and shall be protected in acting or restraining from acting on any written notice, instrument or signature reasonably believed by it to be genuine and to have been signed or presented by the proper party or parties duly authorized to do so. The Fiscal Agent shall have no responsibility for the contents of any writing contemplated herein and may rely without any liability upon the contents thereof. It is acknowledged by the Municipality that the Fiscal Agent is bound only by the terms of this Agreement and that the Fiscal Agent shall not be required to use its discretion with respect to any matter that arises under this Agreement.

The Fiscal Agent shall not be liable for any action taken or omitted to be taken by it in good faith and believed by it to be authorized hereby or within the rights and powers conferred upon it hereunder, nor for action taken or omitted to be taken by it in good faith and in accordance with advice of counsel (which counsel may be of the Fiscal Agent's own choosing but shall not be counsel to the Municipality), and shall not be liable for any mistakes of fact or error of judgment or for any acts or omissions of any kind unless caused by its own willful misconduct or negligence.

The Municipality agrees to indemnify the Fiscal Agent and hold it harmless against any and all liabilities incurred by it hereunder except for liability incurred by the Fiscal Agent resulting from its own willful misconduct or negligence.

This Agreement shall be governed and construed in accordance with the laws of the State of Wisconsin. This Agreement may be amended only by a writing signed by all parties hereto and shall be binding upon and inure to the benefit of the parties, their successors and assigns.

(e) Execution in Counterparts. This Agreement may be simultaneously executed in several counterparts, each of which shall be an original and all of which shall constitute but one and the same instrument.

IN WITNESS WHEREOF, the parties have executed this Agreement, being duly authorized so to do, each in the manner most appropriate to it, on the date first above written.

WALWORTH COUNTY, WISCONSIN

By _____
Chairperson

County Clerk

ASSOCIATED TRUST COMPANY,
NATIONAL ASSOCIATION
Fiscal Agent

By _____
Title _____

Attest _____
Title _____

SCHEDULE A
Debt Service Schedule
\$3,875,000 General Obligation Refunding Bonds
of Walworth County, Wisconsin
dated December 1, 2002

<u>Payment Date</u>	<u>Interest</u> <u>Principal</u>	<u>Rate</u>	<u>Interest</u>	<u>Total</u>
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SCHEDULE B

RESOLUTION NO. 63-11/2002

- I. TITLE: Resolution Authorizing the Issuance and Sale of \$3,875,000 General Obligation Refunding Bonds.
- II. PURPOSE AND POLICY IMPACT STATEMENT: The purpose of this resolution is to authorize the refinancing of existing long term county debt. The County's financial advisor, R.W. Baird, has recommended that the county refinance its November 1993 bond issue. Due to current market conditions, the possibility exists that the existing debt can be refinanced at a lower interest rate. R.W. Baird will review existing market conditions on October 31, 2002 and make a final recommendation as to whether the county should proceed with the refinancing.
- III. IS THIS A BUDGETED ITEM AND WHAT IS THE FISCAL IMPACT:

Based upon market conditions on September 26, 2002 , R.W. Baird projected the following savings if the November 1993 bond issuance was refinanced:

2003	\$ 38,479
2004	\$ 37,608
2005	\$ 39,780
Total	\$115,867

The present value savings would be \$112,884 or 2.932%

** These figures are subject to change based upon the market conditions that exist on the date of sale.

Funds are currently included in the 2003 budget for payment of the County's scheduled debt service.

- IV. COMMITTEE CONSIDERATION:

The Finance Committee voted 6-0 on September 26, 2002 to approve the refinancing of the November 1993 General Obligation County Jail/Law Enforcement Center bonds pending a final review of market conditions at the end of October by the County Administrator and County Finance Director.

V. APPROVED AS TO FORM:

David A. Brett County Administrator	10/28/02 Date
Dennis D. Costello Corporation Counsel	10/25/02 Date
N. Andersen Finance Director	10/25/02 Date

A motion to approve Ordinance No. 231-11/02-Creating Section 30-286 of the Walworth County Code of Ordinances and Amending Sections 22-79, 46-61, 46-81, 30-306 Thereof Relative to Fees was offered by Supervisor Lohrmann, seconded by Supervisor Grant. On motion by Supervisor Lohrmann, seconded by Supervisor Lothian, an amendment to Ordinance No. 231-11/02 to include the Treasurer's fees was approved. The Treasurer's fees were mailed in a separate packet to the Board and approved by the Finance Committee prior to this evening's meeting.

Supervisor Gigante offered a motion, seconded by Wenglowsky, to amend Ordinance No. 231-11/02 by removing the septic tax maintenance fee of \$10. Discussion ensued. Motion failed by voice vote.

A motion offered by Supervisor Ketchpaw, seconded by Supervisor Lohrmann, to call the question was unanimously approved.

The motion to approve Ordinance No. 231-11/02-Creating Section 30-286 of the Walworth County Code of Ordinances and Amending Sections 22-79, 46-61, 46-81, 30-306 thereof relative to fees, as amended to include the Treasurer's fees, was approved by voice vote.

Ordinance No. 231-11/02
Creating section 30-286 of the Walworth County Code of Ordinances and
amending sections 22-79, 46-61, 46-81, 30-306 thereof relative to fees.

AMENDED

The Walworth County Board of Supervisors does ordain as follows:

Part 1. Section 22-79 is hereby repealed in its entirety and recreated to read as follows:

"Sec. 22-79. Fee for answering alarms.

There is hereby imposed a fee for each law enforcement response to any alarm resulting from the activation of an alarm system except when the law enforcement finds

that an unauthorized person is on the premises or was seen on the premises immediately before the alarm was activated, or that there is fresh evidence of a forceful entry or attempted forceful entry. The fee for each premises shall be as set forth in section 30-286. The fee would not be imposed when the alarm is caused by a hurricane, tornado, earthquake, fire or other violent conditions. This fee is imposed whether the sheriff's department receives the alarm by direct connection or through any intermediary such as an answering service or modified central station. No fee is imposed by this section when the choice is made to notify the sheriff's department directly by person of any situation. The fee imposed by this section is imposed solely when the choice is made to employ an alarm system. If the sheriff is notified of the date of the installation of a new alarm system, the fee imposed by this section is waived for a 90-day period beginning with the date of installation."

Part 2. Section 30-286 is hereby created to read as follows;
 "Sec. 30-286. Consolidated Fee Schedule.

There is hereby imposed the fees set forth in the following Walworth County Consolidated Fee Schedule.

Walworth County Consolidated Fee Schedule			
Description	Fee	Last Revised	Authority
County Clerk			
Marriage License	\$80.00 Total - \$35.00 County; \$20.00 Family Court; \$25.00 State of WI; \$10.00 Waiver if applicable		765.05 WI Stats
Annual Subscription - Co Board Agenda	\$18.00		
Annual Subscription - Co Board Packet	\$100.00		
Coroner			
Cremation Permit	\$150.00		979.10 stats.
Clerk of Court			
Appeal-Record	\$101.00 Total - \$17.50 County; \$83.50 State of WI		814.6161(8)(am)1
Appeal-New Trial	\$116.00 Total - \$25.00 County; \$91.00 State of WI		814.61(8)(am)2
Appeal-Ct of Appeals	\$15.00-County		814.61(9)
Photocopies	\$1.25/page – County		814.61(9)
Certificate	\$5.00/certification-County		814.61(5)(a)
Certified Copies	\$5.00/certification & \$1.25/page-County (Includes attestation & comparisons)		814.61(5), (10), OAG 4-84
Certifying & Transmitting documents (Includes appeals/change of venue/FJ)	\$15.00 + postage-County		
Change of Venue – Civil	\$75.00 Total - \$30.00 County; \$45.00 State of WI		814.61(2)
Transmitting Record	\$15.00-County		814.61(9)

Change of Venue – Family & Paternity	\$95.00 Total - \$30.00 County; \$20.00 FCS; \$45.00 State of WI		814.61(1)(b), (2)
Change of Venue – Family w/Support/Maint	\$105 Total - \$40.00 County; \$20.00 FCS; \$45.00 State of WI		814.61(13)
Grandparent Visitation - New Action	\$156.00 as below under family		
Grandparent Visitation - Post Judgment	\$30.00 Motion as stated below under family		
Grandparent Visitation – Guardianship	\$60.00 Total - \$30.00 County; \$30.00 State of WI		814.66(1m)
Change of Venue – Small Claims	\$22.00 Total - \$10.20 County; \$11.80 State		814.61(2)
Change of Venue – Transmitting	\$15.00		814.61(9)
Civil Action (>\$5,000)	\$214.00 Total - \$30.00 County; \$154.00 State of WI		814.61(1)(a)
Civil Action (<\$5,000)	\$123.00 Total - \$30.00 County; \$84.00 State of WI		814.61(1)(a)
Civil No \$ Amt Claimed	\$136.00 Total - \$30.00 County; \$84.00 State of WI		814.61(1)(a); 634(1)(a)
Condemnation Appeals-Certiorari	\$101.00 Total - \$17.50 County; \$83.50 State of WI		814.61(8)(am)
Condemnation Appeals-New Trial	\$116.00 Total - \$32.50 County; \$83.50 State of WI		814.61(8)(am)2
Motion to Reopen	\$50.00/motion/discretion of Court, See OAG 1-00		814.07
Jury Fee per Juror	\$6.00		814.61(4)
Receiving & Disbursing Funds	\$10.00 or .5%		814.61(12)
Withdraw Funds per Transaction	\$10.00		814.61(12)
Contempt Proc./Deposit	\$10.00		814.61(12)(C)
Public Defender Copies	Actual, Necessary, & Direct		814.61(10)(b)
Deposition	\$5.00		State
Docketing Fee	\$5.00-County		814.61(5)(b)
Execution-Issue	\$5.00-County		814.61(5)(a)
Mediation	\$200.00-County		814.615(1)(a)1&2
Motion to Revise Judgment	\$30.00 Total - \$15.00 County; \$15.00 State of WI		814.61(7)(a)
Mtn-Legal Cust/Phys Placement	\$50.00 Total - \$12.50 County; \$25.00 FCS; \$12.50 State of WI		814.61(7)(b)
Divorce or Paternity-Reg-Support/Maint-Requested	\$166.00 Total - \$40.00 County; \$20.00 CFS; \$94.00 State of WI		814.61(1)(a) & (b)
Divorce or Paternity-No Support/Maint-Requested	\$156.00 Total - \$40.00 County; \$20.00 CFS; \$96.00 State of WI		814.61(1)(a)&(b)
Custody/Phy Plcmt Study	\$300.00-County		814.615(1)(a)3
Updated Study	\$100.00-County		State
Foreign Judgment	\$15.00-County		814.61(6)
Franchise Tax Warrant	\$5.00-County		814.61(5)(b)
Garnishment->\$5,000	\$159.00 Total - \$7.50 County; \$151.50 State of WI		814.62(1)
Garnishment-<\$5,000	\$68.00 Total - \$7.50 County; \$60.50 State of WI		814.62(1)
Minor Settlement	\$10.00 or .5%		814.61(12)
Notary Cert	\$10.00		814.61(5)
Commission, File	\$5.00		814.61(5)
Occupational License	\$40.00		814.61(14)

Search Fee-COC	\$5.00	814.61(11)
Search Fee-Probate	\$4.00	814.66(1)(j)
Pro-Se Packet-Post Judgment	\$20.00-County	
Par After Sep	\$25.00-County	
Par After Sep – Instructor	\$25.00	
Interest on Judgment	5% or 12%	
Small Claims-Commence	\$70.00 Total - \$10.20 County; \$59.80 State of WI	814.62(3)(a)
Small Claims Cross Claim	\$101.00 Total - \$25.80 County; \$75.20 State of WI	814.62(3)(b)
Demand for Jury Trial	\$89.00 Total - \$53.00 Jury demand & % \$36.00 Jury Fee	814.62(3)(e) & .61(4)
Small Claims Mailing Fee	\$2.00 per person	814.62(4)
Tax Warrant	\$5.00	814.61(5)(b)
Withdraw/Satisfaction/Judgment	\$5.00	814.61(5)(b)
Third Party Complt-Large Clm	\$184.00 Total - \$20.00 County; \$164.00 State of WI	814.61(3)

Third Party Complt-Sml Clm	\$93.00 Total - \$10.20 County; \$82.80 State of WI	814.61(3)
Transcript-Judgmt Docket	\$5.00	814.61(5)(a)& (b)
Trust Fund	\$10.00 or .5%	814.61(12)
Wage Earner Action	\$19.00 Total - \$10.00 County; \$9.00 State of WI	814.62(2)
Writ	\$5.00	814.61(5)(a)
NSF Fee per Check	\$15.00	County Ord.
Ct Appointed Attorney Fees	Actual Amount @ \$50.00/hr-County	
GAL Fees	Actual Amount @ \$50.00/hr-County	
Juvenile Reecoupment-Attorney Fee	\$250/\$400 - 25% County; 75% State	48.275 & 938.275
Witness Fees	Actual Amount	814.67
Clerk of Courts Fees	100% - County	
Criminal Fines	Actual Amount - 50% County; 50% State of WI	814.6
Driver Improvement	Actual Amount - 70.80% County; 29% State of WI	346.665
Driver Improvement 10-17-97	Actual Amount - 37.60% County; 62.40% State of WI	346.665
Forfeiture Actions	Actual Amount - 50% County; 50% State of WI	814.6
Interpreter Fees	Actual Amount – 100% County	
Jail Assessment Fee	Actual Amount – 100% County	302.46
Comm Service Fee	Actual Amount – 100% County	
Criminal Bail Forfeiture	Actual Amount – 100% County	
Criminal Fines	Actual Amount - 10% County; 90% State of WI	814.6
Conservation Forfeiture	Actual Amount - 10% County; 90% State of WI	
Juvenile Fine/Forfeiture	Actual Amount – 100% County	
Juvenile Conservation	Actual Amount - 10% County; 90% State of WI	
Juvenile F/F Co Ordinance	Actual Amount – 100% County	County
F/F Wisconsin & University	Actual Amount – 100% County	County

Planning & Zoning Order	Actual Amount – 100% County		County
F/F Walworth Co Ordinance	Actual Amount – 100% County		County
F/F State of Wisconsin	Actual Amount - 50% County; 50% State of WI		
F/F University Police	Actual Amount - 10% County; 90% State of WI		
Traffic/Crim Forft	Actual Amount - 50% County; 50% State of WI		
F/F County of Walworth	Actual Amount – 100% County		County
Register of Deeds			
Recorded Documents-Deeds, Mortgages, Land Contracts, Satisfactions, etc.	\$11.00 for first page; \$2.00 each additional page.		
Recorded Documents-Termination of Decedent's Interest	\$25.00		
Copies of Recorded Documents	\$2.00 for first page; \$1.00 each additional page; additional \$1.00 fee for certified copies.		
Filed Plats-Cemetery, Condominium & Subdivision	\$50.00		
Filed Plats-Transportation Project Plats	\$25.00		
Vital Records-Birth Certificate	\$12.00 for first copy; \$3.00 each additional copy per order.		
Vital Records-Death Certificate	\$7.00 for first copy; \$3.00 each additional copy per order.		
Vital Records-Marriage Certificate	\$7.00 for first copy; \$3.00 each additional copy per order.		
Realty Related-UCC 1 Financing Statement (Fixture Filing Only)	\$11.00 for first page; \$2.00 each additional page per filing.		
Realty Related-UCC 3 Financing Statement Amendment (Fixture Filing Only)	\$11.00 for first page; \$2.00 for each additional page per filing.		
Copies of Realty Related UCC Filings	\$2.00 for first page; \$1.00 each additional page; additional \$1.00 certification fee.		
UCC Searches	\$15.00 per Debtor Name.		
Federal Tax Liens – Searches	\$2.00 per taxpayer name searched.		
Federal Tax Liens – Copies	\$2.00 for first page; \$1.00 each additional page; additional \$1.00 certification fee.		
CDs of Images of Daily Recordings	\$500 per month to receive daily CD images of recorded documents	Apr-00	

Miscellaneous - Print Screen	\$1.00 per screen	Jan-01	
Miscellaneous – Census Records	\$1.00 per 8 1/2" x 14" sheet		
Miscellaneous - Green Bar Indexes	\$10.00 per month covered in report plus \$.25 per sheet		
Miscellaneous – Subdivision Plat Copies	\$4.50 per full sheet		
Zoning Permit-New Single Family Residence	\$200.00	Jan-03	
Zoning Permit-Two Family & Multiple Family Residence	\$200.00/unit	Jan-03	
Zoning Permit-Residential Additions, Alterations	\$110.00	Jan-03	
Zoning Permit-Residential Decks & Pools	\$65.00	Jan-03	
Zoning Permit-Accessory Structure 700 sq ft or less	\$75.00	Jan-03	
Zoning Permit-Accessory Structure 700 sq ft to 1200 sq ft	\$85.00	Jan-03	
Zoning Permit-Accessory Structure 1201 sq ft through 2500 sq ft	\$110.00	Jan-03	
Zoning Permit-Accessory Structure Greater than 2500 sq ft	\$135.00	Jan-03	
Zoning Permit-Recreation Vehicle (Condo Campground)	\$85.00	Jan-03	
Zoning Permit-Business, Commercial & Industrial Uses	Minimum of \$100 or \$.15/sq ft of base floor area	Jan-03	
Zoning Permit-Telecommunication Towers, Antennas, & Accessory Strs	\$245.00	Jan-03	
Zoning Permit-Hotel, Motel	\$80.00 Base Fee + \$15.00/unit	Jan-03	
Zoning Permit-Churches, Schools, & Other Public Facilities	\$245.00	Jan-03	
Zoning Permit-Sign Permits	\$80.00	Jan-03	
Zoning Permit-Tree Cutting Permits	\$80.00	Jan-03	
Zoning Permit-Shoreyard Stairway, Retaining Wall	\$80.00	Jan-03	
Zoning Permit-Pond Permits	\$80.00	Jan-03	
Zoning Permit-All Other Zoning Permits	\$80.00	Jan-03	
Zoning Permit-Revision Fee	\$80.00	Jan-03	
Zoning Permit-Farmland Separations	\$60.00	Jan-03	
Zoning Permit-Lot Line Adjustments	\$60.00	Jan-03	

Zoning Permit-Zoning Ordinance(s)	\$25.00	Jan-03	
Zoning Permit-Shoreyard Mitigation	\$110.00	Jan-03	
Zoning Requests	\$30.00	Jan-03	
Zoning Copies	\$0.50	Jan-03	
Public Hearing Fee-Conditional Use Hearing: Residential	\$350.00	Jan-03	
Public Hearing Fee-Conditional Use Hearing: Agricultural	\$350.00	Jan-03	
Public Hearing Fee-Conditional Use Hearing: Recreational & Related Uses	\$350.00	Jan-03	
Public Hearing Fee-Conditional Use Hearing: Mineral Extraction (M-3)	\$625.00	Jan-03	
Public Hearing Fee-Conditional Use Hearing: Sanitary Landfill (M-4)	\$1,250.00	Jan-03	

Public Hearing Fee-Conditional Use Hearing: Commercial & Other Industrial <5,000 sq ft gross floor area	\$350.00 Additional \$100 fee may apply if development includes residential use.	Jan-03	
Public Hearing Fee-Conditional Use Hearing: Commercial & Other Industrial with 5,000 - 10,000 sq ft gross floor area	\$450.00 Additional \$100 fee may apply if development includes residential use.	Jan-03	
Public Hearing Fee-Conditional Use Hearing: Commercial & Other Industrial >10,000 sq ft gross floor area	\$650.00 Additional \$100 fee may apply if development includes residential use.	Jan-03	
Public Hearing Fee-Conditional Use Hearing: Floodplains, Wetland & Park Uses	\$350.00	Jan-03	
Public Hearing Fee-Board of Adjustment Hearings	\$275.00	Jan-03	
Public Hearing Fee-Rezone Hearing: Residential	\$350.00 for 1 unit, plus \$100.00 per each additional unit.	Jan-03	
Public Hearing Fee-Rezone Hearing: Industrial Developments-Mineral Extraction	\$625.00 plus \$55.00 per acre unless previously assessed.	Jan-03	
Public Hearing Fee-Rezone Hearing: Industrial Developments-Sanitary Landfill	\$1,250.00 plus \$110.00 per acre unless previously assessed.	Jan-03	
Public Hearing Fee-Rezone Hrg: Commercial & Other Industrial < 5,000sq ft gross floor area	\$350.00 plus \$100.00 per unit residential use fee when applicable	Jan-03	

Public Hearing Fee-Rezone Hearing: Commercial & Other Industrial - 5,000 to 10,000 sq ft gross floor area	\$450.00 plus \$100.00 per unit residential use fee when applicable	Jan-03	
Public Hearing Fee-Rezone Hearing: Commercial & Other Industrial > 10,000 sq ft gross floor area	\$650.00 plus \$100.00 per unit residential use fee when applicable	Jan-03	
Public Hearing Fee-Rezone Hearing: Wetland & Park Districts	\$350.00	Jan-03	
Sanitary Permit: Conventional Private Sewage System	\$335.00	Jan-03	
Sanitary Permit: Holding Tank (New)	\$600.00	Jan-03	
Sanitary Permit: Holding Tank (Replacement)	\$600.00	Jan-03	
Sanitary Permit: Sanitary Privy	\$365.00	Jan-03	
Sanitary Permit: Mound System (New)	\$560.00	Jan-03	
Sanitary Permit: Mound System (Replacement)	\$560.00	Jan-03	
Sanitary Permit: In-Ground Pressure Distribution System or At-Grade System	\$440.00	Jan-03	
Sanitary Permit: Experimental or Alternate Design System < 3,000 Gallon Daily Wastewater Flow	\$500.00	Jan-03	
Sanitary Permit: Large Scale Systems > 3,000 Gallon Daily Flow	\$750.00	Jan-03	
Sanitary Permit: Large Scale Systems > 5,000 Gallon Daily Flow	\$1,125.00	Jan-03	
Sanitary Permit: Large Scale Systems > 8,000 Gallon Daily Flow	\$1,500.00	Jan-03	
Sanitary Permit: Re-connection to Existing System	\$260.00	Jan-03	
Sanitary Permit: Replacement of Treatment Tank Only	\$260.00	Jan-03	
Sanitary Permit: Minor Repair of Existing System	\$260.00	Jan-03	
Sanitary Permit: Renewal, Transfer, or Revision	\$70.00	Jan-03	
Sanitary Ordinance Appeal	\$260.00	Jan-03	
Soil Investigation	\$100.00	Jan-03	
Septic Tank Maintenance	\$10.00	Jan-03	
Walworth Co Private Sewage System & Sanitation Ordinance	\$10.00	Jan-03	
Wisconsin Fund Application	\$150.00	Jan-03	
Plat Review Fee: Certified Survey Map - One Lot or Outlot Plat	\$350.00	Jan-03	
Plat Review Fee: Certified Survey Map - Two Lots and/or Outlots	\$400.00	Jan-03	

Plat Review Fee: Certified Survey Map - Three Lots and/or Outlots	\$450.00	Jan-03	
Plat Review Fee: Certified Survey Map - Four Lots and/or Outlots	\$500.00	Jan-03	
Plat Review Fee: Re-application Fee	\$100.00	Jan-03	
Plat Review Fee: Preliminary Subdivision Plat – Preliminary Fee	\$500.00; Plus Lot Fee of \$50.00/lot and Outlot Fee of \$50.00/outlot.	Jan-03	
Plat Review Fee: Preliminary Subdivision Plat - Re-application Fee	\$100.00	Jan-03	
Plat Review Fee: Final Subdivision Plat – Final Fee	\$300.00; Plus Lot Fee of \$50.00/lot and Outlot Fee of \$50.00/outlot.	Jan-03	
Plat Review Fee: Final Subdivision Plat - Re-application Fee	\$100.00	Jan-03	
Plat Review Fee: Preliminary Condominium Plat	\$500.00; Plus Unit Fee of \$50.00/unit	Jan-03	
Plat Review Fee: Condominium Plat-Re-application Fee	\$100.00	Jan-03	
Plat Review Fee: Final Condominium Plat	\$500.00; Plus Unit Fee of \$25.00/unit	Jan-03	
Plat Review Fee: Final Condominium Plat - Re-application Fee	\$100.00	Jan-03	
Rural Building Number Fee	\$25.00	Jan-03	
Sherriff			
Accident report	\$2.00		
Bond Fee: Charge for Bond Taken @ LEC for Other Departments	\$15.00	Apr-02	
Copy: Certificate Reprints; Report Copies	\$1.00 First Page; \$.25 each additional page		
Service of Process	\$20.00/person; Mileage \$ 36.5/mile; Postage \$1.00; Notary \$.50	Apr-01; Apr -02	
Photo Reprints	\$10.00 8x10; \$5.00 5x7; \$2.50 4x6		
Massage Permits	\$50.00 Individual; \$200.00 Establishment		
Police Escorts; House Moves; Traffic Control	\$50.00/hr per Officer		
Range Use	\$100.00/day; \$500.00/year; \$1,000 Out of County	1997	
Huber Dorm	\$16.00/day; \$112.00/week	Jan-02	
False Alarms (per calendar year)	\$10.00 1st Response; \$20.00 2nd Response; \$30.00 3rd Response; \$40.00 4th Response		Ord. 22-79

Jail Charge	\$15.00/day-Municipal Prisoners; \$55.00/day-Out of County Prisoners; \$62.00/day Federal Inmates	303.08(4) stats.
Storage	\$5.00/day Outside; \$10.00/day Inside	Ord.
Health and Human Services		
Child s48.295 Problems Exam	\$170.00/hour	Jan-03
Child s48.33 disposition Exam	\$170.00/hour	Jan-03
Juvenile s938.295 Problems Exam	\$170.00/hour	Jan-03
Juvenile s938.33 Disposition Exam	\$170.00/hour	Jan-03
Civil Commitment – Final Commitment	\$170.00/hour	Jan-03
Civil Commitment – Probable Cause	\$170.00/hour	Jan-03
Civil Commitment-Recommitment	\$170.00/hour	Jan-03
Custody Study	\$300.00/hour	Jan-03
Guardianship Comprehensive Evaluation	\$360.00/study	Jan-03
Successor Guardianship Comprehensive Eval.	\$200.00/study	Jan-03
Domestic Violence Assessment	\$150.00/assessment	Jan-03
Public Health - Flu Shot	\$15.00/shot	Jan-03
Public Health – Adult Hepatitis B	\$28.50/shot	Jan-03
Public Health – Child Hepatitis B	\$8.00/shot	Jan-03
Public Health – Pneumonia	\$25.00/shot	Jan-03
Public Health – Adult TB Skin Test	\$13.00/test	Jan-03
Public Health – Child TB Skin Test	\$5.00/test	Jan-03
Public Health – Adult Tetanus	\$13.00/shot	Jan-03
Public Health – Child Tetanus	\$5.00/shot	Jan-03
Public Health - Child - Other	\$5.00/shot	Jan-03
Public Health – Child-Under Age 3	No Charge	Jan-03
Assessment – AODA	\$125.00/Assessment	Jan-03
Assessment – OWI	\$200.00/Assessment	Jan-03
Counseling - CADC III AODA	\$22.75/hour	Jan-03
Counseling - MH/AODA Bachelor's	\$84.00/hour	Jan-03
Counseling - MH/AODA Master's (Ind)	\$103.00/hour	Jan-03
Counseling - MH/AODA Master's (Grp)	\$27.00/hour	Jan-03
MD Psychiatrist (Grp)	\$54.00/hour	Jan-03
MD Psychiatrist (Ind)	\$209.00/hour	Jan-03
MD Psychiatrist (Assessment)	\$209.00/hour	Jan-03
PhD Psychologist (Assessment)	\$145.00/hour	Jan-03
PhD Psychologist (Grp)	\$42.00/hour	Jan-03
PhD Psychologist (Ind)	\$145.00/hour	Jan-03
Registered Nurse (Clozaril)	\$40.00/Medication Mgt Session	Jan-03
Registered Nurse (Set-up)	\$40.00/Medication Mgt Session	Jan-03
Registered Nurse (Haloperidol)	\$40.00/injection	Jan-03
Registered Nurse (Prolixin Decanoat)	\$40.00 injection	Jan-03
Registered Nurse (Injection, Other)	\$37.50/injection	Jan-03
Friendly Visitor	\$3.00/hour	Jan-03
Peer Counseling	\$3.00/hour	Jan-03
Transportation – Lakeland Health Care Ctr	\$20.00/ride	Jan-03
Transportation – Medical (Wauk, Milw, Mad)	\$30.00/ ride	Jan-03

Transportation – Medical	\$3.00/ride	Jan-03	
Transportation – Medical (Janesville)	\$15.00/ride	Jan-03	
Transportation – Medical Assistance	\$1.18/mile	Jan-03	
Transportation - Senior Center	\$3.00/ride	Jan-03	
Transportation - Shopping/Nutrition	\$3.00/ride	Jan-03	
Transportation - W2	\$1.30/mile	Jan-03	
Child w/Disability Education Board			
Lunch Fees	\$1.25 E.C.; \$1.50 Prim/Int; \$1.75 Jr/Sr High; \$2.25 Adult	2002-03	
Pool Rental	\$30.00/hour Weekday; \$45.00/hour Weekend		
Gym/Lunchroom Rental	\$20.00/hr Weekday - \$15.00/hr each additional hour; \$35.00/hr Weekend - \$35.00 each additional hour		
Kitchen Rental	\$20.00/hour		
Classroom Rental	\$15.00/day		
Student Fee: Activity Fee	\$6.00	2002-03	
Student Fee: Snacks/Milk	\$4.00	2002-03	
Student Fee: Swim Fee	\$4.00	2002-03	
Student Fee: Transportation/Field Trip	\$6.00	2002-03	
Land Conservation			
Erosion Control & Stormwater - Single Family Residences, Residential Add.	\$150.00	2001	Chapter 26 , Art. 1
Erosion Control & Stormwater - Storage Structures, Garages, Boathouses, etc.	\$120.00	2001	Chapter 26 , Art. 1
Erosion Control & Stormwater - Multi Family Residential greater than 2 units	\$80.00/unit	2001	Chapter 26 , Art. 1
Erosion Control & Stormwater – Retaining Walls or concrete stairways	\$120.00	2001	Chapter 26 , Art. 1
Erosion Control & Stormwater - Decks/Post Holes Only	\$50.00	2001	Chapter 26 , Art. 1
Erosion Control & Stormwater - Post Hole Stairway	\$100.00	2001	Chapter 26 , Art. 1
Erosion Control & Stormwater - Post Hole Excavation/Decks	\$100.00	2001	Chapter 26 , Art. 1
Erosion Control & Stormwater – Residential	\$100.00	2001	Chapter 26 , Art. 1
Land Disturbance & Construction - 2000-25,000 sq.ft. including parking	\$250.00	2001	Chapter 26 , Art. 1
Land Disturbance & Construction - Under 2000 sq.ft. including parking	\$150.00	2001	Chapter 26 , Art. 1

Land Disturbance & Construction - Greater than 25,000 sq.ft.	\$250.00 + .005/square foot	2001	Chapter 26 , Art. I
Land Disturbance Activities - Grading, filling or excavating up to 25,000 sq.ft.	\$120.00	2001	Chapter 26 , Art. I
Land Disturbance Activities - Grading, filling or excavating greater than 25,000 sq. ft	.005/square foot	2001	Chapter 26 , Art. I
Land Disturbance Activities - Road construction up to 25,000 sq. ft.	\$100.00	2001	Chapter 26 , Art. I
Land Disturbance Activities - Road construction greater than 25,000 sq. ft.	.005/square foot	2001	Chapter 26 , Art. I
Land Disturbance Activities - Pond construction less than 25,000 sq. ft.	\$150.00	2001	Chapter 26 , Art. I
Land Disturbance Activities - Pond construction greater than 25,000 sq. ft.	.005/square foot	2001	Chapter 26 , Art. I
Land Disturbance Activities - Utilities greater than 300 linear feet	.075/linear foot	2001	Chapter 26 , Art. I
Land Disturbance Activities - Non-Metallic Erosion Control & Stormwater	.003/square foot = \$130.68/acre	2001	Chapter 26 , Art. I
Non-Metallic Reclamation Ordinance – Unclaimed Acres 1-5 acres	\$450.00 Total - \$420.00 County; \$30.00 DNR	2001	County Res. / Ordin.

Non-Metallic Reclamation Ordinance – Unclaimed Acres 6-10 acres	\$600.00 Total - \$540.00 County; \$60.00 DNR	2001	County Res. / Ordin.
Non-Metallic Reclamation Ordinance – Unclaimed Acres 11 to 15 acres	\$750.00 Total - \$660.00 County; \$90.00 DNR	2001	County Res. / Ordin.
Non-Metallic Reclamation Ordinance – Unclaimed Acres 16 to 25 acres	\$1,000.00 Total - \$880.00 County; \$120.00 DNR	2001	County Res. / Ordin.
Non-Metallic Reclamation Ordinance – Unclaimed Acres 26 to 50 acres	\$1,100.00 Total - \$960.00 County; \$140.00 DNR	2001	County Res. / Ordin.
Non-Metallic Reclamation Ordinance – Unclaimed Acres 51 acres or larger	\$1,200.00 Total - \$1,050.00 County; \$150.00 DNR	2001	County Res. / Ordin.
Animal Waste Storage Ordinance - Permit Storage Facility	\$200.00	1997	Chpt. 6, Art. IV
Animal Waste Storage Ordinance - Nutrient Mgmt Plan Review/Conditional Use	\$125.00	1997	Chpt. 6, Art. IV

Walworth County Map	<u>\$6.95</u>		
Copies	<u>\$1.00</u>		
Plat Book	<u>\$25.00</u>		
Special Sale List	<u>\$2.00</u>		
In Rem Sale List	<u>\$5.00</u>		
Non-Taxable Plat Book	<u>\$18.96</u>		
Searches in County	<u>\$0.50</u>		
Searches out of County	<u>\$0.50</u>		
Small Walworth County Map	<u>\$0.25</u>		
Certificates	<u>\$1.00</u>		
Returned Check Fee	<u>\$28.00</u>		
Faxed Copies	<u>\$1.00</u>		

Part 3. Section 30-306 of the Walworth County Code of Ordinances is hereby repealed and recreated to read as follows:

“Sec. 30-306 Amount.

The fee for the issuance of a cremation permit pursuant to Wis. Stats. section 979.10 shall be as set forth in section 30-286. The permit shall be issued by the coroner.”

Part 4. Section 46-61 of the Walworth County Code of Ordinances is hereby repealed and recreated to read as follows:

“Sec. 46-61 Enumeration

- (a) Huber prisoner charges; county and out-of-county prisoners. Each prisoner lodged in the county jail pursuant to the provisions of Wis. Stats. § 303.08, who is gainfully employed, shall be liable for charges not to exceed the full per capita maintenance costs of his board in the jail. The daily rate to be charged for said Huber prisoners is the rate set forth in section 30-286. The sheriff shall charge said prisoner's account for such board if the prisoner has an account. The sheriff shall account for and pay over such board payments to the county treasurer.
- (b) Jail charges; municipal prisoners. Any county municipality confining a prisoner in the county jail as a result of violation of that municipality's ordinances, shall be liable for charges set forth in section 30-286 per day, per prisoner, which charge shall include the costs of medical attention given by the county nurse. If other medical attention is necessary, that medical attention shall be the responsibility of the municipality confining said prisoner. The sheriff shall account for and pay over any such payments he receives to the county treasurer.
- (c) Jail prisoner charges; out-of-county prisoners. The sheriff may enter into agreement with other agencies to confine out-of-county prisoners in the county jail. The rate for confining such inmates shall not be below the rate set forth in section 30-286, per day, per prisoner and not to exceed the full per capita maintenance costs for housing said inmate. This rate will include the costs of medical attention by the county nurse.

Other medical attention provided shall be the responsibility of the other county or jurisdiction. The sheriff shall account for and pay over to the county treasurer of county any said payment he receives."

Part 5. Section 46-81 of the Walworth County Code of Ordinances is hereby repealed and recreated to read as follows:

"Sec. 46-81. Imposed.

A storage charge is imposed for storage by the county sheriff's department of property of substantial size and value including but not limited to motor vehicles, boats, earth-moving equipment, tractors and other like vehicles, conveyances and property, as set forth in section 30-286."

Part 6. This ordinance shall be effective on and after January 1, 2003.

PASSED AND ADOPTED by the Board of Supervisors of Walworth County, Wisconsin this 4th day of November 2002.

William M. Norem
County Board Chair

Kimberly S. Bushey
Attest: County Clerk

Action Required: 2/3 Membership

Policy and Fiscal Note is attached.

Approved as to Form:

David A. Bretl 10/28/02
County Administrator Date

Dennis D. Costello 10/28/02
Corporation Counsel Date

N. Andersen 10/28/02
Finance Director Date

Action Required: Majority Vote Two-thirds Vote Other_____

County Board Meeting Date: November 4, 2002

Walworth County, Wisconsin

Policy and Fiscal Note No. 231-11/02

I. Title: Creating Section 30-286 of The Walworth County Code Of Ordinances and Amending Sections 22-79, 46-61, 46-81, 30-306 Thereof Relative to Fees

II. Purpose and Policy Impact Statement:

The purpose of this ordinance is to consolidate, in a single document, all of the fees charged by County departments for services to the public.

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

Some of the fees set forth in the schedule are being increased over 2002 fees. Those fees being increased are outlined in the attached memoranda. All of the fees set forth on the schedule are included in the 2003 preliminary budget.

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

Committee: Finance Date: September 19, 2002 and November 4, 2002

V. Approved as to form:	David A. Bretl	10/28/02
	County Administrator	Date
	Dennis D. Costello	10/28/02
	Corporation Counsel	Date
	N. Andersen	10/28/02
	Finance Director	Date

County Board Meeting Date: November 4, 2002

Resolution No. 64-11/02-Adoption of the 2003 Walworth County Budget Appropriation was moved for adoption by Supervisor Lohrmann, seconded by Supervisor Shepstone. The following amendments to the 2003 Preliminary Budget were offered and acted upon at this time:

On motion by Supervisor Lohrmann, seconded by Supervisor Russell, the following technical Amendments to the 2003 Preliminary Budget, as listed on Exhibit A, were approved as presented: F, J, K, L, N, O, P, and Q.

Amendment A, to reinstate the Finance Manager Position of the Lakeland Health Care Center, was moved for adoption by Supervisor Schaefer, seconded by Supervisor Scharine. Discussion ensued. A motion by Supervisor Ketchpaw to call the question was seconded by Supervisor Gigante. A roll call vote was held. Total vote: 25; Ayes: 9 – Burwell, Kuhnke, Lothian, Morrison, Palzkill, Parker, Schaefer, Scharine, and Shroble; Noes: 14 – Arnold, Felten, Gigante, Grant, Guido, Hilbelink, Ketchpaw, Lightfield, Lohrmann, Miles, Russell, Shepstone, Wenglowksy, and Norem; Absent: 2 – Peterson and Polyock. The proposed amendment failed.

Motion to deny Amendment B, to allow the Highway Commissioner to Drive County Vehicle to and from Work, was offered by Supervisor Lohrmann, seconded by Supervisor Gigante. Discussion ensued. On motion by Supervisor Gigante, seconded by Supervisor Lightfield, the question was called to end debate. Motion to end debate carried unanimously. Supervisors Lohrmann and Gigante withdrew the motion. Motion by Lothian, second by Kuhnke to approve Amendment B, to allow the Highway Commissioner to drive a County vehicle to and from work. A roll call vote on the motion to approve Amendment B was held. Total Vote: 25; Ayes: 12 – Hilbelink, Kuhnke, Lothian, Miles, Morrison, Palzkill, Parker, Schaefer, Scharine, Shroble, Wenglowksy, Norem; Noes: 11 – Arnold, Burwell, Felten, Gigante, Grant, Guido, Ketchpaw, Lightfield, Lohrmann, Russell, and Shepstone; Absent: 2 – Peterson and Polyock. Amendment B was adopted.

The motion offered by Supervisor Grant, seconded by Supervisor Burwell, to approve Amendment C to Reinstate Account Clerk Position, BME Adj, Adm. Assist Adj. For the Department of Public Works was approved by voice vote.

On motion by Supervisor Grant, seconded by Supervisor Burwell, Amendment D, County Clerk - Update Code of Ordinances Quarterly, was approved by voice vote.

A motion was offered by Supervisor Palzkill, seconded by Supervisor Wenglowksy, to approve Amendment E, Children with Disabilities Education Board - Create Full-time Interpreter Position to Meet Student Requirements. The motion was approved by voice vote with Guido voting No.

On motion by Supervisor Lohrmann, seconded by Gigante, Amendment G, Risk Management – Purchase Back Wage Awards Insurance, was withdrawn.

A motion to approve Amendment H, UWEX – Eliminate Horticulture Program, was offered by Supervisor Russell and seconded by Supervisor Lohrmann. Discussion ensued. On motion by Supervisor Gigante, seconded by Supervisor Lohrmann the question was called. A roll call vote was held. Total Votes: 25; Ayes: 8 – Felten, Gigante, Lohrmann, Morrison, Palzkill, Russell, Shepstone, and Norem; Noes: 15 – Arnold, Burwell, Grant, Guido, Hilbelink, Ketchpaw, Kuhnke, Lightfield, Lothian, Miles, Parker, Schaefer, Scharine, Shroble, and Wenglowisky; Absent: 2 – Peterson and Polyock. The proposed amendment failed.

A motion was offered by Supervisor Burwell to approve Amendment I, Reinstate Horticulturist Position to Full-time in the Land Conservation Department, seconded by Supervisor Ketchpaw. Discussion ensued. On motion by Supervisor Gigante, seconded by Supervisor Lothian the question was called. A roll call vote was held. Total Votes: 25; Ayes: 15 – Arnold, Burwell, Grant, Guido, Hilbelink, Ketchpaw, Kuhnke, Lightfield, Lothian, Miles, Parker, Schaefer, Scharine, Shepstone, and Shroble; Noes: 8 – Felten, Gigante, Lohrmann, Morrison, Palzkill, Russell, Wenglowisky, and Norem; Absent: 2 – Peterson and Polyock. The motion to approve Amendment I was adopted.

On motion by Supervisor Lothian, seconded by Supervisor Felten, Amendment M, Department of Public Works-Additional Revenues-City of Elkhorn & State Discretionary Revenue, was approved by voice vote. Supervisor Gigante requested to be recorded as a “no” vote.

A motion was offered by Supervisor Kuhnke, seconded by Supervisor Burwell to approve Amendment R, Revise Title 2-Code of Ordinances-Accommodate Land Management/Conservation Consolidation. Supervisor Gigante offered an amendment to eliminate the sentence “If the above-stated amendments to Title 2 are not made prior to 4-1-03, the consolidation will not take place until said amendments to Title 2 become effective,” seconded by Supervisor Ketchpaw. The amendment to the motion was approved by voice vote. Supervisors Burwell, Lothian, Russell, Lightfield, Kuhnke, Parker and Palzkill requested to be recorded as “no” votes. The motion to approve Amendment R, as amended, was approved unanimously by voice vote.

Supervisor Lohrmann offered a motion to amend the 2003 Preliminary Budget to increase the tax levy by the sum of \$20,170 for the purpose of funding the property insurance premium for 2003, seconded by Supervisor Lothian. When the 2003 budget was put together the Local Government Property Insurance implied that there would be an approximate 24% increase in the premium. The Finance Department was notified at the end of October that the property insurance would be increased by 82% for 2003. The Finance Committee met prior to this evening’s meeting and approved the increase in the premium. The Local Government Property Insurance Fund has historically offered the lowest rates. The amendment to approve the increase in the property insurance premium was approved unanimously by voice vote.

Andersen said that with the change in the property insurance premium and the budget amendments approved tonight, the total levy would be 5.129 per thousand, which is slightly less than last year's or 8/10 of a cent lower than last year.

On motion by Supervisor Lohrmann, seconded by Supervisor Gigante, the vote on the 2003 budget with amendments was held until the Finance Department could recalculate the figures.

Resolution No. 65-11/02-Resolution to Set Official County Bonds-Walworth County Constitutional Officers 2003-2004, was approved on motion by Supervisor Lothian, seconded by Supervisor Russell.

**RESOLUTION NO. 65-11/02
RESOLUTION TO SET OFFICIAL COUNTY BONDS-WALWORTH COUNTY
CONSTITUTIONAL OFFICERS 2003-2004**

WHEREAS, Wisconsin Statute 59.21(2) requires that "Each official bond described in sub.(1) shall be in a sum fixed by law; or if not fixed by law, in a sum fixed by resolution of the board, within the limitation prescribed by law, if any, at the annual meeting in November prior to the commencement of the term of office of the particular officer."

WHEREAS, the Finance Committee of the Walworth County Board of Supervisors has reviewed and approved the bond amounts listed below:

Title	Statutory Requirement Chapter 59.21	County
County Clerk	Not less than \$2000.	\$ 5,000
County Treasurer	If bond is furnished by individual sureties, not less than the amount nor exceeding twice the amount of all taxes directed by the County Board to be levied therein and to be received by the treasurer during the ensuing year, with 3 or more sureties; or, if the bond is furnished by a surety company in an amount not less than 10% of all taxes directed by county Board to be levied therein, and to be received by the treasurer during the ensuing year, or \$500,000 whichever is smaller.	\$500,000
Sheriff	Not less than \$5,000 nor more than \$25,000, with not less than three sureties.	\$ 10,000
Coroner	Not less than \$500 nor more than \$10,000 with not less than two sureties.	\$ 500

Clerk of Circuit Courts	Not less than \$5,000 with two or more sureties.	\$ 50,000
Register of Deeds	In counties containing less than 150,000 population, \$3,000 with 2 or more sureties.	\$ 10,000

NOW, THEREFORE, BE IT RESOLVED that the official county bonds for the Walworth County Constitutional Officers be set in the amounts listed above.

Dated this 4th day of November, 2002.

William M. Norem
County Board Chair

Kimberly S. Bushey
Attest: County Clerk

Policy and Fiscal Note Attached: Yes No

Approved as to Form:

Dennis D. Costello 10/25/02
Corporation Counsel Date

David A. Bretl 10/27/02
County Administrator Date

N. Andersen 10/25/02
Finance Director Date

Committee Consideration: Finance Committee October 17, 2002 7-0

Action Required: Majority Vote Two-thirds Vote Other

County Board Meeting Date: November 4, 2002

Resolution No. 65-11/02

Policy and Fiscal Note

- I. Title: Resolution 65-11/02-RESOLUTION TO SET OFFICIAL COUNTY BONDS-WALWORTH COUNTY CONSTITUTIONAL OFFICERS 2003-2004
- II. Purpose and Policy Impact Statement: Pursuant to Wisconsin Statute 59.21 the County Board is required by law to set the official bond amounts.
- III. Is this a Budgeted Item and What is its Fiscal Impact: The fiscal impact of setting bonds in the aforementioned amounts is approximately \$2500.00 and is a budgeted amount.
- IV. Referred to the following standing committees for consideration and date of referral:

Committee Consideration: Finance Committee October 17, 2002 7-0

- V. Approved as to Form:

Dennis D. Costello	10/25/02
Corporation Counsel	Date
N. Andersen	10/25/02
Finance Director	Date
David A. Bretl	10/27/02
County Administrator	Date

Supervisor Miles left the meeting.

A motion was offered by Supervisor Lohrmann, seconded by Supervisor Ketchpaw, to approve Resolution No. 66-11/02-Resolution to Authorize Funds to Hire a Consultant for the Purpose of Analyzing the County's Options for Providing General, Automobile and Personal Injury Liability Coverage and to Designate \$4,000,000 for the Establishment of a General, Automobile and Personal Injury Liability Fund. A roll call vote was held. Total Votes: 25; Ayes: 12 – Arnold, Felten, Gigante, Grant, Ketchpaw, Kuhnke, Lightfield, Lohrmann, Parker, Russell, Shepstone, and Norem; Noes: 9 – Burwell, Guido, Hilbelink, Lothian, Morrison, Schaefer, Scharine, Shroble, and Wenglowsky; Abstention: 1 - Palzkill; Absent: 3 – Peterson, Polyock, and Miles. Motion fails to pass by 2/3's vote.

Resolution No. 66-11/02

DEFEATED

Resolution to Authorize Funds to Hire a Consultant for the Purpose of Analyzing the County's Options for Providing General, Automobile and Personal Injury Liability Coverage and to Designate Four Million Dollars for the Establishment of a General, Automobile and Personal Injury Liability Fund

WHEREAS, the County currently contracts with the Wisconsin County Mutual Insurance Corporation to provide general, automobile and personal injury liability insurance; and

WHEREAS, Rock County runs a self-funded liability program; and

WHEREAS, the County Administrator conducted a preliminary study of the feasibility of self-insuring the county's liability coverage, including meeting with Rock County staff to discuss the advantages and disadvantages of self-insurance; and

WHEREAS, the preliminary study indicated that the county could potentially save \$220,000 based upon historical claims information; and

WHEREAS, the Finance Committee discussed various options for providing liability coverage for Walworth County and voted on August 22, 2002 to direct staff to solicit proposals for providing a financial analysis of each option; and

WHEREAS, there is sufficient undesignated fund balance in the Risk Management Fund to pay for the cost of the financial analysis; and

WHEREAS, one of the options for providing liability coverage is for the county to self-insure; and

WHEREAS, it is fiscally prudent to designate funds during the annual budget process to allow for the implementation of long term objectives, and

WHEREAS, designating funds ensures that sufficient moneys are available should the County elect to implement a self-insurance program for liability coverage based upon information received in the financial analysis.

NOW THEREFORE BE IT RESOLVED by the Walworth County Board of Supervisors that the sum of \$45,000 be and is hereby appropriated from undesignated funds in the Risk Management Fund for the purpose of contracting with a financial consultant to analyze County options for general, automobile and personal injury liability coverage; and

BE IT FURTHER RESOLVED that four million dollars be and is hereby transferred from undesignated funds in the General Fund to the Risk Management Fund and designated for the purpose of establishing a reserve for liability coverage; and

BE IT FURTHER RESOLVED that these funds shall not be available for expenditure until further action by the County Board which results in the authorization to self-insure for general, automobile and personal injury liabilities; the establishment of a self-insurance fund budget; and provides for the notification to the Wisconsin County Mutual Insurance Corporation of the County's intent to cancel its liability coverage; and

BE IT FURTHER RESOLVED that this designation will expire as of July 1, 2003 should no action be taken by the Walworth County Board of Supervisors to authorize the County to self-insure for general, automobile and personal injury liabilities; and

BE IT FURTHER RESOLVED that should the designation expire, four million dollars shall be transferred from the Risk Management Fund to the General Fund and classified as undesignated fund balance.

Dated this 4th day of November, 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	10/27/02 Date
	Dennis D. Costello Corporation Counsel	10/25/02 Date
	N. Andersen Finance Director	10/25/02 Date

Action Required: Majority Vote Two-thirds Vote

County Board Meeting Date: November 4, 2002

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Resolution No. 66-11/02

Policy and Fiscal Note

- I. Title: Resolution to Authorize Funds to Hire a Consultant for the Purpose of Analyzing the County's Options for Providing General, Automobile and Personal Injury Liability Coverage and to Designate Four Million Dollars for the Establishment of a General, Automobile and Personal Liability Fund

- II. Purpose and Policy Impact:

The County has purchased its liability insurance from the Wisconsin County Mutual since January 1, 1988. The possibility exists that the county has the financial resources necessary to self-insure for liability coverage, resulting in a potential cost savings for the County.

Section 30.157(a) of the Walworth County Code of Ordinances (Code) stipulates that the undesignated General Fund balance remain at 15 - 20% of the total of the county's General Fund revenues plus the tax appropriation for all other funds. As of December 31, 2001, the undesignated General Fund balance was \$15,273,937 or 29.48% of the designated sum.

Section 30.157(c) of the Code stipulates that the Finance Committee submit recommendations on the use of the undesignated General Fund balance.

Section 30.157(c)(3) of the Code stipulates that the "start-up costs of new programs contemplated by the county that are intended to improve the quality or efficiency of services if the costs are justified by the future cost efficiency of the services provided" are allowable uses of the funds. Therefore, the designation of funds for the establishment of a self-funded liability fund falls within established guidelines.

A second option is to explore the cost of coverage provided by the Wisconsin Municipal Mutual Insurance Company.

- III. Budget and Fiscal Impact:

The Risk Management Fund has sufficient funds available to appropriate \$45,000 for the purpose of analyzing the County's options related to liability coverage. This is a not to exceed amount. The actual cost of the analysis will be determined based upon the proposals that are received. Unused budget dollars will lapse to an undesignated status in the Risk Management Fund at the end of the fiscal year unless authorized in the

end-of-year carry forward resolution. The carry forward of unused budget dollars is anticipated only if the analysis has not been completed by year-end.

The designation of \$4.0 million for liability coverage would reduce the undesignated General Fund balance to \$11,273,937, or 21.7 percent of the designated sum, slightly over the policy guidelines.

Preliminary projections indicate the potential to save \$220,000 on an annual basis. It should be noted that these projections are based upon historical claims data. The potential exists for future claims to exceed historical averages, perhaps significantly.

The current liability coverage has a \$50,000 deductible per occurrence, with a \$150,000 annual aggregate for bodily injury, property damage, personal injury and errors & omissions. The policy has a \$5 million liability insurance limit and an uninsured motorist limit of \$25,000 per person/\$50,000 per occurrence.

IV. Committee Consideration:

The Finance Committee voted 5-1 to authorize the solicitation of proposals for analyzing the county's options related to liability coverage at their meeting on August 22, 2002.

The Finance Committee voted 6-1 at their October 17, 2002 meeting to submit this resolution to the County Board for consideration.

V. Reviewed as to Form:	David A. Bretl County Administrator	10/27/02 Date
	Dennis D. Costello Corporation Counsel	10/25/02 Date
	N. Andersen Finance Director	10/25/02 Date

Supervisor Wenglowksy offered a motion to reconsider designating \$4,000,000 of the undesignated fund for a reserve for self-funded liability insurance, seconded by Supervisor Guido. Motion carries to reconsider.

Motion by Supervisor Gigante to approve the \$4,000,000 of the undesignated fund for a reserve for self-funded liability insurance, seconded by Supervisor Lohrmann. Discussion ensued. Supervisor Lothian offered a substitute motion to take \$45,000 from the Contingency Fund to conduct the study before we set aside a reserve. On motion by Supervisor Gigante, seconded by Supervisor Shepstone the question was called. Requires a majority

vote. Motion was approved by voice vote to hold \$4,000,000 in reserve for self-funded liability insurance. Supervisors Lothian, Burwell, Morrison, and Scharine voted no.

Supervisor Gigante offered a motion, seconded by Supervisor Russell, to approve the use of \$45,000 from the Risk Management Fund for the purpose of conducting a study to analyze county options for general, automobile and personal injury liability coverage. Supervisor Grant asked for unanimous consent, seconded by Supervisor Ketchpaw. The motion carried.

Supervisor Schaefer left meeting at 8:35 p.m.

Supervisor Ketchpaw offered a motion to approve Resolution No. 67-11/02-Resolution Authorizing Agreement with the Wisconsin Department of Administration for the Wisconsin Land Information Program 2001 Annual Grant, seconded by Supervisor Burwell. Supervisor Lohrmann moved for unanimous consent, seconded by Supervisor Morrison. Motion carried to approve Resolution No. 67-11/02.

Resolution No. 67-11/02

Authorizing Agreement with the Wisconsin Department of Administration for the Wisconsin Land Information Program 2001 Annual Grant

WHEREAS, the Walworth County Board did in 1991 adopt a plan for the creation of a parcel based land information system for Walworth County, said plan being documented in SEWRPC Community Assistance Report No. 139, A Land Information System Plan for Walworth County, September 1991;

WHEREAS, the Walworth County Board did in 1999 approve an update to the Land Records Modernization Plan and direct the Land Information Officer for Walworth County to submit the plan to the State Land Information Board;

WHEREAS, The Wisconsin Land Information Board did in March 2000 approve the Walworth County - Update to Land Records Modernization Plan: 1999;

WHEREAS, Section 2, E-4 of the updated land records modernization plan as approved, calls for the full integration of tax and related data with the County Geographic Information System;

WHEREAS, Section 2, E-1 of the updated land records modernization plan as approved, directs the GIS Manager and Information Systems Director to investigate the potential for using internet technology to provide access to Walworth County land information;

WHEREAS, Section 2, C-7 of the updated land records modernization plan as approved, calls for the integration of Walworth County land records modernization projects with local governments and the Regional Planning Commission;

WHEREAS, The Walworth County Land Information Office has applied for a Wisconsin Land Information Program - Contribution Based Grant in the amount of \$16,739, for projects relating to the integration of assessment data with the geographic information system;

WHEREAS, the Walworth County Land Information Office, in coordination with the Southeastern Wisconsin Regional Planning Commission and the Land Information Offices of its constituent counties, has applied for a WLIP - Strategic Initiative Grant in the amount of \$11,000 for the establishment of a regional web server for land records data.

AND WHEREAS, the Walworth County Land Information Office has applied for a WLIP Training Grant in the amount of \$300 for staff training relating to the aforementioned projects;

NOW, THEREFORE, BE IT RESOLVED that the Walworth County Board of Supervisors approves a Grant Agreement between the State of Wisconsin Department of Administration - Office of Land Information Services and Walworth County for a total amount of \$28,039, said grant funds to be used for projects and training in accordance with the Walworth County Land Records Modernization Plan.

Dated this _____ day of _____ 2002.

William M. Norem
County Board Chair

Kimberly S. Bushey
Attest, County Clerk

Policy and Fiscal Note Attached: Yes No

Approved as to Form:

David A. Bretl
County Administrator
10/28/02
Date

Dennis D. Costello
Corporation Counsel
10/5/02
Date

N. Andersen
Finance Director
10/25/02
Date

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

Supervisor Morrison offered a motion to convene in closed session pursuant to the exemption contained in Sec. 19.85 (1) (g) Wis. Stats. for the purpose of conferring with legal counsel for the governmental body who is rendering oral or written advice concerning strategy to be adopted by the body with respect to litigation in which it is or is likely to become involved, seconded by Supervisor Lohrmann. A roll-call vote was held to convene in closed session. Total vote: 25; Ayes: 19 – Arnold, Burwell, Felten, Gigante, Grant, Guido, Hilbelink, Kuhnke, Lightfield, Lohrmann, Lothian, Morrison, Palzkill, Parker, Russell, Shepstone, Shroble, Wenglowisky, and Norem; Noes: 0; Absent: 4 – Peterson, Polyock, Miles, and Schaefer; Temporarily Excused: 2 – Ketchpaw and Scharine.

The Board convened in open session on motion by Supervisor Gigante, seconded by Lothian.

A motion offered by Supervisor Gigante to approve Resolution No. 74-11/02-Joint Resolution Between the City of Lake Geneva and Walworth County Resolving a Delinquent Tax Issue on the "Stone Manor," (The number on the resolution should be 74 and not 76 as shown on the copy distributed to the Board.) correcting the number to be Resolution No. 74-11/02, seconded by Lothian, was adopted unanimously by voice vote.

Resolution No. 74-11/02

JOINT RESOLUTION BETWEEN THE CITY OF LAKE GENEVA and WALWORTH COUNTY RESOLVING A DELINQUENT TAX ISSUE ON THE "STONE MANOR"

WHEREAS, there has been a dispute since 1986 over delinquent real estate taxes on 4 parcels of land and a penthouse unit on the "Stone Manor" estate. Walworth County contends that there was a duplicate assessment and the City of Lake Geneva contends it was not. A federal lawsuit decided in 1991 ruled Walworth County could not foreclose on the property since the owners of the seven (7) units had paid their taxes; and

WHEREAS, the City of Lake Geneva received a total of \$38,656.63 from Walworth County to cover the delinquent taxes from 1986 through 1991, when the assessment was changed. The City of Lake Geneva is willing, by this joint resolution, to settle this matter for the sum of \$20,638.09 representing the amount paid to the City of Lake Geneva for years 1990 and 1991; and

WHEREAS, in an effort to avert prolonged litigation on this issue, both the City of Lake Geneva and Walworth County, in a spirit of cooperation, desire to resolve this matter so that Walworth County can resolve the delinquencies for future financial planning; and

WHEREAS, Resolution No. 79-02/02 directed the Walworth County Treasurer to charge back 1988 through 1991 delinquent taxes on these properties.

WHEREAS, taxes, as well as interest and penalties, are considered as revenue for Walworth County's accounting purposes; and

WHEREAS, the remaining four years of taxes are to be written off as uncollectable in the amount of \$99,441.59. Interest and penalties would not be collectable from a government entity; and

WHEREAS, there is insufficient funding in the treasurer's budget to cover the cost of writing-off the uncollectable tax; and

WHEREAS, County policy allows a one-time settlement to be charged against the undesignated general fund balance.

NOW, THEREFORE, BE IT RESOLVED, by the WALWORTH COUNTY BOARD OF SUPERVISORS that WALWORTH COUNTY accept \$20,638.09 from the City of Lake Geneva as complete and final settlement for the 1988 through 1991 tax delinquencies on parcels ZCNQ-7A, ZYUP-99, ZYUP-99A, and ZBB-7 and hereby cancels any outstanding tax certificates on those parcels for years 1986 through 1991; and

BE IT FURTHER RESOLVED, by the WALWORTH COUNTY BOARD OF SUPERVISORS that Resolution No. 79-02/02, as it references the charge back to the City of Lake Geneva for years 1988 through 1991, be and hereby is repealed.

BE IT FURTHER RESOLVED, by the WALWORTH COUNTY BOARD OF SUPERVISORS that the sum of \$99,441.59 be written off as uncollectable and that the aforementioned sum will be charged to the undesignated general fund balance.

ADOPTED this 4th day of November, 2002.

William M. Norem
Walworth County Board Chairman

Kimberly S. Bushey
Walworth County Clerk

Policy and Fiscal Note attached.

Sponsored by:

County Board Meeting Date: November 4th, 2002

Approved as to form:

David A. Bretl
County Administrator

11/4/02
Date

Dennis D. Costello 11/4/02
Corporation Counsel Date

N. Andersen 11/4/02
Finance Director Date

Action Required: 2/3 Vote

POLICY AND FISCAL NOTE

I. Title: RESOLUTION No. 74-11/02

JOINT RESOLUTION BETWEEN THE CITY OF LAKE GENEVA
AND WALWORTH COUNTY RESOLVING A DELINQUENT TAX
ISSUE ON THE "STONE MANOR"

II. Purpose and Policy Impact Statement:

The purpose is to finally resolve the issue of delinquent taxes on 4
parcels at the Stone Manor estate.

III. Budget and Fiscal Impact:

The City of Lake Geneva is alleged to owe Walworth County
a reimbursement of \$38,656.63 for the share it received from
Walworth County as a city tax on 4 parcels at the "Stone Manor"
estate for years 1986 through 1991. This amount does not include
penalty or interest. The City of Lake Geneva is willing to settle the
issue for \$20,638.09.

The sum of \$99,441.59 is to be written off against the County's
undesignated general fund balance.

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

Finance Committee: 6-0 Referral Date: 11-4-02

V. Approved as to Form: David A. Bretl 11/4/02
County Administrator Date

Dennis D. Costello 11/4/02
Corporation Counsel Date

N. Andersen 11/4/02
Finance Director Date

On motion by Supervisor Lohrmann, seconded by Supervisor Ketchpaw, Resolution No. 69-11/02-Adopt Changes in Wages and Benefits for Non-Represented Employees for 2003, was approved.

RESOLUTION NO. 69-11/02
ADOPT CHANGES IN WAGES AND BENEFITS
FOR NON-REPRESENTED EMPLOYEES for 2003

Moved By: Human Resources Committee

WHEREAS, the Human Resources Committee has reviewed the wage and benefit package for non-represented employees and has considered appropriate adjustments therein for calendar year 2003.

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

1. The Management Pay Plan and Administrative Support Pay Plan for non-represented employees shall be increased by 3.0% effective January 1, 2003.
2. Effective for January 2003 coverage, the dental monthly premium caps for non-represented employees shall be increased to the actual rates in effect for 2003.

BE IT FURTHER RESOLVED that the Human Resources Committee, upon recommendation of the County Administrator, shall determine any pay adjustment for red-circled employees which amount may be from zero to not more than the dollar increase in the maximum rate of the assigned pay range; and, any adjustment for a red-circled employee may be in the form of a rate increase, or a bonus amount not added to the base rate.

BE IT FURTHER RESOLVED that funds required to implement this resolution shall be included in the departmental 2003 budgets.

Dated this 4th day of November, 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

10/27/02
Date

Dennis D. Costello 10/25/02
Corporation Counsel Date

N. Andersen 10/25/02
Finance Director Date

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

Policy and Fiscal Note

I. Title. Resolution # 69-11/02, "Adopt Changes In Wages And Benefits For Non-Represented Employees For 2003."

II. Purpose and Policy Impact.

The County Board is required to approve any general increase in pay rates. The recommendation of the Human Resources Committee is consistent with the pattern of increases that were included in the ratified 2002-2004 collective bargaining agreements.

III. Budget and Fiscal Impact.

The estimated increase for non-represented employees for 2003 is \$597,285 and is included in the 2003 Preliminary Budget.

IV. Standing Committee Consideration.

The Human Resources Committee on October 3, 2002 on a vote of 6-0 recommends adoption.

The Finance Committee on November 4, 2002 on a vote of 6-0 recommends adoption.

V. Approved as to Form.

David A. Bretl 10/27/02
Administrator Date

Dennis D. Costello 10/25/02
Corporation Counsel Date

N. Andersen 10/25/02
Finance Director Date

On motion by Supervisor Kuhnke, seconded by Supervisor Morrison, Resolution No. 70-11/02-Fix Staffing Levels for 2003, was approved.

Resolution No. 70-11/2002
FIX STAFFING LEVELS FOR 2003

WHEREAS, the detailed payroll budget document that supports the County Administrator's budget for 2003 identifies the positions and FTE levels that are included therein, subject to any amendments by, and final adoption of, the County Board.

NOW, THEREFORE, BE IT RESOLVED that the position changes as shown on the report attached hereto and made a part hereof are approved for 2003 and shall be included in the 2003 budget, and

BE IT FURTHER RESOLVED that any new positions shall be filled pursuant to the terms of any applicable collective bargaining agreement and county personnel policies, and

BE IT FURTHER RESOLVED that the Walworth County Board of Supervisors hereby declares its commitment to deliver services in 2003 within the level of FTE's as approved in the 2003 budget, and

BE IT FURTHER RESOLVED that staffing shall not exceed this budgeted level, and additional new positions shall not be created during 2003 except for the following potential changes: (1) legal mandates related to Special Education, (2) minimum staffing levels directly related to resident acuity at Lakeland Health Care Center, (3) positions fully funded through grants which have been accepted by the county board, or (4) staffing otherwise mandated by law.

Dated this 4th day of November, 2002.

William M. Norem
County Board Chair

Kimberly S. Bushey
Attest: County Clerk

Policy and Fiscal Note Attached YES

Reviewed by: David A. Bretl 10/28/02
County Administrator Date

Approved as to form: Dennis D. Costello 10/28/02
Corporation Counsel Date

Reviewed for Budget/Fiscal Impact: N. Andersen 10/28/02
Finance Director Date

Action Required: Majority Vote

Resolution Introduced By: Human Resources Committee

Policy and Fiscal Note

I. Title. Resolution Number 70 - 11/2002 to "Fix Staffing Levels for 2003."

II. Purpose and Policy Impact

Statute 59.22 (2) provides that the County Board may establish the number of employees in any department. It is the practice of the Walworth County Board to do so each year as part of the November budget process and to "freeze" staffing levels at the level as included in the adopted budget. Normally, additional new positions for year 2003 would not be considered after adoption of the 2003 budget. New positions would again be considered in November 2003 for year 2004.

Any new positions requested in the budget are subject to job content evaluation prior to final implementation. The classification and the dollars in the budget for any given position are estimated wage and fringe costs, subject to possible modification after completion of the job evaluation and possible collective bargaining obligations.

III. Budget and Fiscal Impact

See the attached summary report.

IV. Standing Committee Consideration

The Human Resources Committee on 10/30/02 on a vote of 5-0 recommends adoption.

V. Approved As To Form

David A. Bretl	10/28/02
County Administrator	Date

Dennis D. Costello	10/28/02
Corporation Counsel	Date

N. Andersen	10/28/02
Finance Director	Date

Supervisor Gigante offered a motion to approve Resolution 72-11/02- Supporting the Original U. S. Highway 12 Corridor, seconded by Supervisor Ketchpaw. Administrator Bretl noted for the record that he had received a letter from Attorney Dick Howarth requesting that the matter be delayed. Howarth also submitted surveys from individuals in the area who oppose the request.

Supervisor Burwell recognized Loren Waite, Town of Sugar Creek. Mr. Waite agrees with the Highway Commissioner that improving the existing Highway 12 will not save lives. Waite expressed concern about safety at the intersections of Abell's Corners, Bethel Church, and County Road A.

Supervisor Felten recognized Carl Rieken. Mr. Rieken is on the Planning Commission for the Town of Sugar Creek. The Planning Commission supports the corridor as it exists today. Discussion ensued.

On motion by Supervisor Ketchpaw, seconded by Supervisor Hilbelink, the question was called. The motion to approve Resolution No. 72-11/02-Supporting the Original U. S. Highway 12 Corridor, was approved with two Supervisors wishing to be recorded as a "no" vote: Lohrmann and Arnold.

RESOLUTION NO. 72-11/02

SUPPORTING THE ORIGINAL U.S. HIGHWAY "12" CORRIDOR

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, 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 Walworth County Board approved resolution number 48-09/02 requesting the Wisconsin Department of Transportation to advance planning and construction of the realignment of U.S. Highway "12" between Elkhorn and Whitewater; and

WHEREAS, the Walworth County Highway Committee hosted an informational meeting and received input from constituents in the area, the majority of whom are in support of the State conducting a study of the realignment.

NOW, THEREFORE, BE IT RESOLVED, that the Walworth County Board of Supervisors requests the Wisconsin Department of Transportation to conduct an environmental impact study along the traditional alignment of U.S.H. "12", to the extent such route is practical, in order to advance the planning and construction of the realignment of U.S.H. "12" from Elkhorn to Whitewater 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 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 4th day of November 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 11/2/02
County Administrator Date

(not signed)
Dennis Costello Date
Corporation Counsel

Reviewed
Budget/Fiscal Impact:

Nicki Andersen (pw)
Finance Director

11/1/02
Date

Action Required: Majority Vote Two-Thirds Vote Other

County Board Meeting Date: November 4, 2002

POLICY AND FISCAL NOTE

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

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. 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 will be constructed.

At the October 15, 2002 Highway Committee meeting, the Committee made and unanimously approved a motion recommending the County Board support the original route of Highway "12" for the corridor that was originally picked in 1967, protected under Trans 233. This will 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 highway corridor identified.

On October 23, 2002 the Highway Committee hosted an informational meeting at the Elkhorn Area High School, approximately 200 people attended this meeting. Representatives from the Wisconsin Department of Transportation and the Southeastern Wisconsin Regional Planning Commission updated attendees on the long planned route and the process in order move major projects such as the US Highway "12" realignment through to implementation. Attendees were requested to complete comment sheets to determine public input, the general results are as follows.

78 support the request
10 had no opinion on the request
23 oppose the request

The County Board's resolution requesting the Department of Transportation to advance the planning and construction of this realignment project (Resolution No. 48-09/02). At the informational meeting there was significant discussion regarding the traditional alignment of the project, with many attendees requesting the original alignment as much as practical while minimizing disruption to development that may have taken place since the original corridor was mapped in the late 1960's.

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 Transportation Projects Committee approved the project. 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 were 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 10/15/02
Vote: 5 - 0

V. Approved as to Form:

David A. Bretl
County Administrator

11/2/02
Date

(not signed) Corporation Counsel	Date
Nicki Andersen (pw) Finance Director	11/1/02 Date

Resolution No. 64-11/02-Resolution Adopting the 2003 Appropriation of the Walworth County Budget and CIP Plan, was approved as amended.

RESOLUTION NO. 64-11/2002

ADOPTION OF THE 2003 WALWORTH COUNTY BUDGET APPROPRIATION

Moved/Sponsored by: Walworth County Finance Committee

WHEREAS, the Walworth County Administrator met with all County Departments to review and recommend funding for county programming;

WHEREAS, the Walworth County Finance Committee met with the Administrator to review funding for county programming and has prepared the "2003 Walworth County Preliminary Budget" and,

WHEREAS, the Finance Committee submitted the proposed budget to the Walworth County Board of Supervisors for its review on October 8, 2002, and,

WHEREAS, the County Board has considered the merits of the proposed budget and amendments thereto and is prepared to adopt the final 2003 Walworth County Budget,

NOW, THEREFORE BE IT RESOLVED, that the "2003 Walworth County Preliminary Budget," a copy of which is incorporated herein by reference, and as amended by Exhibit A, attached hereto, is hereby approved and adopted as the 2003 Walworth County Budget.

BE IT FURTHER RESOLVED, that the 2003 budget is adopted and approved at the department level of detail as contained in the budget document.

BE IT FURTHER RESOLVED, that the 5-year Capital Improvement Plan is adopted and approved as presented in Exhibit B, with a funding commitment for year 2003 only, unless authorized by previous County Board resolution.

BE IT FURTHER RESOLVED, that the Finance Director is hereby authorized to make technical corrections to the budget document, which are consistent with the actions of this Board.

Dated the 4th day of November, 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	10/28/02 Date
	Dennis D. Costello Corporation Counsel	10/25/02 Date
	N. Andersen Finance Director	10/25/02 Date

Action Required: Majority Vote Two-thirds Vote

County Board Meeting Date: November 4, 2002

RESOLUTION NO. 64-11/02 ADOPTION OF THE 2003 WALWORTH COUNTY
BUDGET APPROPRIATION

- I. TITLE: Adoption of the 2003 Walworth County Budget Appropriation
- II. PURPOSE AND POLICY IMPACT STATEMENT: The purpose of this resolution is to adopt the 2003 appropriation to support the Walworth County operating budget for 2003 and 5-year Capital Improvement Plan with a commitment of funding for 2003 only, unless authorized by previous County Board resolution.
- III. IS THIS A BUDGETED ITEM AND WHAT IS THE FISCAL IMPACT: Adoption of this resolution will set the legal budget limits for Walworth County for fiscal year 2003.
- IV. COMMITTEE CONSIDERATION:

The Finance Committee voted 6-0 to approve the Preliminary Budget on September 26, 2002

V. APPROVED AS TO FORM:

David A. Bretl	10/28/02
County Administrator	Date

Dennis D. Costello	10/25/02
Corporation Counsel	Date

N. Andersen	10/25/02
Finance Director	Date

On motion by Supervisor Gigante, seconded by Supervisor Ketchpaw, Resolution No. 68-11/02 – Resolution Establishing the Tax Levy to Support the 2003 Budget Appropriation, was approved.

RESOLUTION NO. 68-11/02
ESTABLISHING THE TAX LEVY TO SUPPORT THE 2003 BUDGET
APPROPRIATION

Sponsored by: Finance Committee

WHEREAS, the Walworth County Administrator met with all County Departments to review and recommend funding for county programming; and

WHEREAS, the Walworth County Finance Committee met with the Administrator to review funding for county programming and has prepared the "Walworth County 2003 Preliminary Budget"; and

WHEREAS, the Finance Committee submitted the proposed budget to the Walworth County Board of Supervisors for its review on October 8, 2002, and the County Board has considered the merits of the proposed budget, and amendments thereto, and is prepared to adopt the final 2003 Walworth County budget;

NOW, THEREFORE BE IT RESOLVED by the Walworth County Board of Supervisors in annual session assembled, that there be and hereby is levied and assessed upon all of the taxable property of Walworth County as state, county, and other taxes (excluding library tax) for 2002, the sum of

\$43,295,572.36 and

BE IT FURTHER RESOLVED, that there be and is hereby levied and assessed upon the taxable property of each township the annual appropriation for Lakeshores Library operating expenses in the amount of

1,020,891.00 and

BE IT FURTHER RESOLVED, that the same to be apportioned by the County Clerk, as by law provided and in accordance with the Report of the Finance Committee, subject to such changes or additions as may be certified to the County Clerk by the Department of Taxation of the State of Wisconsin, and the sum so raised is in the amount and for the purposes specified in the Report of the Finance Committee on file and summarized as follows:

County Library Levy	\$1,020,891.00
County Debt Service Levy	\$4,765,307.00
County Operating Levy*	\$36,808,472.43
State Tax/Charges	\$1,717,948.96

Municipal Tax by County \$3,843.97
Total \$44,316,463.36

*Includes Charitable and Penal

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 10/27/02
County Administrator Date

Dennis D. Costello 10/25/02
Corporation Counsel Date

N. Andersen 10/25/02
Finance Director Date

Action Required: Majority Vote X Two-thirds Other _____

County Board Meeting Date: November 4, 2002

RESOLUTION NO. 68 -11/02 ESTABLISHING THE TAX LEVY
TO SUPPORT THE 2003 BUDGET APPROPRIATION

- I. TITLE: Establishing the Tax Levy to Support the 2003 Budget Appropriation
- II. PURPOSE AND POLICY IMPACT STATEMENT: The purpose of this resolution is to establish the tax levy, in the amount of \$44,384,689.36, which supports the 2003 budget of Walworth County.
- III. IS THIS A BUDGETED ITEM AND WHAT IS THE FISCAL IMPACT: This is the tax levy required to support Walworth County's 2003 operating budget. The tax levy includes the Library, Debt Service, Operating, State Charges and Municipal Tax by County.

IV. COMMITTEE CONSIDERATION:

The Finance Committee voted 6-0 to approve the Preliminary Budget on September 26, 2002.

V. APPROVED AS TO FORM:

David A. Bretl County Administrator	10/27/02 Date
Dennis D. Costello Corporation Counsel	10/25/02 Date
N. Andersen Finance Director	10/25/02 Date

Exhibit A Attached

On motion by Supervisor Morrison, seconded by Supervisor Shepstone, the Board adjourned at 9:50 p.m. The next regularly scheduled meeting of the Walworth County Board of Supervisors is Tuesday, December 10, 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 November 4, 2002 meeting.

THE DECEMBER 10, 2002
SPECIAL ORIENTATION MEETING 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 Schaefer and Wenglowsky. Supervisor Morrison arrived late.

County Administrator David Bretl announced that the topic for this evening's orientation session is entitled "Where do we go from here? Boardmanship and Strategic Planning." He indicated that this was an opportunity to gather input from Board members on a variety of topics.

Supervisor Ketchpaw suggested having a separate "Committee of the Whole" so that the entire Board would receive all the information regarding issues it acts upon.

Supervisor Gigante recommended that in the future we conduct the County Budget meeting as a separate meeting from our regular business.

The committee minutes and agenda procedure was then discussed. Concern was expressed that the committee minutes packet that is distributed to the Board sometimes includes minutes of meetings that occurred a number of months prior. Standardization of committee minutes was also discussed along with the suggestion that one or two people do the minutes for all committees.

Supervisor Morrison arrived at 5:15 p.m. Supervisor Lothian suggested that all committee agendas be placed on the County website. County Administrator Bretl offered to work on procedures for transmission of the committee minutes and agendas.

Chair Norem then discussed the establishment of a County Board Committee meeting room. Administrator Bretl suggested removing the wall between the law library and room 126, relocating the law library and designating this space for County Board Committee Meetings. By consensus, the Board directed County Administrator Bretl to look into the concept of a County Board Committee room.

Supervisor Ketchpaw felt that workspace at the Courthouse for County Board Supervisors was important. Supervisor Russell expressed concern that some of our committee meetings overlap.

Supervisor Burwell inquired whether or not we have a policy on replacement of department heads.

Administrator Bretl said that he was currently working on the hiring of the Public Works Director, and the process has not been formalized. Bretl received input from the Board in the review of the resumes and will present the candidate he is recommending to the Board.

On motion by Supervisor Hilbelink, seconded by Supervisor Morrison, the meeting was recessed 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 December 10, 2002 Special Orientation meeting.

THE DECEMBER 10, 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.

Keith Eycheson presented the invocation.

Roll call was read with all Supervisors present.

On motion by Supervisor Grant, seconded by Supervisor Felten, Resolution No. 84-12/02-Resolution Providing County-paid Cellular Phone for Board Vice-Chair for Business Use, was removed from the agenda and referred to the Executive Committee.

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

On motion by Supervisor Gigante, seconded by Supervisor Russell, the minutes of the October 24, 2002 County Board of Supervisors Meeting were approved as presented. On motion by Supervisor Morrison, seconded by Supervisor Grant, the minutes of the November 4, 2002 County Board of Supervisors Meeting were approved as presented.

Chairman Norem requested comments from the public.

Gail Kopp, P. O. Box 152, Genoa City, has a daughter with multiple impairments. Kopp was at the meeting to inform the County Board of federally mandated laws that Walworth County does not always follow. Kopp said that the law states that a child should receive an education in the least restrictive environment. She would like everyone to be aware of how difficult it is for a parent to be able to choose a school in their own area for their children with disabilities. She would like a policy written which states that parents have a right to choose between the Birth to Three program and Lakeland School.

On motion by Supervisor Gigante, seconded by Supervisor Palzkill, Jerry E. Peters was appointed to the Veterans Service Commission for a three-year term. Said term is to expire December 31, 2005, or until a successor is appointed or named.

VETERANS SERVICE COMMISSION

STATE OF WISCONSIN)
)SS
COUNTY OF WALWORTH)

I, the undersigned Chairman of the Walworth County Board of Supervisors do hereby appoint Jerry E. Peters to the Veterans Service Commission for a three-year term. Said term to expire December 31, 2005 or until a successor is appointed or named.

Dated this 10th day of December, 2002.

William M. Norem, Chairman
Walworth County Board of Supervisors

The claim of Commercial Mortgage & Finance Co. was referred to the Executive Committee.

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

Robert and Karen Anderson, Town of Whitewater
Michael B. Turner, Town of Richmond

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:

Herbert D. and Barbara J. Bungler, Town of Whitewater, A-1 to C-2.
Abell's Corner, LLC, Town of Sugar Creek, A-2 to B-2
James Pody, Town of Geneva, C-4 to A-1
Robert and Alyce Lottig Britton (Joseph C. Zimmer, App.), Town of Linn, A-1 to A-5
William C. Grunow, Jr. (William C. Grunow III and Jennifer Grunow, App.), Town of Linn, A-3 and A-4 to C-2

Above petitions referred November 13, 2002.

Dated this 26th day of November, 2002.

Kimberly S. Bushey, County Clerk

The following items of correspondence were distributed to the Supervisors:

- A letter from Habitat for Humanity was referred to the Public Property Committee.
- A letter from the U. W. Extension-Madison was placed on file.
- A letter from the Walworth County Taxpayers Alliance was placed on file.

Report of Standing Committees

Report of Zoning Amendments:

Supervisor Kuhnke offered a motion, seconded by Supervisor Schaefer, to approve the following Report of the Land Management Committee. On motion by Supervisor Lohrmann, second by Supervisor Burwell, item #4, Jay and Laura Myers, Town of Richmond, Rezone 32.7 acres of A-1 to C-2, was removed from the Report of the Land Management Committee to be voted on separately. Motion by Supervisor Gigante to remove items #2 and #3, from the Report of the Land Management Committee to be voted on separately, second by Supervisor Lohrmann. A roll call vote was held. Total vote: 25; Ayes: 11 – Arnold, Gigante, Grant, Guido, Ketchpaw, Lightfield, Lohrmann, Palzkill, Peterson, Polyock, Russell; Noes: 14 – Burwell, Felten, Hilbelink, Kuhnke, Lothian, Miles, Morrison, Parker, Schaefer, Scharine, Shepstone, Shroble, Wenglowky, Norem; Absent: 0. The motion to remove items #2 and #3 failed.

On motion by Supervisor Schaefer, seconded by Supervisor Gigante, item #4 of the Report of Land Management Committee was approved by roll call vote. Total vote: 25; Ayes: 15 – Felten, Hilbelink, Kuhnke, Lightfield, Lothian, Miles, Morrison, Palzkill, Parker, Peterson, Polyock, Schaefer, Scharine, Shroble, Wenglowky; Noes: 10 – Arnold, Burwell, Gigante, Grant, Guido, Ketchpaw, Lohrmann, Russell, Shepstone, and Norem; Absent: 0.

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

TO THE COUNTY BOARD OF WALWORTH COUNTY:

The Land Management Committee, having considered the petitions to amend the Walworth County Zoning Ordinance and Shoreland Zoning Ordinance; and having held public hearings thereon, pursuant to Section 59.69(5)(e) Wisconsin Statutes, notice thereof having been given as provided by law, and being duly informed of the facts pertinent to the changes proposed and duly advised of the wishes of the people in the area affected, hereby recommends as follows:

1. The Land Management Committee – filed a petition on the 10th day of September, 2002, to amend the Subdivision Control Ordinance, Walworth County, Wisconsin as follows: Text Amendment to Subdivision Control Ordinance, Walworth County, Wisconsin, Sections 1.1, 2.5, 4.3, 7.3, 8.11, 9.6, 10.2, 10.3, 10.6, 10.9A, 10.9B, 10.10A and 10.10B.

Recommendation: Said petition be approved.

2. Guardian Pipeline LLC, Town of Richmond – filed a petition on the 7th day of August, 2002, to rezone from A-1 Prime Agricultural Land District to P-1 Recreational Park District.

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

1. Utilities are allowed in all zone districts as a conditional use.
2. A conditional use has already been granted for the facilities proposed to be installed on site.

3. Guardian Pipeline LLC, Town of Walworth – filed a petition on the 5th day of August, 2002, to rezone from A-1 Prime Agricultural Land District to P-1 Recreational Park District.

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

1. Utilities are allowed in all zone districts as a conditional use.
2. A conditional use has already been granted for the facilities proposed to be installed on site.

4. Jay and Laura Myers, Town of Richmond – filed a petition on the 29th day of August, 2002, to rezone from A-1 Prime Agricultural Land District to C-2 Upland Resource Conservation District.

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

1. The land has steep slopes.
2. Sixty-eight percent of the parcel consists of non-prime soil types.

5. Duane Newman, Town of Lafayette – filed a petition on the 4th day of September, 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.

1. The rezone is an expansion of an existing A-4 area for a storage facility.
2. The A-1 land is separated from the larger farm parcel by a stream.

6. Robert F. Nick (George and Margaret Downing, App.), Town of Geneva – filed a petition on the 28th day of August, 2002, to rezone from B-3 Waterfront Business District to R-1 Single Family Residence District (Unsewered).

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. The Land Management Committee – to amend the Subdivision Control Ordinance, Walworth County, Wisconsin as follows:

Text amendment to Subdivision Control Ordinance, Walworth County, Wisconsin, Sections 1.1, 2.5, 4.3, 7.3, 8.11, 9.6, 10.2, 10.3, 10.6, 10.9A, 10.9B, 10.10A, and 10.10B in the following respects:

Deletions have a double strikethrough; additions are underscored.

TABLE OF CONTENTS

SECTION 2.0 GENERAL PROVISIONS . . .

2.5 ~~Variance~~ Waivers or Modifications . . .

INTRODUCTION

1.1 Authority

This Ordinance is adopted under the authority granted by Section ~~59.07~~ 59.69 . . .

GENERAL PROVISIONS

2.5 ~~Variance~~ Waivers or Modifications

PRELIMINARY PLAT

4.3 Soil and Water Conservation – insert at end of paragraph 2, as follows:

Tree Cutting . . . qualities. Tree cutting shall be subject to Section 2.8 of the Walworth County Shoreland Zoning Ordinance.

Insert at end of paragraph 3, as follows:

Paths and Trails shall not exceed . . . natural beauty. Bicycle paths shall be designed to the American Association of State Highway and Transportation Officials (ASSHTO) guide to the development of bicycle facilities standards.

7.3 Street Design Standards

Insert after Pedestrian Ways – 10 feet, as follows:

Bicycle paths shall be designed to the American Association of State Highway and Transportation Officials (AASHTO) guide to the development of bicycle facilities standards.

REQUIRED IMPROVEMENTS

8.11 Street Lamps

Insert at end of paragraph as follows:

The Town Board may require . . . as may be required by the Town Board. Street lamps shall be shielded and directed onsite.

CONSTRUCTION

9.6 Existing Flora

Insert at end of second paragraph as follows:

Such trees are to be protected . . . abutting grades are altered. Tree cutting shall be subject to Section 2.8 of the Walworth County Shoreland Zoning Ordinance.

FEES

10.2 Preliminary Plat Review Fee

The subdivider shall pay a fee amounting to ~~Two Hundred Fifty (\$250.00)~~ Five Hundred (\$500.00) Dollars . . . in defraying the cost of review.

10.3 Certified Survey Map Review Fee

The subdivider shall pay a fee of ~~Two Hundred (\$200.00)~~ Three Hundred Fifty (\$350.00) Dollars to the County Clerk at the time of application for approval of a one (1) lot Certified Survey Map; ~~Two Hundred Fifty (\$250.00)~~ Four Hundred (\$400.00) Dollars for two (2) lots; ~~Three Hundred (\$300.00)~~ Four Hundred Fifty (\$450.00) Dollars for three (3) lots; or ~~Three Hundred Fifty (\$350.00)~~ Five Hundred (\$500.00) Dollars for four (4) lots, to assist in defraying the cost of review.

Reapplication Fee amounting to ~~Fifty (\$50.00)~~ One Hundred (\$100.00) Dollars shall be paid to the County Clerk at the time of reapplication for approval of any Certified Survey Map which has been previously reviewed.

10.6 Final Plat Review Fee

The subdivider shall pay a fee amounting to ~~One Hundred Twenty Five (\$125.00)~~ Three Hundred (\$300.00) Dollars for the Final Plat as a whole plus Fifty (\$50.00) Dollars for each lot or parcel within the Final Plat to the County ~~Treasurer~~ Clerk at the time of first application for approval of said Plat to assist in defraying cost of review.

Reapplication Fee amounting to ~~Fifty (\$50.00)~~ One Hundred (\$100.00) Dollars shall be paid to the County ~~Treasurer~~ Clerk at the time of a reapplication for approval of any Final Plat which has been previously reviewed.

10.9 Preliminary Condominium Plat Review Fee

~~10.9A Small Residential Condominiums (4 Units or Less)~~

The subdivider shall pay a fee amounting to ~~Two Hundred Fifty (\$250.00)~~ Five Hundred (\$500.00) Dollars for the Preliminary Condominium Plat . . . the cost of review.

Reapplication Fee amounting to ~~Fifty (\$50.00)~~ One Hundred Dollars shall be paid . . . which has previously been reviewed.

~~10.9B Condominiums (5 Units or More)~~

~~The subdivider shall pay a fee amounting to Three Hundred Fifty (\$350.00) Dollars for the Preliminary Condominium Plat as a whole plus Twenty (\$20.00) Dollars for each unit . . . the cost of review.~~

~~Reapplication Fee amounting to Fifty (\$50.00) One Hundred (\$100.00) Dollars shall be paid . . . which has previously been reviewed.~~

10.10 Final Condominium Plat Review Fee

~~10.10A Small Residential Condominiums (4 Units or Less)~~

~~The subdivider shall pay a fee amounting to Two Hundred (\$200.00) Three Hundred (\$300.00) Dollars for the Final Condominium Plat as a whole plus Twenty Five (\$25.00) Fifty (\$50.00) Dollars for each unit . . . in defraying the cost of review.~~

~~Reapplication Fee amounting to Fifty (\$50.00) One Hundred (\$100.00) Dollars shall be paid . . . which has previously been reviewed.~~

~~10.10B Condominiums (5 Units or More)~~

~~The subdivider shall pay a fee amounting to Two Hundred Fifty (\$250.00) Dollars for the Final Condominium Plat as a whole plus Ten (\$10.00) Dollars for each unit . . . in defraying the cost of review.~~

~~Reapplication Fee amounting to Fifty (\$50.00) One Hundred (\$100.00) Dollars shall be paid . . . which has previously been reviewed.~~

2. Guardian Pipeline LLC, Town of Richmond – to amend said zoning maps from A-1 Prime Agricultural Land District to P-1 Recreational Park District on the following described lands:

Part of Tax Parcel #C R 3600004

Part of the Northwest ¼ of the Northwest ¼ of Section 36, Township 3 North, Range 15 East, in the Town of Richmond, Walworth County, Wisconsin, bounded and described as follows:

Commencing at a concrete monument with a brass cap at the Northwest corner of said Northwest ¼; thence North 88°17'21" East, on and along the north line of said Northwest ¼, 1224.79 feet to the point of beginning; thence continuing North 88°17'21" East, on and along said north line 50.00 feet; thence South 01°36'56" East, 83.03 feet; thence South 02°02'48" East, 39.54 feet; thence South 87°57'12" West, 50.00 feet; thence North 02°02'48" West, 39.73 feet; thence North 01°36'56" West, 83.13 feet to the point of beginning.

Containing 6136 square feet (0.14 acres), more or less.

1. Utilities are allowed in all zone districts as a conditional use.
2. A conditional use has already been granted for the facilities proposed to be installed on site.
3. Guardian Pipeline, LLC, Town of Walworth – to amend said zoning maps from A-1 Prime Agricultural Land District to P-1 Recreational Park District on the following described lands:

Part of Tax Parcel #E W 1800001

Part of the Southwest $\frac{1}{4}$ of the Northeast $\frac{1}{4}$ of Section 18, Township 1 North, Range 16 East, in the Town of Walworth, Walworth County, Wisconsin, bounded and described as follows:

Commencing at a concrete monument with a brass cap at the Southeast corner of said Northeast $\frac{1}{4}$; thence South $88^{\circ}27'38''$ West, on and along the South line of said Northeast $\frac{1}{4}$, 2,265.96 feet to the point of beginning; thence continuing South $88^{\circ}27'38''$ West, on and along said South line, 300.00 feet; thence North $01^{\circ}19'06''$ West, parallel with the west line of said Northeast $\frac{1}{4}$, 333.00 feet; thence North $88^{\circ}27'38''$ East, parallel with the South line of said Northeast $\frac{1}{4}$, 300.00 feet; thence South $01^{\circ}19'06''$ East, parallel with the West line of said Northeast $\frac{1}{4}$, 333.00 feet to the South line of said Northeast $\frac{1}{4}$ and the Point of Beginning.

Subject to Brick Church Road over the Southerly 33 feet thereof.

1. Utilities are allowed in all zone districts as a conditional use.
2. A conditional use has already been granted for the facilities proposed to be installed on site.

4. Jay and Laura Myers, Town of Richmond – 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 #C R 100005B

A parcel of land located in the Northwest $\frac{1}{4}$ and Northeast $\frac{1}{4}$ of the Southwest $\frac{1}{4}$ of Section 1, Town 3 North, Range 15 East, Walworth County, Wisconsin, more particularly described as follows: Commencing at the West $\frac{1}{4}$ corner of said Section 1; thence along the North line of the Southwest $\frac{1}{4}$ of said Section 1, N $88^{\circ}30'40''$ E, 1704.76 feet to the Southeasterly right of way line of Territorial Road and the Point of Beginning; thence continue along the North line of the Southwest $\frac{1}{4}$ of said Section 1, N $88^{\circ}30'40''$ E, 963.61 feet to the center of said Section 1; thence S $01^{\circ}10'39''$ E, 1319.65 feet; thence S $88^{\circ}23'14''$ W, 1582.38 feet; thence N $48^{\circ}11'58''$ W, 496.00 feet to the Easterly right of way line of County Trunk Highway "P"; thence along said highway, N $41^{\circ}48'$

02SEC E, 520.68 feet; thence continue along said highway, 94.45 feet along the arc of a curve to the left having a radius of 987.94 feet and a chord which bears N 39DEG 04MIN 02SEC E, 94.42 feet to the Southerly line of Certified Survey Map No. 482; thence along said Southerly line, N 88DEG 30MIN 10SEC E, 402.41 feet to the Southeast corner of said Certified Survey; thence along the East line of said Certified Survey, N 01DEG 30MIN 05SEC W, 362.74 feet to the Northerly most corner of said Certified Survey; thence N 05DEG 19MIN 53SEC E, 110.67 feet to the Southeasterly right of way line of said Territorial Road; thence Along said road, 167.87 feet along the arc of a curve to the left having a radius of 233.00 feet and a chord which bears N 67DEG 15MIN 46SEC E, 164.26 feet to the Point of Beginning. Containing 1,971,806 square feet (45.27 acres) of land, more or less.

Excluding that portion of the legal description currently zoned C-2.

1. The land has steep slopes.
2. Sixty-eight percent of the parcel consists of non-prime soil types.

5. Duane Newman, Town of Lafayette – 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 #K LF2800007

Part of the Northwest ¼ of the Southwest ¼ of Section 28, Township 3 North, Range 17 East of the Fourth Principal Meridian, in the Town of Lafayette, Walworth County, Wisconsin and being more particularly described as follows: Commence at the West 2/4 corner of said Section 28; thence South 02°13'55" East along the West line of said Southwest ¼ Section 520.34 feet; thence North 87°00'00" East 363.59 feet to the Place of Beginning of this description; thence North 03°00'00" West 261.72 feet; thence North 89°36'16" East 397.30 feet; thence South 03°00'00" East 374.22 feet; thence South 45°25'34" West 34.15 feet; thence South 87°46'05" West 261.96 feet; thence North 02°13'55" West 149.72 feet; thence South 87°00'00" West 111.41 feet to the Place of Beginning of this description. Containing 3.29 acres of land more or less.

1. The rezone is an expansion of an existing A-4 area for a storage facility.
2. The A-1 land is separated from the larger farm parcel by a stream

6. Robert Nick (George and Margaret Downing, App.) – 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 #JA342300001

Lot 1 of Certified Survey Map No. 3423 located in part of the Southeast Quarter of the Southeast Quarter of Section 28, Township 2 North, Range 17 East of the Third

Principal Meridian, according to the Plat thereof, recorded on April 19, 2002 in Volume 19, Pages 299 and 300, in Walworth County, Wisconsin.

ATTEST this 10th day of December, 2002.

William M. Norem
County Board Chairman

ATTEST this 10th day of December, 2002.

Kimberly S. Bushey
County Clerk

A motion was offered by Supervisor Schaefer, seconded by Supervisor Felten, to approve Resolution No. 76-12/02 – Transfer Funds From the Contingency Fund to the Severance Reserve Fund. The resolution is to transfer \$125,000 from the Contingency Fund to the Severance Reserve Fund to cover unanticipated employee termination benefits for 2002. On motion by Supervisor Lohrmann, seconded by Morrison, Resolution No. 76-12/02 was approved by unanimous consent.

RESOLUTION NO. 76-12/02

TRANSFER FUNDS FROM THE CONTINGENCY FUND TO THE SEVERANCE RESERVE FUND

WHEREAS, it is projected the funds needed to pay termination benefits in 2002 will exceed the 2002 budgeted amount, and

WHEREAS, the large amount of termination benefits payable could not have been predicted during preparation of the 2002 budget, and

WHEREAS, the funds are available in the Contingency Fund,

NOW, THEREFORE, BE IT RESOLVED BY THE WALWORTH COUNTY BOARD OF SUPERVISORS, that \$125,000 be transferred from the Contingency Fund to the Severance Reserve Fund to cover unanticipated employee termination benefits for 2002.

Dated this 10th day of December, 2002.

William M. Norem
Walworth County Board Chairman

Kimberly S. Bushey
Walworth County Clerk

Policy and Fiscal Note attached.

Approved as to form:

David A. Bretl County Administrator	12/02/02 Date
Dennis D. Costello Corporation Counsel	12/02/02 Date
N. Andersen Finance Director	12/02/02 Date

Action Required: Two-Thirds Vote.

Resolution No. 76-12/02

Policy and Fiscal Note

- I. Title: Resolution transferring funds from the Contingency Fund to the Severance Reserve Fund.
- II. Purpose and Policy Impact Statement: The purpose of this resolution is to grant budget authority in the Severance Reserve Fund to meet financial obligations of approved termination benefits. This is in accordance with County policy and practice.
- III. Is this a budgeted item and what is its fiscal impact? The 2002 budget contains \$350,000 in the Severance Reserve Fund for termination benefits. As of October 31, 2002, the County has incurred approximately \$346,000 in expenditures related to termination benefits.

Recent County Departmental reorganizations will impact the Severance Reserve Fund Budget. Severance benefits for positions that will be eliminated as of December 31, 2002 are estimated to be \$95,000. Historical termination benefits paid in November and December are approximately \$30,000.

Based on information available at this time, it is estimated that an additional \$125,000 is required to meet the obligations of the Severance Reserve Fund. If adopted and the entire transfer amount is not utilized by the Severance Reserve Fund in 2002, the residual amount will lapse back to the General Fund.

- IV. Committee Consideration:
Finance Committee: Vote: 7 – 0 Date: November 14, 2002

V. Approved as to Form:

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

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

N. Andersen 12/02/02
Finance Director Date

Supervisor Shepstone offered a motion, seconded by Supervisor Scharine, to approve Resolution No. 77-12/02 – Resolution to Transfer \$20,000 from Contingency Fund to Pay an Outside Consultant to Conduct a Long-Range Operational Study of Providing Special Education Services through the Walworth County Children with Disabilities Education Board. On motion by Supervisor Palzkill, seconded by Supervisor Russell, the resolution was approved by unanimous consent.

Resolution No. 77-12/02

Resolution to Transfer \$20,000 from Contingency Fund to Pay an Outside Consultant to Conduct a Long-Range Operational Study of Providing Special Education Services through the Walworth County Children with Disabilities Education Board

WHEREAS, the 2002 Children With Disabilities Education Board budget does not contain sufficient funds for outside consultant services; and

WHEREAS, it is prudent to address the long range needs of children with disabilities in Walworth County; and

WHEREAS, increased costs are being incurred due to mandated state and federal laws; and

WHEREAS, financial resources are not keeping pace with the mandated requirements; and

WHEREAS, an operational study will project long-range costs and identify service options;

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 Children with Disabilities Education Board budget to provide funding for the purpose of engaging a consultant to perform a long-range operational study of providing special education services through the Children with Disabilities Education Board; and

BE IT FURTHER RESOLVED that the County Administrator and the Director of Special Education Services be authorized to select a consultant to conduct a long-range operational study of special education services in Walworth County, at a cost not to exceed \$20,000, and

BE IT FURTHER RESOLVED that the long-range study be submitted to the Children with Disabilities Education Board for evaluation and final recommendation to the Walworth County Board of Supervisors.

Dated this 10th day of December, 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	12/02/02 Date
	Dennis D. Costello Corporation Counsel	12/03/02 Date
	N. Andersen Finance Director	12/02/02 Date

Action Required: Majority Vote Two-thirds Vote

County Board Meeting Date: December 10, 2002

Resolution No. 77-12/02

Policy and Fiscal Note

- I. Title: Resolution to Transfer \$20,000 from Contingency Fund to Pay an Outside Consultant to Conduct a Long-Range Operational Study of Providing Special Education Services through the Walworth County Children with Disabilities Education Board
- II. Purpose and Policy Impact:

Walworth County is currently responsible for providing special education services to the citizens of this county. The financial burden for providing these services is

primarily shared between County taxpayers and the State of Wisconsin. The need for additional financial resources is steadily increasing due to the increase in the number of special education students that are being served and the county's aging infrastructure.

A preliminary study of the Lakeland School facilities estimates the cost of renovation or replacement of the facility from \$9.525 -13.285 million. Before making recommendations on facility options, it is prudent that the county develop a long-range operational plan for providing special education services to its citizens. The long-range operational plan that is adopted will significantly influence the long-range capital plan.

Administrative staff recommends that the county enlist the aid of an outside consultant to provide the expertise necessary to assist the County in developing options for providing special education services to Walworth County citizens.

III. Budget and Fiscal Impact:

No funds are currently included in the 2002 Children with Disabilities Board budget for the purpose of conducting a long-range operational study of providing services to Walworth County children with disabilities. Based upon the cost of previous long-range studies conducted by the County, it is estimated that the cost of this particular study will not exceed \$20,000. This resolution authorizes the transfer of \$20,000 from the Contingency Fund to the Children with Disabilities Education Board budget for the purpose of hiring a consultant to conduct a long-range operation impact study of Walworth County special education services. As of November 30, 2002, the Contingency Fund currently has \$213,698 available for general purposes.

IV. Committee Consideration:

Children with Disabilities Education Board voted to recommend adoption at their meeting on December 2, 2002, 4-0.

Finance Committee voted to recommend adoption at their meeting on November 14, 2002, 7-0.

V. Reviewed as to Form:	David A. Bretl County Administrator	12/02/02 Date
	Dennis D. Costello Corporation Counsel	12/02/02 Date

Policy and Fiscal Note

I. Title. Resolution No. 78-12/02, "Revise Payroll Schedule for County Board."

II. Purpose and Policy Impact.

A change in the County Board payroll schedule to issue the monthly check on a Friday would allow supervisors to participate in direct deposit.

For 2003 the proposed schedule is:

<u>Month</u> <u>Ending</u>	<u>Day</u> <u>Ending</u>	Tues-noon <u>Payroll</u> <u>Deadline</u>	<u>Check</u> <u>Date</u>
1/31/2003	Friday	2/4/2003	2/7/2003
2/28/2003	Friday	3/4/2003	3/7/2003
3/31/2003	Monday	4/7/2003	4/10/2003
4/30/2003	Wednesday	5/6/2003	5/9/2003
5/31/2003	Saturday	6/3/2003	6/6/2003
6/30/2003	Monday	7/8/2003	7/11/2003
7/31/2003	Thursday	8/5/2003	8/8/2003
8/31/2003	Sunday	9/2/2003	9/5/2003
9/30/2003	Tuesday	10/7/2003	10/10/2003
10/31/2003	Friday	11/4/2003	11/7/2003
11/30/2003	Sunday	12/2/2003	12/5/2003
12/31/2003	Wednesday	1/6/2004	1/9/2004

Any per diem and mileage claims received after the payroll deadline would not be paid until the next monthly payroll period.

III. Budget and Fiscal Impact.

No fiscal impact.

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

Human Resources Committee on October 30, 2002, on a vote of 6-0 recommends adoption.

VI. Reviewed as to Form.

David A. Bretl
County Administrator

12/02/02
Date

Dennis D. Costello
Corporation Counsel

12/02/02
Date

N. Andersen
Finance Director

12/02/02
Date

A motion was offered by Supervisor Gigante, seconded by Supervisor Kuhnke, to approve Ordinance No. 233-12/02 – Creating Chapter 15 of the Walworth County Code of Ordinances Relating to Human Resources and Amending Sec. 30-70 of the Walworth County Code of Ordinances Entitled, “CONTRACT AND PURCHASE ORDER AUTHORIZATION” So As To Repeal Paragraph (e) thereof and Create Paragraphs (e) and (f) thereof. Discussion ensued.

Supervisor Grant offered a motion to amend Ordinance No. 233-12/02 by changing the last line in section 15-03 (b), “subject to review by the human resources committee” to read: “subject to review by the County Board,” seconded by Supervisor Polyock. Discussion ensued. Supervisor Polyock withdrew his second. Supervisor Ketchpaw seconded the motion to amend the last line. Supervisor Palzkill called the question; seconded by Supervisor Scharine. A roll call vote was held. Total vote: 25. Ayes: 4 – Arnold, Gigante, Grant, Russell; Noes: 21 – Burwell, Felten, Guido, Hilbelink, Ketchpaw, Kuhnke, Lightfield, Lohrmann, Lothian, Miles, Morrison, Palzkill, Parker, Peterson, Polyock, Schaefer, Scharine, Shepstone, Shroble, Wenglowksy, Norem; Absent: 0. Amendment to Ordinance No. 233-12/02 failed.

Supervisor Russell made a motion to amend Ordinance 233-12/02 and distributed the changes to the Supervisors. Supervisor Ketchpaw seconded the motion to amend the ordinance with the changes as follows: amend sections 15.07, 15.08, 15-31, and 15-60, as shown on the page distributed by Supervisor Russell. Discussion ensued. Supervisor Palzkill made a motion to include the words “blood relative”, as there may be grandparents that could apply here. Discussion ensued. Palzkill withdrew his motion and called for the question, second by Supervisor Polyock. Motion carried to amend Ordinance 233-12/02 as written by Supervisor Russell.

A motion offered by Supervisor Arnold, seconded by Supervisor Morrison, to amend Ordinance 233-12/02 further to include Coroner in Sec. 15-04. Definitions, Elected officer, was approved by voice vote.

A motion offered by Supervisor Grant, seconded by Supervisor Gigante to amend Ordinance 233-12/02, Sec.15-33, by adding the Administrator’s office to the following sentence: “A copy of said plan shall be maintained as an open record in the human resources office” and the Administrator’s office, was approved by voice vote.

Ordinance 233-12/02 was approved as amended by voice vote.

Ordinance No. 233 - 12/02

AMENDED

Creating Chapter 15 of the Walworth County Code of Ordinances Relating to Human Resources and Amending Sec. 30-70 of the Walworth County Code of Ordinances entitled "CONTRACT AND PURCHASE ORDER AUTHORIZATION" So As To Repeal Paragraph (e) thereof and Create Paragraphs (e) and (f) thereof

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

PART 1: THAT chapter 15 of the Walworth County Code of Ordinances is hereby created to read as follows:

"CHAPTER 15
HUMAN RESOURCES

ARTICLE I. IN GENERAL

Sec. 15-01. Purpose. The purpose of this chapter is to establish and maintain a written code of sound employment policies that provide the basic principles by which the county governs its employment relations. The policies shall be based on the following objectives:

- (a) Recruiting, selecting and advancing employees on the basis of their relative ability, knowledge, skills which may include open competition of qualified applicants for initial appointments;
- (b) Providing equitable and adequate compensation for all employees;
- (c) Recognizing good job performance, rewarding exceptional performance and correcting inadequate performance in a fair and timely manner;
- (d) Assuring fair treatment of all applicants and employees in all aspects of personnel administration without regard to political affiliation, race, color, national origin, sex, age, religion or other protected status, and with proper regard for their rights as citizens;
- (e) Protecting employees against coercive political activities and prohibiting the use of official authority for the purpose of interfering with or affecting the result of an election or a nomination for office;
- (f) Providing training programs to enhance the knowledge, proficiency, ability and skills of employees.

Sec. 15-02. Applicability.

- (a) Unless otherwise specified herein, this chapter shall apply to human resources administration for all positions, employees and departments of Walworth County, except as otherwise provided by state statute or otherwise expressly provided herein. In the event of conflict with state statute, the state statute shall control. In the event of conflict with the Personnel Code, this chapter shall apply.
- (b) This chapter shall apply to union represented employees where the collective bargaining agreement does not address the particular issue.
 - (1) Any provision contained herein, which is more generous in application than a provision of a collective bargaining agreement, shall not apply to a union represented employee.
 - (2) When any provision of a collective bargaining agreement is in conflict with or is more generous than this chapter, the provisions of the collective bargaining agreement shall apply.

Sec. 15-03. Manner of implementing policy; interpretation; enforcement.

- (a) The county administrator is authorized to promulgate such administrative procedures as may be necessary to carry out the provisions of this chapter.
- (b) Any county board supervisor or department head aggrieved by an interpretation by the human resources director of the provisions of this chapter, or administrative procedures promulgated hereunder, may appeal such decision to the county administrator. Interpretations of the county administrator shall be subject to review by the human resources committee.
- (c) Nothing herein shall preclude a department head from establishing additional work rules within the scope of their authority, provided such additional rules are not in conflict with this chapter.

Sec. 15-04. Definitions.

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

Appointing authority shall mean the county board, in the case of the county administrator. In the case of appointment of those department heads enumerated in par. 15-07 (a) (4), the appointing authority shall be the county administrator, subject to the affirmative vote of a majority vote of a quorum of the county board. Appointing authority shall mean the appropriate department head in the case of all other positions.

Casual employee means an employee employed at-will and irregularly scheduled on an on-call basis. The casual employee does not perform a schedule of work that is uniform

in nature; does not have work reserved for him or her; does not have an assurance of a relatively equal portion of available work; and is free to accept or reject available work.

Department head means the holder of the following public offices and positions: each elected officer, finance director, health and human services director, information systems director, human resources director, lakeland health care center administrator, land conservation director, land management director, public works director, UW-extension chairperson, veteran's service officer, and Walworth County children with disabilities education board administrator.

Elected officer means the holder of the elective office of Clerk of Circuit Court, County Clerk, District Attorney, Register of Deeds, Sheriff, Coroner or Treasurer.

Employee means any person who performs services for the county for wages, but shall not include an independent contractor.

Managerial employee means an employee who has the authority to significantly affect the nature and direction of the county's operations through the formulation, determination and implementation of public program and policy. Such activities include, but are not limited to, budgeting, writing and submitting grant applications, preparing annual plans, recommending the kind and level of services to be provided, establishing service specifications on which competitive bids are received, evaluating bids, providing effective recommendations to the county, recommending the kind and number of employees to be utilized in providing services, the kind and number of capital improvements to be made or the systems by which services will be provided, including whether to use outside contractors.

Non-represented employee means an employee holding a position that the Wisconsin Employment Relations Commission has not certified as being represented by a collective bargaining unit.

Personnel Code means the document captioned "Personnel Code," which was adopted by the county board by resolution and which has been amended from time to time.

Regular employee means an employee scheduled to perform a full-time or part-time schedule of work that is uniform in nature; normally has work reserved for him or her; has an assurance of a relatively equal portion of available work; and is not free to reject available work.

Termination means the permanent separation of an employee from employment.

Volunteer means an individual who performs service for the county for civic, charitable or humanitarian reasons, without promise, expectation, or receipt of compensation for services rendered. Services rendered are offered freely and without pressure or coercion, direct or implied, from the county, and the individual is not otherwise

employed by the county to perform the same type of services as those for which the individual proposes to volunteer.

Sec. 15-06. Labor-Management Relations.

- (a) It is the policy of the county to respect the lawful rights of employees to self-organize, to bargain collectively, and to engage in concerted activities for the purpose of collective bargaining or other mutual aid or protection.
- (b) The human resources director, under the supervision of the county administrator and under the policy direction of the human resources committee, is the duly designated bargaining representative for management interests in all matters pertaining to represented employees.

Sec. 15-07. At-will employment.

- (a) The following employees are employed at-will:
 - (1) Casual employees;
 - (2) Limited term employees;
 - (3) Student/intern employees;
 - (4) Any department head hired or promoted after January 8, 2002, excluding an elected officer;
 - (5) Probationary employees, until satisfactory completion of the probationary period.
- (b) The county may terminate the employment of an at-will employee at any time, for any lawful reason, with or without cause or notice. The designation of a "probationary period" or "limited-term" does not guarantee any period of employment. An at-will employee may terminate his/her employment at any time, with or without notice, for any reason.
- (c) This section may not be modified by any verbal or written communications of county representatives to extend for-cause protection to any at-will employee.
- (d) County policies and practices with respect to any matter are not to be construed as creating any contractual obligation of the county with an at-will employee, that termination will occur only for cause.
- (e) Statements of specific grounds for discipline or termination set forth herein or in any other county documents are examples which apply to "for-cause" employees only and do not restrict the right of the county to terminate at-will employees at any time, with or without cause or notice.

Sec. 15-08. For-cause employees.

- (a) Upon completion of the probationary period, the employment of a regular employee may only be terminated "for cause," unless the employee is covered by a written employment contract with the county that creates an at-will employment relationship or unless otherwise provided in this Chapter.
- (b) Any statements of grounds for termination set forth in this chapter or other county documents are examples of "for cause," but are not all-inclusive and do not restrict the county's right to terminate for any other lawful reason.

Sec. 15-09. Independent contractors.

- (a) It is the policy of the county to contract for services with independent contractors to meet the business needs of the County from time to time. Independent contractor agreements shall be in writing, comply with all applicable laws and not violate any provisions of any collective bargaining agreement.
- (b) County employment ordinances, procedures, practices or collective bargaining agreements or other employment laws that pertain to county employees do not cover any person having an agreement with the county as an independent contractor.
- (c) The county administrator shall develop procedures to limit risk and manage the use of independent contractors by department heads.

Sec. 15-10. Volunteers.

- (a) It is the policy of the county to support volunteer service programs that supplement county resources to meet the business needs of the county.
- (b) County employment ordinances, procedures, practices or collective bargaining agreements or other employment laws that pertain to county employees do not cover volunteers or persons working at the discretion of the county, who may be reimbursed for business related expenses.
- (c) Volunteers are not covered under the county's workers compensation plan.
- (d) The county administrator shall develop procedures to limit risk and manage the use of volunteers by department heads.

Sec. 15-11. Managerial rights retained; changes in policies and practices.

- (a) Unless otherwise limited by the provisions of a collective bargaining agreement, the county, through its managerial employees, retains the sole discretion to exercise all managerial functions, including the rights to:
 - (1) Lawfully dismiss, assign, supervise and discipline employees, subject to the terms of any collective bargaining agreement, this chapter and the Personnel Code;
 - (2) Determine and change starting times, quitting times and shifts;
 - (3) Transfer employees within departments or to other departments and other classifications;
 - (4) Determine the size and qualifications of the work force;
 - (5) Determine and change the methods by which its operations are to be carried out;
 - (6) Determine and change the nature, location, goods produced, services rendered, quantity, and continued operation of the business; and
 - (7) Assign duties to employees in accordance with the county's needs and requirements and to carry out all ordinary administrative and management functions.
- (b) Nothing herein shall be construed as altering any employment-at-will relationship or as creating an express or implied contract or promise concerning the policies or practices that the County has implemented or will implement in the future. The county retains the right to establish, change or abolish its ordinances,

administrative procedures, policies, practices or rules at will, and as it sees fit, except as otherwise prohibited by law. This section shall be exercised within the county's duties under s. 111.70 Stats.

Sec. 15-12. --15-30 Reserved.

Sec. 15-30. Reserved.

Article II. EMPLOYMENT

Division 1. Equal employment opportunity.

Sec. 15-31. Equal employment opportunity policy..

The county board is committed to assuring equal employment opportunity (EEO) in the county organization. The county board supports and shall enforce the policy of nondiscrimination against any person on the basis of age, race, creed, color, disability, marital status, sex, national origin, ancestry, sexual orientation, arrest record, conviction record, membership in the national guard, state defense force or any other reserve component of the military forces of the United States or this state, or use or nonuse of lawful products off the employer's premises during nonworking hours. This policy shall be accomplished by:

- (a) Recruiting, hiring and promoting for all positions at every level of county government without regard to the particular protected class to which the individual may belong;
- (b) Basing all employment decisions so as to further the principle of equal employment opportunity;
- (c) Ensuring that promotion decisions are in accord with merit principles and the principles of equal employment opportunity by imposing only job-related requirements for promotional opportunities;
- (d) Ensuring that all other personnel actions and services such as compensation, employee benefits, transfers, layoff, return from layoff, leave of absence, county sponsored training, education and tuition assistance, will be administered without regard to the particular protected class to which the individual may belong;

Sec. 15-32. Equal Opportunity, Civil Rights, and Section 504 laws and regulations. The human resources director or designee shall maintain an Affirmative Action Plan and serve as the equal employment opportunity coordinator, the civil rights coordinator, and the section 504 coordinator.

Sec. 15-33. Affirmative Action Plan. The Walworth County Affirmative Action Plan and any amendments thereto are subject to adoption by resolution of the county board. A copy of said plan shall be maintained as an open record in the human resources office and the administrator's office. The Affirmative Action Plan and any amendments thereto shall have the same force and effect as other provisions of the Personnel Code.

Sec. 15-34. Affirmative action in employment. The county shall establish, implement and maintain an effective affirmative action program. The program shall determine areas in county employment in which members of protected classes have been underutilized (in proportion to their representation in the population) or have been illegally discriminated against. Where such areas are identified, remedies to correct existing imbalances or discriminatory practices shall be identified in the Affirmative Action Plan. The affirmative action program shall seek to identify those institutionalized employment practices that violate equal employment opportunity policy or that have an adverse impact on protected classes.

Sec. 15-35. Affirmative action in services delivery. The county shall assess all county programs, services or activities, including, but not limited to: program eligibility, accessibility, and all other aspects of service delivery, to assure equal opportunity and access for all persons seeking county services and meeting eligibility requirements. The affirmative action program shall determine any areas of deficiencies and specific remedies shall be identified in the Affirmative Action Plan.

Sec. 15-36. Appeals under this division. An employee, applicant or recipient of services has the right to file an appeal on alleged discriminatory actions in employment or service delivery. A written appeal may be filed with the human resources director as an alternative to external federal or state complaint procedures, which appeal shall proceed according to sub. 15-03 (b).

Sec. 15-37. --15-40 Reserved.

Division 2. Harassment in the Workplace

Sec. 15-41. Policy. It is the policy of the county that all employees have the right to work in an environment free of all forms of harassment. The county does not condone, and will not tolerate, any harassment. Therefore, the county shall take direct and immediate action to prevent such behavior, and to remedy all reported instances of harassment, sexual or otherwise. The purpose of this policy is to maintain a healthy work environment and to provide procedures for the reporting, investigation and resolution of complaints of harassment, sexual or otherwise.

Sec. 15-42. Prohibited activity.

- (a) Employees shall not make offensive or derogatory comments based on any factor set forth in Section 15-31, either directly or indirectly to another person. Such harassment is a prohibited form of discrimination under state and federal employment law and is also considered misconduct subject to disciplinary action.
- (b) No employee shall either explicitly or implicitly ridicule, mock, deride or belittle any person where such actions are offensive to another person.

Sec. 15-43. Retaliation prohibited. There shall be no retaliation against any employee for filing a harassment complaint, or assisting, testifying, or participating in the investigation of such a complaint.

Sec. 15-44. -- 15-50 Reserved.

Division 3. Recruitment and Selection.

Sec. 15-51. Policy.

- (a) It is the policy of the County to recruit and select the most qualified persons for positions in County service. Recruitment and selection shall be conducted in an affirmative manner to ensure competition, provide equal employment opportunity, and prohibit illegal discrimination.
- (b) The human resources director, under the supervision of the county administrator, shall be responsible for administering a program for recruitment and selection of employees that meets the business needs of all departments, attains affirmative action goals, provides re-employment opportunities for displaced employees, and complies with contractual and legal requirements.

Sec. 15-52. Recruitment. Recruitment shall be conducted by the human resources director in accordance with procedures adopted by the county administrator. Procedures shall meet the objectives of sub. 15.01 (d).

- (a) Job Posting. All position vacancies shall be posted, except as provided under sub. (c).
- (b) Promotional opportunities. The county may restrict initial recruitment to internal applicants and, if not filled from within, then shall conduct external open recruitment.
- (c) Request to waive recruitment. A department head may request the human resources director to waive job posting and recruitment and that a vacancy be filled with a specific person for the following reasons: filling a limited term, casual, or student (intern) position; recalling a laid-off employee qualified to perform the duties of the vacant position; or securing an alternative job assignment for an employee unable to perform the essential duties of their current job.

Sec. 15-53. Application process.

- (a) Standard application form. Any applicant for employment or promotion must complete and sign an employment application in a form presented by the human resources director in order to be considered for hiring.

- (b) Screening of applications. The human resources director shall initially screen and rank applications based on job-related criteria determined in consultation with the appointing authority.
- (c) Rejection of applications. In consultation with the appointing authority, an application may be rejected, without limitation because of enumeration, for the following reasons:
 - (1) The applicant, based on information supplied in the application, does not meet the minimum qualifications for the position.
 - (2) The applicant has not completed all requested information on the required county application.
 - (3) The applicant has not signed the application.
 - (4) A reference check on the applicant demonstrates an employment history or personal record that is unsuitable for the position for which applied.
 - (5) The applicant is found to have made a false statement of any material fact, or practiced deception in the application or interview process.
 - (6) Failure of the applicant to reply to a mail inquiry within ten days or failure to return an electronic inquiry within two days.
 - (7) The applicant is found to be a member of an organization that advocates violent overthrow of the government of the United States.
 - (8) The applicant failed any required testing.

Sec. 15-54. Selection process.

- (a) Testing. The human resources director may administer job-related tests to measure an employee's qualifications and aptitudes for performing the job and to allow the county to make good hiring decisions.
- (b) Eligibility list. The human resources director may establish an eligibility list of qualified applicants for a job classification, rather than begin a new recruitment process for each opening with the same job classification. Recruitment documents shall normally disclose that an eligibility list is being established and the duration of the list. The human resources director may extend a current eligibility list until the new list is completed.
- (c) Removal of applicant from eligibility list. The human resources director may remove an applicant from an eligibility list for legitimate reasons, including without limitation because of enumeration, the following reasons:

- (1) The applicant's acceptance of another county job offer.
 - (2) Applicant's request to withdraw from consideration.
 - (3) Applicant's refusal of a county job offer, without explanation of extenuating circumstances accepted by the County.
 - (4) Applicant's failure to respond to a county inquiry about continuing availability for employment.
 - (5) Applicant's failure to report for an interview, except when notice is provided in advance to the human resources department and the applicant is excused from reporting.
 - (6) Applicant no longer meets qualifications for employment.
 - (7) Applicant is found to have made false statements, falsified or omitted any material fact or practiced deception in the hiring process.
- (d) Continuous recruitment. The human resources director may continuously recruit entry-level positions having frequent turnover in accordance with procedures approved by the county administrator.

Sec. 15-55. Referral of applicants to appointing authority.

- (a) Ranking of applicants. The human resources director shall rank each applicant based on the results of any testing, job-related experience and the extent to which minimum entry requirements were met. Top applicants shall receive first consideration for employment.
- (b) Top five applicants referred. The human resources director shall refer the top five applicants to the appointing authority for an interview. If the number of qualified applicants is less than five, all applicants shall be referred for interview. The final decision to hire an applicant shall be made by the appointing authority.
- (c) Rejection of top applicants. If the appointing authority rejects the top applicants for justifiable reasons, the department head may consider additional qualified applicants ranked below the top five applicants, or recruitment shall start over. The human resources director may request justification for the appointing authority's decision to reject all top applicants and shall review interview records to guard against any potential unlawful discrimination.
- (d) Applicants for county administrator or department head. Subs. (a) to (c) shall not apply to the hiring of the county administrator or to any department head appointment by the county administrator. The human resources director shall assist the county administrator in the hiring process for department head appointments.

Sec. 15-56. Background References. The applicant shall be required to sign a written statement that authorizes the human resources director to conduct a background check of the applicant.

Sec. 15-57. Hiring minors. Minors may be employed in accordance with procedures approved by the county administrator.

Sec. 15-58. Offer of employment.

- (a) Representations made to applicants. During the process of recruitment, selection, testing, interviewing and final job offer, no statement should be made to an applicant promising permanent or guaranteed employment or other terms or conditions of employment.
- (b) Written offer of employment. Following a decision to hire an applicant, the human resources department shall make a written offer of employment. Any request by the appointing authority for exceptions to the starting wage or other terms and conditions of employment are subject to approval of the human resources director prior to communicating the offer to the final applicant. The human resources department will then determine whether the applicant has the legal right to work in the United States and conduct appropriate background checks. If the applicant accepts the offer and a medical examination is required to assess the applicant's ability to perform essential job functions, the human resources department will arrange the medical examination.
- (c) Acceptance of offer. Failure of the applicant to accept appointment or to report for duty within the time prescribed in the offer will cause the offer of employment to become null and void. The time limit may be extended at the discretion of the appointing authority.
- (d) Misrepresentations by applicant. If the background, medical, or any other subsequent investigation discloses any misrepresentation by the applicant during the hiring process, the applicant will be refused employment or, if already employed, may be terminated.

Sec. 15-59. Reinstatement.

- (a) When an employee is terminated by the county due to a reduction in staff or due to the employee's medical inability to perform essential job functions, the employee is eligible for rehire to an opening for which qualified. Upon rehire the employee may be placed at a pay step above minimum and accrue vacation benefits at a higher rate, based on the level held at the time of termination, subject to approval of the human resources director. An employee rehired into the same bargaining unit held at the time of termination may be given credit for prior seniority, subject to agreement by the union. An employee who voluntarily resigned their employment does not hold reinstatement rights.

- (b) Reinstatement rights shall continue for a period of one-year following the date of termination. An employee holding reinstatement rights may be given preference in appointment to an open position for which qualified. A former employee who rejects a job offer of a position with pay and benefits comparable to the position formerly held shall forfeit any reinstatement rights.

Sec. 15-60. Nepotism or conflict of interest.

- (a) A person may not be offered or hold a position if the employment would result in that person being a supervisor or subordinate to ~~a relative~~ an immediate family member. For the purposes of this section, "immediate family" includes the employee's spouse, brother, sister, parents, children, stepchildren, father-in-law, mother-in-law, sister-in-law, brother-in-law, daughter-in-law, son-in-law, and any other member of the employee's household.
- (b) A person may not be offered a position if employment would create either an actual conflict of interest or the appearance of a conflict of interest.
- (c) This section shall apply to hiring, job assignments, transfers and promotions. Persons employed and appointed to a non-conforming position prior to ~~September 4, 1980~~ the effective date of this Ordinance are excepted from the requirements of this section.

Sec. 15-61. Employment in two positions. An employee may hold only one position with the county, unless the human resources director approves employment in a second position in accordance with procedures approved by the county administrator.

Sec. 15-62. Interview and relocation expenses. An applicant may be reimbursed for travel and relocation expenses, subject to the following:

- (a) The appointing authority shall submit a request for authorization for reimbursement of interview and relocation expenses to the human resources director for review and approval in accordance with procedures approved by the county administrator.
- (b) A schedule of allowable expenses for reimbursement shall be approved by the human resources committee.
- (c) The payment of any expenses shall be subject to the availability of funds in the budget of the appointing authority.

PART 2: BE IT FURTHER ORDAINED THAT Sec. 30-70 of the Walworth County Code of Ordinances entitled "CONTRACT AND PURCHASE ORDER AUTHORIZATION" is hereby amended so as to repeal paragraph (e) thereof and create paragraphs (e) and (f) thereof, to read as follows:

- (e) Multiyear agreements. Any contract, including leases and purchase

Policy and Fiscal Note
Ordinance No. 233-12/02

- I. Title: Creating Chapter 15 of the Walworth County Code of Ordinances Relating To Human Resources and Amending Sec. 30-70 of the Walworth County Code of Ordinances Entitled, "Contract and Purchase Order Authorization" So As To Repeal Paragraph (e) thereof and Create Paragraphs (e) and (f) thereof
- II. Purpose and Policy Impact Statement: The purpose of this ordinance is to convert the existing personal code into ordinance form.
- III. Is this a budgeted item and what is its fiscal impact: Adoption of this ordinance codifies existing County policy and provides for the establishment of procedures consistent with that policy; therefore, passage of this Ordinance has no fiscal impact beyond amounts already budgeted by the County Board relative to county salary and budget practices.
- IV. Referred to the following standing committees for consideration and date of referral:

Committee: Human Resources
Vote: 6 - 0

Date: December 2, 2002

- V. Approved as to form:
- | | |
|----------------------|---------|
| David A. Bretl | 12/3/03 |
| County Administrator | Date |
| (not signed) | |
| Corporation Counsel | Date |
| N. Andersen | 12/3/02 |
| Finance Director | Date |

County Board Meeting Date: December 10, 2002

N. Andersen
Finance Director

12/3/02
Date

Action Required: Majority Vote Two-thirds Vote Other _____

County Board Meeting Date: December 10, 2002

Policy and Fiscal Note No. 83 – 12/02

I. Title: Repealing Sections of the Personnel Code and Replacing It with a Human Resources Ordinance

II. Purpose and Policy Impact Statement:
The purpose of this resolution is to repeal those portions of the personnel code that have been adopted by the County Board in ordinance form pursuant to Ordinance 233 – 12/02.

III. Is this a budgeted item and what is its fiscal impact: Adoption of this resolution repeals those portions of the Personnel Code that have been adopted in ordinance form. Passage of this resolution has no fiscal impact.

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

Committee: Human Resources
Vote: 6 – 0 (one member absent)

Date: December 2, 2002

V. Approved as to form: David A. Bretl 12/3/02
County Administrator Date

Dennis D. Costello 12/3/02
Corporation Counsel Date

N. Andersen 12/3/02
Finance Director Date

County Board Meeting Date: December 10, 2002

Ordinance 232-11/02 – Repealing and Recreating Article II of Chapter 10 of the Walworth County Code of Ordinances Relating to Concerts and Certain Events, was moved for approval by Supervisor Grant and seconded by Supervisor Felten. Supervisor Hilbelink said he would like an explanation of what is a reasonable and necessary service. Supervisor Grant said representatives from Alpine Valley were

present at the Executive Committee meeting and had input in drafting this ordinance. This ordinance not only applies to Alpine Valley but any other event held in the County. Discussion ensued. Supervisor Ketchpaw called the question, seconded by Supervisor Scharine. Ordinance 232-11/02 was approved by voice vote.

Ordinance No. 232 - 11/02

Repealing and Recreating Article II of Chapter 10
of the Walworth County Code of Ordinances Relating to Concerts and Certain Events.

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

PART 1: THAT Article II of Chapter 10 of the Walworth County Code of Ordinances is hereby repealed in its entirety and recreated to read as follows:

"ARTICLE II

CONCERTS AND CERTAIN EVENTS

DIVISION 1. GENERALLY

Sec. 10-26. Definitions. The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly gives a different meaning:

Event means a live, videotaped, recorded, televised or transmitted speech, performance, presentation or gathering of persons, including but not limited to, concerts, dramatic or dance presentations, variety shows, sports presentations, exhibitions or other performances, presentations or gatherings of people where the intent of the person attending can be construed to be the visual or auditory observation of persons, performers or objects, and for which a separate admission is required regardless of whether tickets are issued, sold or required or whether a fee is charged.

Extraordinary services means reasonable and necessary services provided by the County above and beyond its normal capabilities and requirements of providing for public health and safety that cause a measurable burden upon the County. Such services shall include extra police protection, traffic control or refuse collections and the administration of this Ordinance.

Facility means a place, including but not limited to a structure, an open-air structure or entertainment facility, or other like place, where an event is to be held.

Person means the county, any individual, corporation, firm, partnership, association, organization, university, school or agent thereof, or any group acting as a unit as well as individually, and shall also mean an executor, administrator, trustee, receiver or other representative appointed according to law.

Sec. 10-27. Authority and purpose. This article is created pursuant to the authority granted by Wis. Stats. Sec. 59.56(12). It is the purpose and intent of this article to regulate events held at facilities within the county for the protection of the public health, safety and welfare. It is also the purpose to enable the county to recover its costs incurred in providing extraordinary governmental services as well as the costs incurred in the administration of this article.

Sec. 10-28. Recovery of expenses incurred for providing extraordinary governmental services.

- (a) As a condition of any license granted hereunder, the licensee shall be responsible for reimbursing the County for the cost of providing extraordinary governmental services required as a result of the licensed event as provided in this section.
- (b) There shall be a charge for each ticket sold, as shall be determined, from time to time, by the Executive Committee, which charge shall be collected by the licensee and forwarded to the County within 30 days after each event. The licensee shall provide the County with complete ticket manifests for each event, and grant to the county the right to audit attendance figures for each event within one (1) year following the date of the event.
- (c) In the event the amount remitted under (b) is insufficient to cover the cost of extraordinary services, provided during the year, prior to the end of the calendar year, the County shall invoice the licensee for the remaining balance of actual costs incurred in providing such extraordinary services. Any such amount due shall be considered by the Executive Committee in determining the per-ticket charge in (a) for the next license period, and shall be reimbursed to the applicant, provided sufficient revenue is generated to reimburse the County for the cost of providing extraordinary services. Any balance due to the County as a result of the event shall be remitted by the licensee within 15 days of receipt of the invoice.
- (d) The Finance Director shall ensure that a reserved balance is maintained in an amount sufficient to ensure performance by the licensee, which amount shall be determined based upon the event schedule and anticipated costs of the County in providing extraordinary services, which amount shall be communicated to the licensee.

Sec. 10-29. Penalty.

- (a) Any person violating any provision of this article shall be subject to a civil forfeiture of not less than \$100.00 nor more than \$1,000.00. Each day of a violation shall constitute a separate offense.

- (b) If any person shall violate any provision of this article, the corporation counsel shall be authorized to institute appropriate legal action or proceedings to ensure compliance with this ordinance and thereby prohibit such person from violating the conditions of this article.

DIVISION 2. LICENSE

Sec. 10-46. Required. No person shall operate a facility in the county for the purpose of holding an event, which event requires the provision of extraordinary services by the County as defined in Section 10-26, without first obtaining a license from the county.

Sec. 10-47. Application

- (a) Every person seeking a license or renewal of a license to operate a facility shall submit an application for such license in writing to the county administrator.
- (b) The application shall be submitted on a form prescribed by the county administrator and shall contain the following information:
 - (1) The name and address of the applicant, including the names and addresses of principal officers or partners if the applicant is a corporation or partnership.
 - (2) A description of the facility including the following:
 - (a) A site map of the facility, including surrounding areas.
 - (b) The inner and outer dimensions of the facility.
 - (c) The number of entrances and exits and their locations.
 - (d) Possible configurations of the facility and surrounding areas for an event, including the area of performance, exhibition or gathering and the locations of aisles, stage and seating.
 - (e) The location, number, type and description of seating, including the construction material and whether the seats are fixed or portable, bench or separate.
 - (f) The inside and outside lighting, including house, exit, emergency and parking lot lighting.
 - (g) The location of any restrooms, refreshment stands, souvenir stands and first aid rooms.
 - (h) A plan or program relating to the sale of alcoholic beverages that demonstrates how the sale of such beverages will be managed to protect the safety of the patrons.
 - (i) A description of emergency medical and basic life support services being made available to patrons.
 - (j) The types and arrangements for communication between internal and external security personnel and the types of arrangements that will be made for taped and live communications with patrons.
 - (k) Accommodations which are available for admitting and seating persons with physical disabilities, including persons in wheelchairs.

- (l) The location, staffing and equipment of the event control center.
- (m) The duties and responsibilities of persons in charge of the facility, such as ushers, ticket takers and security personnel.
- (n) A plan as to how pedestrian ingress and egress will occur and vehicular ingress and egress with regard to parking areas.
- (o) A plan for advance notification of bookings or intended bookings.
- (p) A plan for insuring the safety and security of neighboring property owners.
- (q) Such other information that may be required to carry out the intent of this ordinance.

(3) It shall be the duty of the applicant to update and supplement the information required pursuant to Sec. 10-47(b) in the event there are material changes to such information.

Sec. 10-48. Issuance. (a) Provided the applicant for a license has complied with all of the requirements of this Ordinance and has demonstrated that the facility will be operated in a manner consistent with preservation of public health, safety and welfare, the Executive Committee shall issue a license to the applicant, which license shall be valid for a period of one year commencing on February 1st of each year or upon the date of issuance and ending on January 31st of each year. (b) Conditions may be placed on the license, consistent with the administration of this article and the preservation of public health, safety and welfare. (c) An application for renewal may be submitted no earlier than October 1st, prior to the next licensed period. (d) The County shall include, as a condition of the license, the option for the licensee to submit, in advance, a list of potential events to be held during the licensed period. The Sheriff or his designee shall contact the licensee to discuss any identified concerns related to each potential event as soon as practical. This paragraph shall not limit the ability of the County to establish, as a condition of license issuance, advance notification of each specific event which the applicant wishes to hold at the Facility.

Sec. 10-49. Denial. Any denial of a license hereunder shall be made in writing and the reasons for denial shall be furnished to the applicant and shall be issued within thirty (30) days after receipt of the application by the county administrator.

Sec. 10-50. Suspension. (a) The Executive committee may suspend or revoke any license granted hereunder for the balance of the license period or for any shorter period of time for any of the following reasons:

- (1) Failure of the licensee to comply with the provisions of this ordinance.
- (2) Failure of the licensee to comply with any condition of a license granted hereunder.

(b) Reasons for the suspension or revocation shall be in writing and furnished to the licensee.

(c) Prior to any decision to suspend or revoke a license, the licensee shall have a reasonable opportunity to:

- (1) Cure any alleged non-compliance prior to the next scheduled event.

- (2) Appear before the Executive committee and may call and cross-examine witnesses in the matter.
- (d) The County shall use its best efforts to notify the licensee of non-compliance as the County becomes aware of such situations, however, the County's failure to do so shall not be considered a waiver of the non-complying condition.

Sec. 10-51. Access. As a condition of the license granted hereunder, the licensee shall permit access to all areas of the facility by the County, for official purposes, including, without limitation, law enforcement officers, health and sanitation officials, and fire and rescue services personnel.

Sec. 10-52. Renewal. (a) Each year after the initial license issuance under this Ordinance, the applicant may apply for a renewal of the license for an additional year. (b) An application for renewal shall be submitted by February 15th and shall be made on a form prescribed by the county administrator which may include some or all of the information required in section 10-47. (c) Prior to renewal, the County Administrator shall review the performance of the facility for the preceding year and shall determine compliance with the terms and conditions of the license and this Ordinance for that year and report such information to the Executive Committee. The County may require additional conditions for the re-issuance of the license as provided in section 10-48 above. (d) If the Executive Committee determines that the applicant has met the requirements of Section 10-48 and that the facility was operated, during the previous year, in compliance with this ordinance, the applicant may receive another license for an additional year upon the payment of the license fee. (e) Prior to a decision on the issue of a renewal of a license, the applicant shall have an opportunity to appear before the Executive Committee and may call and cross-examine witnesses in the matter.

Sec. 10-53. Appeal process. Any person aggrieved by the decision of the Executive Committee may follow the appeal process as set forth in Chapter 68 of the Wisconsin Statutes."

Sec. 10-54. Fees. The fee for an original license or the annual renewal thereof shall be \$2,000.

PART 2. BE IT FURTHER ORDAINED THAT the effective date of this ordinance shall be 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 10th day of December 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	12/2/02 Date
	Dennis D. Costello Corporation Counsel	12/3/02 Date
	N. Andersen Finance Director	12/2/02 Date

Action Required: Majority vote

Policy and Fiscal Note No.
~~Resolution~~ Ordinance No. 232-12/02

I. Title: Repealing and Recreating Article II of Chapter 10 of the Walworth County Code of Ordinances Relating to Concerts and Certain Events

II. Purpose and Policy Impact Statement:

The intent of the ordinance is to enable the County to reasonably regulate concerts and other events in Walworth County which require provision by the County of extraordinary governmental services.

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

Passage of this will provide a mechanism to ensure that the County is fully reimbursed for costs incurred in providing certain governmental services in connection with concerts and other events. The current charge imposed by the County of 50¢ per ticket to cover the cost of providing extraordinary services is insufficient. This Ordinance permits the Board's Executive committee to establish the per-ticket charge from time to time and, in any event, will require the license holder to make the County whole, at the end of each concert season, for costs incurred relative to the provision of extraordinary governmental services.

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

Committee: Executive

Date: November 21, 2002

Vote: 7 – 0 to recommend passage

V. Approved as to form:

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

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

N. Andersen	12/02/02
Finance Director	Date

County Board Meeting Date: December 10, 2002

A motion offered by Supervisor Gigante, seconded by Supervisor Arnold, to approve Resolution No. 75-12/02 – Appointment of Part-time Juvenile Court Commissioners. The resolution was approved by voice vote.

RESOLUTION #75-12/02

APPOINTMENT OF PART-TIME JUVENILE COURT COMMISSIONERS

WHEREAS, s.48.065, Wis. Statutes, authorizes the appointment of part-time juvenile court commissioners, and

WHEREAS, the Chief Judge has approved the appointment of two part-time judicial court commissioners to work in the absence of the full time judicial court commissioner, and

WHEREAS, there have been scheduling conflicts and one part-time judicial court commissioner has been called to military service,

NOW, THEREFORE, BE IT RESOLVED that the Walworth County Board of Supervisors does hereby authorize the Chief Judge of our Judicial District to appoint at least two more attorneys as part-time juvenile court commissioners for the purpose of carrying out the duties authorized by s.48.065, Wis. Statutes.

V. APPROVED AS TO FORM:

David A. Bretl County Administrator	12/02/02 Date
Michael P. Cotter Corporation Counsel	12/03/02 Date
N. Andersen Finance Director	(no date) Date

Supervisor Lothian mentioned that on the Policy and Fiscal Note for Ordinance 232 – 12/02 the word “Resolution” appears and it should be changed to read “Ordinance.”

A motion was offered by Supervisor Polyock, seconded by Supervisor Guido, to approve Resolution No. 79-12/02 – Rejecting the Proposal of Pathways Stewardship Center for Use of the County Farm and Directing the Property Committee to Obtain Proposals for the Rental of Said Farm.

Supervisor Guido introduced Kevin MacKinnon, Director of Pathways Stewardship Center, 308 Spring, Delavan. MacKinnon would like the Board to give Pathways a chance to continue their research as he believes that it is critical to the water quality of Delavan Lake.

Bill Jacques, N6009 Bowers Road, Elkhorn, addressed the Board. He is not in favor of Pathways continuing to rent the Lakeland Farm. Jacques does not like the way it has been cared for. Jacques also said that Pathways is a non-profit organization and in this economy we cannot support this type of program.

Loren Waite, Chairman of the Town of Sugar Creek, W5490 County Rd A, addressed the Board. Waite said that he has also observed the unkempt condition of the Lakeland Farm. He thinks it should go back to rental of the land at fair market value.

Supervisor Felten recognized Dave MacLean, MacLean Road, Elkhorn. He said he has been a neighbor to Lakeland Farm all his life. He is opposed to Pathways continuing to rent the farm. The farm has not been kept up. He is also not in favor of selling the land. MacLean would like the farm rented out at the going rate.

Supervisor Kuhnke recognized Paul Nelson, President of the Walworth County Taxpayers Alliance, W6123 Hazel Ridge, Elkhorn. He distributed a report from the Taxpayers Alliance in support of the sale or lease of the Farm at fair market value. He said that the money should be used for tax reduction in the County.

Supervisor Morrison recognized Mary Ann Pearce, W5740 N. Walworth Road, Walworth. Pearce is a former County Board Supervisor and also a farmer. Pearce believes other farmers will maintain the land in the watershed just as she does. Pearce agrees with the other farmers that spoke tonight. The land should be rented at fair market value.

Supervisor Dorothy Burwell distributed four handouts in favor of Pathways continuing at Lakeland Farm: 1) an overview of the Pathways Stewardship Center program; 2) a letter of support from the Walworth County Farm Bureau; 3) a letter of support from Heifer Project; 4) a letter from the Delavan Lake Committee.

Supervisor Burwell recognized Rebecca Baumann, Executive Director, Wisconsin Conservation and Water Conference, One Point Place, 101, Madison, WI. Baumann said she is in favor of the research at the farm. She read a resolution that was presented by Kewaunee County and approved by the Wisconsin Land & Water Conference Association in support of sustainable and organic agriculture in Wisconsin.

Supervisor Gigante recognized Charles Grant, 5035 Mound Road, Elkhorn. Grant is a former County Board Supervisor and he did not agree with renting the Farm to Pathways when he was a Supervisor and still does not.

Bob Miller, Whitewater, is a member of the Walworth County Farm Bureau Board. Miller does not agree that the Farm Bureau supports Pathways.

Don Fredrick, Burlington, is a Walworth County farmer who is in favor Pathways and is very disappointed that this issue is before the Board again. Fredrick said that Pathways needs time to complete what it started.

Supervisor Felten recognized Sam Brummel, W5664 State Rd Hwy 11, Elkhorn. Brummel is a beginning farmer in this area. He would be interested in renting the Lakeland Farm property at a current market rate, which is much higher than what Pathways is paying. He feels that it is not the County's responsibility to fund such education purposes.

Supervisor Gigante voiced his opinion in favor of continuing with Pathways because Pathways broke even in the first year of a three-year contract and should be given a chance.

Supervisor Felten said she supports the decision of the Public Property Committee and is opposed to Pathways renting the farm. She said that we are already subsidizing schools which have farming programs. Felten said that the information provided by Pathways is available in many other forms and it is time to move on.

Discussion and debate ensued. Supervisors Palzkill, Polyock, and Morrison recommended the approval of the resolution not to rent the Lakeland Farm to Pathways and to rent the land out at a fair market value.

Supervisor Burwell is in favor of renting the Farm to Pathways and strongly urged the Board to allow Pathways to finish what it tried to start and was prevented from doing.

Chair Norem asked Vice-Chair Grant to preside over the Board as Chair and addressed the Board as a Supervisor representing Troy and Lafayette Townships. Norem is in favor of the resolution rejecting the proposal of Pathways Stewardship Center for use of the County Farm and directing the Public Property Committee to rent the farmland out at a fair market value.

Chair Norem returned to the Chair.

Supervisor Hilbelink offered a motion, seconded by Supervisor Gigante, to amend the resolution as follows: "Be it further resolved that the County retain ownership of the County farm and not permit future private development or sale of the same" as the last Be it Further Resolved. Discussion ensued.

Supervisor Peterson said she feels that whatever the County does should be done well. The County should keep the Farm in good repair.

Supervisor Arnold stated that the issue at hand tonight is whether we should rent the land to Pathways. He is in favor of renting the land out on bids and awarding the bid to the highest bidder.

A roll call vote on the motion to amend Resolution No. 79-12/02, by Supervisor Hilbelink, seconded by Supervisor Gigante, failed. Total vote: 25; Ayes: 4 – Burwell, Gigante, Hilbelink, Lothian; Noes: 21 – Arnold, Felten, Grant, Guido, Ketchpaw, Kuhnke, Lightfield, Lohrmann, Miles, Morrison, Palzkill, Parker, Peterson, Polyock, Russell, Schaefer, Scharine, Shepstone, Shroble, Wenglowisky, Norem; Absent: 0.

The question was called by Supervisor Schaefer, second by Supervisor Scharine, regarding Resolution #79-12/02. A roll call vote was held. Total votes: 25; Ayes: 18 – Arnold, Felten, Grant, Kuhnke, Lohrmann, Miles, Morrison, Palzkill, Parker, Peterson, Polyock, Russell, Schaefer, Scharine, Shepstone, Shroble, Wenglowisky, Norem; Noes: 7 – Burwell, Gigante, Guido, Hilbelink, Ketchpaw, Lightfield, Lothian; Absent: 0.

RESOLUTION NO. 79-12/02

Rejecting the Proposal of Pathways Stewardship Center for Use of the County Farm and Directing the Property Committee to Obtain Proposals for the Rental of Said Farm

WHEREAS, on November 8, 2001 the Walworth County Board of Supervisors ("County Board "), approved an agreement by and between Walworth County and Michael Fields Agricultural Institute ("Michael Fields") relative to use of certain farm land owned by Walworth County ("Agreement"), in the Town of Geneva, formally known as the county farm ("County Farm");

WHEREAS, the Agreement provided for assignment by Michael Fields to Pathways Stewardship Center, a non-profit corporation formed to operate the County Farm in the public interest ("Pathways"); and

WHEREAS, Michael Fields failed to assign the Agreement to Pathways; and

WHEREAS, Walworth County received notice on October 31st from Michael Fields that it wished to exercise its right of early termination under the Agreement, and terminated said Agreement as of December 31, 2002; and

WHEREAS, Pathways submitted, to the Property Committee of the County Board, a new proposal to operate the County Farm for a five-year period ("Proposal"); and

WHEREAS, the Property Committee reviewed the Proposal and recommended against acceptance of the same by a vote of 3 to 2;

NOW, THEREFORE, BE IT RESOLVED by the Walworth County Board of Supervisors that the Proposal of Pathways be and the same is hereby rejected.

BE IT FURTHER RESOLVED that the Public Property committee be directed to prepare specifications and obtain competitive proposals for rental of the Farm and make a recommendation to the full County Board as to the selection of a lessee.

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

12/02/02
Date

Dennis D. Costello 12/03/02
Corporation Counsel Date

N. Andersen 12/02/02
Finance Director Date

Action Required: Majority Vote

County Board Meeting Date: December 10, 2002

Resolution No. 79-12/02

Policy and Fiscal Note

- I. Title: Rejecting the Proposal of Pathways Stewardship Center for the Use of the County Farm and Directing the Property Committee to Obtain Proposals for the Rental of Said Farm
- II. Purpose and Policy Impact Statement: The purpose of this resolution is to reject the proposal of Pathways Stewardship Center for the use of the County Farm as recommended by the Public Property Committee. The resolution also directs the Public Property Committee to prepare specifications and obtain competitive proposals for the rental of the farm.
- III. Is this a budgeted item and what is its fiscal impact? Based on the existing agreement with Michael Fields Institute, the 2003 budget includes rental income estimated at \$75.00 per acre.

Due to the construction of a New Court Facility, estimated acres available for 2003 is 440 tillable and 8 non-tillable acres. The Pathways Stewardship Center proposal includes land rental at \$75.00 per acre, tillable and non-tillable, or \$33,600. The proposal also includes reimbursement of insurance on buildings in the amount of \$250.00 and reimbursement of liability insurance premiums of \$5,000.

Estimated insurance premiums on buildings at the farm site for 2003 is \$380. Pathways Stewardship Center would be required to provide the County with proof of liability insurance and would not be covered under the County's liability insurance policy.

The proposal of Pathways Stewardship Center, dated November 12, 2002 ("Pathways' Proposal"), lists Avoided costs of grounds maintenance in the amount of \$4,800.00 and property taxes in the amount of \$4,620.00.

The County would determine the appropriate level of building maintenance if tillable acres are rented to the highest competitive bidder. Per Wisconsin Statutes 70.11(2), the County is not liable for property tax on leased property.

The Pathways Proposal includes a section entitled Value of services provided. Pathways Stewardship Center has not provided documentation supporting the values placed on these services; therefore, these values cannot be substantiated by staff.

The County recently solicited bids for the rental of 77 acres of county land, formerly the Johnson Property. The prevailing bid on this parcel was in the amount of \$122.00 per acre. The Public Property Committee voted on November 12, 2002 to forward a recommendation to the County Board to rent the County's farmland at fair market value. 440 acres at \$122.00 per acre equals \$53,680. Compared to the Pathways Proposal, this would result in an estimated \$19,830 additional revenue to the County.

IV. Committee Consideration:
Public Property: Reject Pathways Stewardship Center Proposal
Vote: 3 - 2 Date: November 12, 2002

V. Approved as to Form:

David A. Bretl County Administrator	12/02/02 Date
Dennis D. Costello Corporation Counsel	12/02/02 Date
N. Andersen Finance Director	12/02/02 Date

A motion offered by Supervisor Palzkill, seconded by Supervisor Russell, to approve Resolution No. 80-12/02 – Resolution Stating Walworth County's Intent to Participate in Negotiations Regarding the Proposed Mallard Ridge Landfill Expansion, carried by voice vote.

RESOLUTION NO. 80-12/02

RESOLUTION STATING WALWORTH COUNTY'S INTENT TO PARTICIPATE IN NEGOTIATIONS REGARDING THE PROPOSED MALLARD RIDGE LANDFILL EXPANSION

WHEREAS, on November 8, 2002 the County of Walworth received a written request from Republic Services of Wisconsin, Limited Partnership, pursuant to Section 289.22 (1m), Wisconsin Statutes, asking that Walworth County specify all applicable local approvals necessary to construct an expanded solid waste disposal facility, and

WHEREAS, the landfill applicant in this instance is the Mallard Ridge Recycling and Disposal Facility, Republic Services of Wisconsin, Limited Partnership, with its principal offices located at W8470 State Road 11, Delavan, WI 53115, and

WHEREAS, the proposed solid waste disposal facility would be located in Sections 4, 7, 9, and 10 of T2N, R15E, Town of Darien, Walworth County, Wisconsin, and

WHEREAS, Walworth County, with its principal offices located at the Walworth County Courthouse, PO Box 1001, Elkhorn, Wisconsin 53121, is an "affected municipality" as defined in Section 289.01 (1) (a), Wisconsin Statutes, and

WHEREAS, pursuant to Section 289.33 (6)(a), Wisconsin Statutes, an affected municipality may participate in the negotiation and arbitration process if the governing body adopts a siting resolution within sixty (60) days after the municipality receives the written request from the applicant for specification of all local approvals, and

WHEREAS, the resolution shall state the municipality's intent to negotiate and, if necessary, arbitrate with the applicant concerning the proposed facility, and

WHEREAS, failure to adopt a siting resolution within such sixty (60) days renders the municipality ineligible to appoint members to the local committee which shall negotiate with the applicant, and

WHEREAS, pursuant to Section 289.33 (6) (f), Wisconsin Statutes, if no affected municipality adopts a siting resolution, the applicant is entitled to continue to seek state approval without any negotiation or arbitration of local concerns, and the facility will not be subject to any local approval.

NOW THEREFORE, BE IT RESOLVED, by the WALWORTH COUNTY BOARD OF SUPERVISORS that, Walworth County intends to participate in the negotiation process, and, if necessary, arbitrate with the applicant concerning the proposed facility, and

BE IT FURTHER RESOLVED, that Walworth County appoints the following individuals to the local negotiating committee, as the two (2) members mentioned in Section 289.33 (7) (a) 1m, Wisconsin Statutes,

Allan Polyock, Walworth County Board Supervisor
Larry Price, Solid Waste Manager / Assistant Director of Facilities Management

BE IT FURTHER RESOLVED, that the WALWORTH COUNTY BOARD OF SUPERVISORS intends this resolution to be a Siting Resolution as required by Section 289.33 (6), Wisconsin Statutes, and

BE IT FURTHER RESOLVED, that the Walworth County Clerk is hereby directed to send a copy of this Siting Resolution, and the names of the members appointed to the local committee, to the State of Wisconsin Waste Facility Siting Board within seven (7) days of the adoption of this Resolution, and the appointment of the members as set forth above.

Dated this 10th day of December, 2002

William M. Norem
County Board Chair

Kimberly S. Bushey
Attest: Walworth County Clerk

Reviewed By:

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

Approved as to Form:

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

Reviewed Budget/Fiscal Impact:

N. Andersen 12/02/02
Finance Director Date

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

Committee Consideration: Solid Waste Management Board Date: November 25, 2002
Vote: Approved upon a unanimous vote of 6-0

Resolution Introduced by the Walworth County Solid Waste Management Board

Policy and Fiscal Note

TITLE:

Resolution No. 80-12/02 - Stating Walworth County's intent to participate in negotiations regarding the proposed Mallard Ridge Recycling & Disposal Facility expansion.

PURPOSE AND POLICY IMPACT STATEMENT:

On November 8, 2002 the County of Walworth received a written request from Republic Services of Wisconsin, Limited Partnership, asking that Walworth County specify all applicable county local approvals necessary to construct an expanded solid waste disposal facility at the Mallard Ridge Recycling and Disposal facility located at W8470 State Road 11, Delavan, Wisconsin.

The proposed solid waste disposal facility is located in Sections 4, 7, 9, and 10 of T2N, R15E, Town of Darien, Walworth County, Wisconsin.

Walworth County is an "affected municipality" for purposes of negotiation because the proposed expansion of the solid waste disposal facility is located within the County.

Walworth County may participate as an affected municipality in the negotiation and arbitration process if the governing body of the County adopts a siting resolution, and appoints members to the local negotiating committee within 60 days after the County receives the request from the applicant to specify all applicable local approvals.

The purpose of this resolution is to provide required notice that:

1. Walworth County intends to participate in the negotiation process, and if necessary, arbitrate, with the applicant concerning the proposed facility,
2. Walworth County appoints Allan Polyock, Walworth County Board Supervisor, and Larry Price, Assistant Director of the Walworth County Facilities Management Department to serve as the County's two representatives on the local negotiating committee.

FISCAL IMPACT:

It is in the best interest of "affected municipalities," (in this case, the Town of Darien and County of Walworth) to choose to enter into negotiations, because each municipality will benefit both financially and environmentally.

It is estimated that the landfill negotiation process will take more than one year, and possibly as long as three years. Based on previous experience, it is estimated that the negotiating committee will meet ten to fifteen times per year. Negotiating Committee members normally receive a per diem allowance, and reimbursement for mileage for each meeting attended. Responsibility for payment of these expenses is a matter that is negotiable between the landfill applicant and negotiating committee. In the past, the landfill applicant has fully reimbursed all such costs related to the negotiating committee.

Negotiations related to the last expansion of Mallard Ridge Landfill, resulted in rather substantial revenue for the County. This revenue has benefited all Walworth County residents by providing various countywide solid waste and recycling programs, such as Clean Sweep. Payments received during the last five years as a result of the previous landfill negotiation process are as follows: •1998 - \$77,680.44, •1999 - \$55,256.52, •2000 - \$66,228.63, •2001 - \$73,077.10, and, • thus far in 2002 - \$90,452.40

ADDITIONAL KEY INFORMATION:

Landfill Expansion in Wisconsin - Two Processes that Occur Concurrently.

In Wisconsin, all new landfills and expansions must obtain both state and local approvals prior to construction.

Process 1- Landfill Licensing. The landfill licensing process is administered by the Wisconsin Department of Natural Resources. This is a technical decision-making process that focuses on the ability of the proposed landfill design to meet specific criteria and standards to protect public health and the environment.

Process 2 - Local Approvals. Simultaneous to the Wisconsin DNR licensing process, the landfill applicant must also seek and obtain any applicable local approvals. The local approval process focuses on the local economic, social, and land use impacts of the landfill and is overseen by the Wisconsin Waste Facility Siting Board.

Affected Municipality

An "affected municipality" is any town, village, city, or county:

- (a) where any or all of the proposed waste site will be located, or
- (b) whose boundary is within 1500 feet of the facility designated in the feasibility report for the disposal of solid waste or the treatment, storage, or disposal of hazardous waste.

Negotiation Process

In Wisconsin, any municipality that will be affected by a proposed landfill siting or expansion may choose to enter into negotiations with the applicant. Virtually any issue is negotiable except the need for the proposed landfill or expansion. The two affected municipalities in the case of the proposed Mallard Ridge Landfill expansion are the Town of Darien, and County of Walworth. It is in the best interest of the Town of Darien and County of Walworth to choose to enter into negotiations, because each municipality will benefit financially and environmentally.

The Local Approval Process:

The first step of the local approval process occurred Friday, November 8, when Kim Bushey, Walworth County Clerk, received the following items from the landfill applicant by Certified Mail:

- ✓ "Request for Specification of Applicable Local Approvals"
- ✓ A copy of the standard notice, printed by the Wisconsin Waste Facility Siting Board.

The first few elements of the local approval process are critical, and responses by affected municipalities must be completed within a specific timeframe, as follows:

1. Within 15 days an affected municipality must specify all local approvals, or state that there are none.
2. Within 60 days, an affected municipality must pass a siting resolution and appoint members to the local negotiating committee. If this deadline is missed, a municipality may not participate in negotiations.
3. The names and addresses of the individuals appointed to the negotiating committee must be sent to the Waste Facility Siting Board within 7 days of their appointment.

Following the above-listed timeframe requirements, Walworth County must:

1. Specify all applicable local approvals on or before November 23.
This deadline was met when the Land Management Department provided the landfill applicant a list of all applicable County local approvals by letter dated November 11, 2002.
2. Pass a siting resolution and appoint members to the local negotiating committee on or before January 7, 2003.
Due to the timing of the receipt of the correspondence from Republic Services, and schedule for County Board meetings in November, December, and January, it will be necessary to present the Siting Resolution to the County Board at their December meeting.
3. Forward the names and addresses of the individuals appointed to the negotiating committee to the Wisconsin Waste Facility Siting Board within seven days of the adoption of the Siting Resolution.
If the Siting Resolution is adopted on December 10, 2002, the names of the members appointed to the local committee must be forwarded to the Wisconsin Waste Facility Siting Board on or before December 17, 2002.

Reviewed By:	David A. Bretl County Administrator	12/02/02 Date
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Approved as to Form:	Dennis D. Costello Corporation Counsel	12/02/02 Date
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Reviewed Budget/Fiscal Impact:	N. Andersen Finance Director	12/02/02 Date
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Circle Action Required	Majority Vote	Two-Thirds Vote	Other (Specify)
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Committee Consideration: Solid Waste Management Board Date: November 25, 2002
Vote: Approved upon a unanimous vote of 6-0

Resolution Introduced by the Walworth County Solid Waste Management Board

A motion was offered by Supervisor Grant, seconded by Supervisor Schaefer, to approve Resolution No. 81-12/02 – Transportation Grant Application-Health & Human Services. On motion by Supervisor Grant, seconded by Supervisor Morrison, Resolution No. 81-12/02 was approved by unanimous consent.

**RESOLUTION NO. 81-12/02
TRANSPORTATION GRANT APPLICATION
HEALTH & HUMAN SERVICES**

WHEREAS, Section 85.21 of the Wisconsin State Statutes authorizes the Wisconsin Department of Transportation to make grants available to the counties of Wisconsin for the purpose of assisting them in providing specialized transportation services to the elderly and the disabled.

WHEREAS, the 2003 adopted budget includes \$675,143 for expenses related to the county's transportation program.

WHEREAS, these expenses were budgeted to be offset by \$125,714 in transportation aids.

WHEREAS, the net cost to the County exceeds the amount required by the transportation grant as a county match.

WHEREAS, the state has indicated that \$129,617 is now available for transportation aids.

WHEREAS, the additional \$3,903 can be used by the county to support the transportation program.

WHEREAS, each grant must be matched with a local share of not less than 20% of the amount of the grant.

WHEREAS, this body believes that the provision of specialized transportation services would improve and promote the maintenance of human dignity and self-sufficiency of the elderly and the disabled.

NOW, THEREFORE, BE IT RESOLVED that the Walworth County Board of Supervisors hereby authorizes the Department of Health & Human Services to prepare

and submit to the Wisconsin Department of Transportation an application of assistance for the year 2003 under Section 85.21 of the Wisconsin Statutes, and also authorizes the obligation of county funds in the amount of \$25,923 to provide the required local match.

BE IT FURTHER RESOLVED that the 2003 budget be amended to include \$3,903 of additional transportation aid and \$3,903 of additional purchased services for the transportation program.

BE IT FURTHER RESOLVED that the Board of Supervisors of Walworth County authorizes the Department of Health & Human Services to execute a state aid contract with the Wisconsin Department of Transportation under Section 85.21 of the Wisconsin Statutes on behalf of Walworth County.

Dated this 10th day of December, 2002.

William M. Norem
County Board Chairman

Kimberly S. Bushey
ATTEST: County Clerk

Policy and Fiscal Note Attached: Yes

Approved as to Form:

David A. Bretl
County Administrator

12/02/02
Date

Dennis D. Costello
Corporation Counsel

12/03/02
Date

N. Andersen
Finance Director

12/02/02
Date

Action Required: Two-Thirds Vote

Policy and Fiscal Note

I. Title:

Resolution No. 81-12/02, Authorizes the Department of Health & Human Services to prepare and submit to the Wisconsin Department of Transportation an application for assistance during 2003 under Section 85.21 of the Wis. Statutes, in conformance with the requirements issued by that department and

ISSUE PAPER

DEPARTMENT: Health & Human Services
ISSUE: Authorization to submit application
For Transportation Funding

I. Decision To Be Made:

Should Walworth County submit an application to the Department of Transportation for funding under Section 85.21 of the Wisconsin Statutes.

II. Summary of Why This Decision is Before the Board:

To apply for this match grant for transportation services to assist the elderly and disabled, local county board approval is required.

III. Key Information for Developing Options for this Decision:

To operate the transportation department for elderly and disabled citizens of Walworth County, the Health & Human Services Department could apply for a grant that would require 20% local match, therefore saving county dollars.

IV. Options/Recommendations:

It is recommended that the Health & Human Services Department be given the approval to submit an application to the Wisconsin Department of Transportation for \$129,617.

A motion was offered by Supervisor Miles, seconded by Supervisor Ketchpaw, to approve Resolution No. 82-12/02 – General Relief Program-Health & Human Services. On motion by Supervisor Lothian, seconded by Supervisor Grant, Resolution No. 82-12/02 was approved by unanimous consent.

RESOLUTION NO. 82-12/02
GENERAL RELIEF PROGRAM-HEALTH & HUMAN SERVICES

WHEREAS, the Budget Bill (1995 Wisconsin Act 27) significantly revised the statutes regulating the General Relief Program, including giving counties various options to administer the program.

WHEREAS, there continue to be persons in the county who have insufficient means of support to meet their living needs and medical expenses.

WHEREAS, the Health & Human Services Board has reviewed program options available to the county and recommends adoption of this resolution.

WHEREAS, the Health & Human Services Board has authorized expenditures of \$60,100 in the 2003 budget.

NOW, THEREFORE, BE IT RESOLVED by the Walworth County Board of Supervisors that the county elect to operate a medical and non-medical General Relief Program in 2003.

BE IT FURTHER RESOLVED that the Department of Health & Human Services administer the program on behalf of the county and is, therefore, authorized to make application for relief block grant funds as specified in 1995 Wisconsin Act 27.

BE IT FURTHER RESOLVED that the Health & Human Services Board is authorized and directed to establish rules and benefit levels within the authority of the Wisconsin Statutes for the administration and operation of the General Relief Program.

Dated this 10th day of December, 2002.

William M. Norem
County Board Chairman

Kimberly S. Bushey
ATTEST: County Clerk

Policy and Fiscal Note Attached: YES

Approved as to Form: David A. Bretl 12/03/02
County Administrator Date

Dennis D. Costello 12/03/02
Corporation Counsel Date

N. Andersen 12/03/02
Finance Director Date

Action Required: Majority Vote

POLICY AND FISCAL NOTE

I. Title:

Resolution No. 82-12/02 Authorizes administration and operation of the General Relief Program in Walworth County.

II. Purpose and Policy Impact:

The purpose of the resolution is to obtain approval to submit an application to the State of Wisconsin to operate a General Relief Program. Approval of the resolution will provide medical benefits to qualified residents of Walworth County for basic needs, prior-authorized medical care, and funeral expenses. This money has been included in the Preliminary 2003 County Board Budget.

III. Budget and Fiscal Impact:

This resolution will authorize the Health & Human Service Department to expend \$60,100 to operate the General Relief program for eligible county residents.

Reimbursements from the General Relief Block Grant program and General Relief clients offset the county expenditures by approximately \$8,000.

IV. Standing Committee Consideration:

The Health & Human Services Board on November 19, 2002 on a vote of 8-0 recommends adoption.

The Finance Committee on December 3, 2002 on a vote of 5-0 recommends adoption.

V. Approved as to form:

David A. Bretl	12/3/02
County Administrator	Date

Dennis D. Costello	12/3/02
Corporation Counsel	Date

N. Andersen	12/3/02
Finance Director	Date

Chair Norem reported that Board received a plaque from the 4-H Clubs in recognition of the support that we gave the clubs in the County. Chair Norem said that the 4-H clubs are very appreciative of the Walworth County Board of Supervisors.

Supervisor Guido reported that Supervisors should contact Suzanne Harrington regarding any business cards they may wish to order.

The next regularly scheduled meeting of the Walworth County Board of Supervisor will be on January 14, 2003.

Motion by Supervisor Gigante, seconded by Supervisor Lohrmann, to adjourn the meeting. The meeting was adjourned at 8:10 p.m.