

THE APRIL 15, 2003 SESSION
OF THE
WALWORTH COUNTY BOARD OF SUPERVISORS

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

Dr. Bob Bardin, Chapel on the Hill, Lake Geneva, gave the invocation.

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

On motion by Supervisor Kuhnke, seconded by Supervisor Gigante, and by unanimous voice vote, under Land Management Committee, Report of Proposed Zoning Amendments, "4. Zoe Acres, LLC, Town of Walworth, Rezone 25.77 acres of A-1 to M-2 – approved 4-1." was withdrawn from the evening's agenda.

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

Supervisor Morrison offered a motion to approve the minutes of the March 11, 2003 County Board Meeting, seconded by Supervisor Lightfield. Supervisor Felten made a motion to amend the March 11, 2003 minutes to correct the roll call vote on page 5, paragraph 4. Under the "Ayes", Supervisor Arnold's name is shown twice. The last name in the "Ayes" should be Supervisor Norem, not Supervisor Arnold. The amendment was seconded by Supervisor Lohrmann, and the minutes were approved as amended by voice vote.

Supervisor Dorothy Burwell introduced Carolyn Belczyk, the new Youth Development Educator and department head for the UW-Extension Department.

Chairman Norem requested comments from the public.

Kristen A. Perry, P.O. Box 1000, Elkhorn, Lakeland Animal Welfare Shelter Manager, outlined in detail the many services provided by the Shelter and some of the costs involved, stating that not all members of the County Board are aware of the full scope of these services.

Bette Popik, 258 Waubun, Fontana, a volunteer at the Lakeland Animal Welfare Shelter, spoke in favor of the many good services the Shelter provides, and requested that the County Board Supervisors renew the County's contract with the Shelter and not allow the contract to be negotiated with an outside concern.

Sally Krause, 529 Beloit, Delavan, stated that rumor has it that bids were being accepted by the County for the animal control contract, and she is opposed to this. She went on to state that animal control means protection for the public, and many of the services provided by the Shelter are required by law. She also explained the micro-chipping process used for identification of animals and their owners.

Bonnie Beckum, 1085 Lake Geneva Blvd, Lake Geneva, stated she is a teacher. Her students wanted to attend the meeting and bring a petition, championing the Lakeland Animal Welfare Shelter. Ms. Beckum urged the Supervisors to consider the children and their pets, and asked that the county renew the contract with LAWS. Accepting a low bid for the contract and going the cheapest way is not always the best way to go, she noted.

Betty Colitti Stuffers, W3666 Snake Rd., Lake Geneva, stated that she is a taxpayer who supports the Lakeland Animal Welfare Shelter. She commented that the animals cannot speak for themselves, so we must speak for them.

Karen Cole, W831 Valley View Rd., Burlington, spoke against the management at the Lakeland Animal Shelter, stating that their boarding costs are ridiculous, and that the Shelter should be held more accountable for where they are spending their money. She submitted a report of boarding costs billed by the Shelter and pictures of animals which had been seized.

Betty Landreth, Kenosha, explained that the Sinettes were caring for her animals when the animals were seized. Landreth stated that some of her animals have died since being seized, and she can't get the live animals back because she lives in Kenosha County. Landreth said that her animals were well cared for by the Sinettes and should not have been taken.

Mary Sibbing, Lake Geneva, a nurse, distributed to the Supervisors a letter written to Senator Neal Kedzie by Geneva Lake Manor, a nursing facility. She explained why the facility is in opposition of the passage of Senate Bill 44 with regard to the Bed Tax being proposed, and asked for the County Board's support in this matter.

Randy Hawkins, N2020 County Road H, Lake Geneva, a supporter of Lakeland School, spoke regarding the remodel, rebuild or close options for the future of Lakeland School. He has received positive input from the community with regard to Lakeland School and urged the County Board to dismiss the option to close and focus on either remodeling or rebuilding. Mr. Hawkins stated that the Board would have the help from supporters in the community if remodeling or rebuilding were chosen.

Special Order of Business:

Supervisor Arnold introduced Mark A. Knuth, CPA, CFP of Schenck Business Solutions, who presented a 50-minute report regarding the future of the Lakeland Health Care

- Communication from County Clerk regarding request of agenda: Impact of the 2003-2005 State Biennial Budget on Walworth County to be referred to the Finance Committee.
- Communication from the Town of Richmond regarding zoning process and departmental policies to be referred to the county Zoning Agency and Human Resources Committees.
- Rock County Resolution Supporting Senate Bill 15 Which Creates a Joint Survey Committee on State Mandates and Required funding of State Mandates to be referred to the Finance Committee.
- Walworth County Sheriff's Department Annual Report to be referred to the Committee of the Whole.
- Oconto County Resolution #18-03 – To Support Federal Legislation Proposed by Senator Russ Feingold and Senator Grassley of Iowa to Change Medicare Payment Inequities Between States will be referred to the Executive Committee.
- Waupaca County Resolution No. 46 (2002-2003) – To Support Federal Legislation Proposed by Senator Russ Feingold and Senator Grassley of Iowa to Change Medicare Payment Inequities Between States will be referred to the Executive Committee.
- Marinette County Resolution No. 116 – Opposing Wisconsin Department of Natural Resources Efforts to Amend NR115 to Address Nonconforming Structures will be referred to the County Zoning Agency.
- Marathon County Resolution #R-34-03 – Reinstatement of State Funding Supporting Education & Regulatory Administration of Wisconsin Fairs will be referred to the Executive Committee.
- Monroe County Resolution – Supporting Continuation of Wisconsin Land Information Program Funding Mechanisms & the Combination of the Wisconsin Land Information Board and Wisconsin Land Council was referred to the County Zoning Agency.

The following Communications listed on the agenda and included in the agenda packets were placed on file:

- Report of County Clerk concerning communications received by the Board and recommended to be placed on file

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

- "The Legislative Review" – March 11, 2003 edition
- Correspondence from the Department of Revenue acknowledging receipt of Walworth County's Resolution No. 101-03/03, received in the Clerk's office March 21, 2003, and correspondence, received April 3, 2003, denying Walworth County's mandate waiver request relating to the Lottery and Gaming Credit five-year certification process.

- Fiscal Note and Policy Impact Statement – REVISED 4/15/2003 – Ordinance No. 238-04/03.
- Report of the Walworth County Health Care Center Trustees for David A. Bretl, Administrator/Corporation Counsel
- Correspondence from Jennifer Klenske, Elkhorn, dated April 7, 2003, in support of Lakeland Animal Shelter.
- Correspondence from John Pierquet, Elkhorn, dated April 7, 2003, in support of Lakeland Animal Shelter.
- Lakeland Animal Welfare Society, Inc. informational sheet distributed by Supervisor Guido, entitled "Animal Control Services/Requirements currently provided by Lakeland Animal Shelter:"

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

Abell's Corners LLC, Town of Sugar Creek
 Town of Troy (MSI General Corporation, App.), Town of Troy
 Charles Kuehn (Michael J. Howe, App.), Town of East Troy
 John C. and Barbara Ingalls, Towns of Walworth and Sharon
 Josephine L. Gerambia (Concetta Gerambia, App.), Town of Bloomfield
 Donald W. Chaney (Marlene and Lawrence Titus, App.), Town of Geneva

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

The following Report of Petitions Referred was read and forwarded to the County Zoning Agency.

Report of Petitions Referred to County Zoning Agency

TO: The County Board of Walworth County

The undersigned County Clerk hereby reports that the following petitions for rezone of land in Walworth County were referred to the County Zoning Agency for public hearing:

- Jerome E. Brennan and John C. Brennan, Jr., Town of Walworth, A-1 to C-2
- William C. Grunow, Jr. (William C. Grunow III and Jennifer L. Grunow, App.), Town of Linn, A-3 and A-4 to R-1 and A-4
- Kenneth H. Monroe, Town of Bloomfield, B-1 to B-2
- Cornerstone Ministries of Burlington, Inc., Town of Lyons, R-2 to P-2
- Todd and Derise Fink, Town of Lafayette, M-3 to C-2
- Theodor Junker (B.R. Amon & Sons, Inc., App.), Town of Sugar Creek, A-1 to M-3

Reports of Standing Committees

County Zoning Agency:

Motion by Supervisor Kuhnke, seconded by Supervisor Gigante, to approve the County Zoning Report. Motion carried by unanimous voice vote.

REPORT OF COUNTY ZONING AGENCY
TO COUNTY BOARD ON HEARING ON PETITION
TO AMEND THE WALWORTH COUNTY ZONING ORDINANCE

TO THE COUNTY BOARD OF WALWORTH COUNTY:

The County Zoning Agency, 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. Dick Kraus, Jr., Town of Whitewater – filed a petition on the 8th day of January, 2003, to amend said zoning maps from A-4 Agricultural Related Manufacturing, Warehousing and Marketing District to B-4 Highway Business District.

Recommendation: Said petition be approved.

2. Gary and Gloria Stebnitz & Roger and Siri Voskuil, Town of Darien – filed a petition on the 30th day of December, 2002, to amend said zoning maps from A-1 Prime Agricultural Land District and M-3 Mineral Extraction District to C-2 Upland Resource Conservation District.

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

The property is a gravel pit and has been substantially disturbed and is not prime farmland.

3. Oakwood Cemetery Association, Town of Sharon – filed a petition on the 27th day of November, 2002, to amend said zoning maps from A-1 Prime Agricultural Land District to P-2 Institutional Park District.

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

DATCP does not oppose the expansion of cemeteries into agricultural land.

4. Highfield Glen Ltd., Inc./Terry Woods, Town of Linn – filed a petition on the 9th day of January, 2003, to amend said zoning maps from C-2 Upland Resource Conservation

District to C-1 Lowland Resource Conservation District and C-4 Lowland Resource Conservation District (Shoreland).

Recommendation: Said petition be approved.

5. Bernard C. Rosauer Trust, Town of Bloomfield – filed a petition on the 8th day of January, 2003, to rezone from C-1 Lowland Resource Conservation District & C-4 Lowland Resource Conservation District (Shoreland) to C-2 Upland Resource Conservation District.

Recommendation: Said petition be approved.

6. Krueger Road Business Park, Town of Geneva – filed a petition on the 8th day of January, 2003, to rezone from M-3 Mineral Extraction District & M-1 Industrial District to C-2 Upland Resource Conservation District & R-1 Single-Family Residence District (Unsewered).

Recommendation: Said petition be approved.

7. James Pody, Town of Geneva – filed a petition on the 10th day of December, 2002, to rezone from A-1 Prime Agricultural Land District to C-1 Lowland Resource Conservation District & C-4 Lowland Resource Conservation District (Shoreland).

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

The property is wetland and not farmland.

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 Zoning Agency for public hearing; and

WHEREAS, the Walworth County Zoning Agency 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. Dick Kraus, Jr., Town of Whitewater – to amend said zoning maps from A-4 Agricultural Related Manufacturing, Warehousing and Marketing District to B-4 Highway Business District on the following described lands:

Part of Tax Parcel #D W 1600002

Commencing at the Southwest corner of said Southeast ¼; thence North along the West line of the East ½ of said Section, 1969.99 feet to the place of beginning; thence continuing North along said West line, 429.59 feet; thence East perpendicular to said West line, 446.56 feet; thence South parallel to said West line, 429.59 feet; thence West perpendicular to said West line, 446.56 feet to the place of beginning, reserving the West 33 feet for public road purposes, containing 4.08 acres exclusive of right of way.

2. Gary and Gloria Stebnitz & Roger and Siri Voskuil, Town of Darien – to amend said zoning maps from A-1 Prime Agricultural Land District and M-3 Mineral Extraction District to C-2 Upland Resource Conservation District on the following described lands:

Part of Tax Parcel #'s BA159900001 and B D 100003C

A proposed rezone of a parcel of land located in the Northwest ¼ of the Southwest ¼ of Section 1, T2N, R15E, Walworth County, Wisconsin and being Lot 1 of Certified Survey Map No. 1599, part of Tax Parcel BD-1-3C and described as follows: Beginning at the West ¼ corner of said Section 1; thence N87°07'45" E along the North line of said Southwest ¼, 962.89 feet; thence S2°30'23" E 289.49 feet; thence S33°29'35" W 219.74 feet; thence S89°08'25" W 425.97 feet; thence S84°48'26" W 200.78 feet; thence S88°25'09" W 227.46 feet to the West line of said Southwest ¼; thence N 0°01'22" E along said West line, 455.08 feet to the West ¼ corner of said Section 1 and the Place of Beginning, containing 9.99 acres of land more or less including road right-of-way.

The property is a gravel pit and has been substantially disturbed and is not prime farmland.

3. Oakwood Cemetery Association, Town of Sharon – to amend said zoning maps from A-1 Prime Agricultural Land District to P-2 Institutional Park District on the following described lands:

Part of Tax Parcel #A S 2100007

A parcel of land located in the Southeast ¼ of the Southwest ¼ of Section 21, Town 1 North, Range 15 East, Town of Sharon, Walworth County, Wisconsin, more particularly described as follows: Commence at the Southeast Corner of said Southwest ¼; thence South 86°50'34" West, along the South line of said Southwest ¼ and the centerline of Cemetery Road, 612.27 feet to the Point of Beginning; thence continue South 86°50'34" West, along said South line and centerline, 166.48 feet; thence North 0°51'11" West 920.55 feet; thence North 86°23'41" East 166.48 feet; thence South 0°51'24" East 921.85 feet to the Point of Beginning.

Said parcel contains 3.517 acres (153,211 sq. ft.) of land, more or less.

DATCP does not oppose the expansion of cemeteries into agricultural land.

4. Highfield Glen Ltd., Inc./Terry Woods, Town of Linn – to amend said zoning maps from C-2 Upland Resource Conservation District to C-1 Lowland Resource Conservation District & C-4 Lowland Resource Conservation District (Shoreland) on the following described lands:

Tax Parcel #'s I L 3100007, I L 3100007A, and I L 3100007B
Parcel 1

Located in part of the Northwest ¼ of the Southwest ¼ of Section 31, Town 1 North, Range 17 East, Walworth County, Wisconsin, more particularly described as follows: Commencing at a concrete County monument found marking the West ¼ corner of said Section 31; thence S 83DEG 06MIN 53SEC E, 1085.86 feet to the Point of Beginning; thence N 89DEG 38MIN 43SEC E, 185.00 feet; thence S 00DEG 21MIN 17SEC E, 170.00 feet; thence S 89DEG 38MIN 43SEC W, 59.42 feet; thence N 60DEG 27MIN 44SEC W, 144.85 feet; thence N 00DEG 21MIN 17SEC W, 97.81 feet to the Point of Beginning. 0.62 acres.

Parcel 2

Located in part of the Northwest ¼ of the Southwest ¼ of Section 31, Town 1 North, Range 17 East, Walworth County, Wisconsin, more particularly described as follows: Commencing at a concrete County monument found marking the West ¼ corner of said Section 31; thence S 52DEG 09MIN 09SEC E, 1358.15 feet to the Point of Beginning; thence S 18DEG 44MIN 13SEC E, 422.93 feet; thence S 62DEG 01MIN 56SEC W, 133.23 feet; thence N 58DEG 38MIN 59SEC W, 213.23 feet; thence N 02DEG 30MIN 40SEC E, 295.69 feet; thence N 69DEG 25MIN 44SEC E, 161.24 feet to the Point of Beginning. 2.09 acres.

5. Bernard C. Rosauer Trust, Town of Bloomfield – to amend said zoning maps from C-1 Lowland Resource Conservation District & C-4 Lowland Resource Conservation District (Shoreland) to C-2 Upland Resource Conservation District on the following described lands:

Part of Tax Parcel #MB 2700008A

Rezone to C-2 all of that portion of Parcel 2 that is currently zoned C-1 and C-4 located in the SW1/4 of the SW1/4 of Section 27, T1N, R18E of the 4th Principal Meridian, Town of Bloomfield, Walworth County, Wisconsin.

6. Krueger Road Business Park, Town of Geneva – to amend said zoning maps from M-3 Mineral Extraction District & M-1 Industrial District to C-2 Upland Resource Conservation District & R-1 Single-Family Residence District (Unsewered) on the following described lands:

Part of Tax Parcel #J G 2400006

Land to be rezoned from M-3 to C-2:

A parcel of land located in the Northwest ¼ of Section 24, Town 2 North, Range 17 East, Walworth County, Wisconsin, being more completely described as follows:

Commencing at the Northwest corner of the Northwest ¼ of Section 24, thence S1°55'28"E, a distance of 711.08' along the West line of the Northwest ¼ to a point; thence N88°48'53"E, a distance of 2.94' to the Point of Beginning; thence continuing N88°48'53"E, a distance of 652.58' to a point; thence S0°53'44"E, a distance of 596.93' to a point; thence S88°52'03"W, a distance of 100.00' to a point; thence S21°52'23"E, a distance of 530.11' to a point; thence S60°14'08"W, a distance of 849.14' to a point; thence N0°45'21"W, a distance of 915.79' to a point, thence N1°04'56"W, a distance of 252.88' to a point; thence N0°55'17"W, a distance of 330.32' to the Point of Beginning. Said parcel contains 19.77 acres more or less.

Land to be rezoned from M-1 to R-1:

A parcel of land located in the Northwest ¼ of Section 24, Town 2 North, Range 17 East, Walworth County, Wisconsin, being more completely described as follows:

Commencing at the Southwest corner of the Northwest ¼ of Section 24; thence N89°16'32"E, a distance of 355.68' along the South line of the Northwest ¼ to a point, thence N26°27'12"W, a distance of 499.35' to the Point of Beginning; thence continuing N26°27'12"W, a distance of 75.00 to a point; thence N60°14'08"E, a distance of 43.00' to a point; thence S3°32'04"W, a distance of 88.58' to the Point of Beginning. Said parcel contains 0.04 acres more or less.

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

Part of Tax Parcel #J G 100006

A proposed rezone located in the Southwest ¼ of Section 1, Town 2 North, Range 17 East, Town of Geneva, Walworth County, Wisconsin, described as follows:

Commencing at the South ¼ Corner of said Section 1; thence South 89°57'10" West, along the South line of said Southwest ¼ of said Section 1 and the centerline of Hospital Road, 380.00 feet; thence North 57°05'40" West 57.29 feet to the Point of Beginning; thence North 86°55'47" West 39.43 feet; thence South 81°38'57" West 23.09 feet; thence South 84°52'28" West 29.70 feet; thence North 77°29'00" West 15.74 feet; thence North 71°12'40" West 18.08 feet; thence North 47°06'10" West 10.83 feet; thence North 0°50'45" West 59.79 feet; thence North 6°03'22" West 38.76 feet; thence North 1°00'16" West 44.87 feet; thence South 89°36'53" East 71.07 feet; thence South 18°20'31" East 20.97 feet; thence North 84°54'07" East 37.27 feet; thence South 41°57'55" East 74.07 feet; thence South 42°16'06" East 29.33 feet; thence South 18°37'42" East 15.80 feet; thence North 50°14'17" East 23.76 feet; thence North 18°44'37" West 15.10 feet; thence North 66°37'08" East 24.17 feet; thence South 67°17'05" East 8.19 feet; thence South 50°14'17" West 32.39 feet; thence South 50°14'17" West 23.76 feet; thence South 50°14'17" West 70.48 feet; thence South 57°05'40" East 3.61 feet to the Point of Beginning.

Intending to rezone approximately 0.52 acre of land, more or less.

ATTEST this 15th day of April, 2003.

William M. Norem
County Board Chairman

ATTEST this 15th day of April, 2003.

Jean A. Eddy
Deputy County Clerk

Executive Committee:

Motion by Supervisor Grant, seconded by Supervisor Gigante, to approve both items:

Item 1. Approval of County Board Meeting Schedule

Item 2. Ordinance No. 238-04/03 – Ordinance Amending Chapter 2 of the Walworth County Code of Ordinances

Supervisor Guido offered a motion to consider separately the two items under Ordinance No. 238 – 04/03 (Line 10 (b) Membership and Page 2, Line 28 (5) Assignments). This was seconded by Supervisor Morrison.

Chairman Norem called for consideration of Item 1 – Approval of County Board Meeting Schedule. The schedule was approved by unanimous voice vote on motion by Supervisor Gigante, seconded by Supervisor Russell.

After discussion regarding Supervisor Guido's motion to consider the two proposed changes to Ordinance 238 separately, Supervisor Guido withdrew this motion. Supervisor Felten expressed her concern at once again changing Title 2, citing the January 14, 2003 County Board Meeting minutes where membership was changed at that time. Supervisor Felten stated it looks bad and is confusing when the rules keep changing. Supervisor Kuhnke related that the change in the committee make-up may make it easier to have a quorum at these meetings.

Chairman Norem spoke and explained that, in his past experience while serving on the Board of Adjustment, having a larger percentage of citizen members on this committee proved to work very effectively. He also stated that government is changing and he has been assisting Administrator Bretl to a greater extent lately. Freeing him up from being on these committees by changing Title 2 will allow him more time to work on County business with Mr. Bretl. Supervisor Guido expressed his concern at changing Title 2 at "half-time". He would agree with changing it effective for the 2004 term, but not half-way through the present term. Supervisor Felten stated she felt it was important for the Chairman to be present at these meetings. Supervisor Morrison said he feels it is a mistake to have citizen-control of the committee; the majority should be County Board members during the zoning hearings. Supervisor Arnold stated that citizens are not accountable to anyone, whereas County Board members are accountable to their constituents. Michael Cotter, Assistant Corporation Counsel and Interim Director of the Land Use and Resource Management Dept., stated that he has represented the county at some of these hearings for numerous legal issues and only one case, over that time, has been lost (probably about 15 lawsuits in that period of time). His biggest concern is quorum issues; if there is the lack of a quorum, this can forestall the zoning process for people for too long a period of time, where mortgage deals, banks, business deals, etc. would be adversely affected, especially since the normal process usually takes at least three months.

Motion by Supervisor Burwell, seconded by Supervisor Arnold to split the two Title 2 issues for consideration. The question was called, and a roll call vote was conducted. Total Vote: 23; Ayes: 12 – Arnold, Burwell, Grant, Ketchpaw, Kuhnke, Lightfield, Lohrmann, Peterson, Polyock, Russell, Shepstone, Norem; Noes: 11 – Felten, Gigante, Guido, Miles, Morrison, Palzkill, Parker, Schaefer, Scharine, Shroble, Wenglowisky; Absent: 2 – Hilbelink, Lothian. Motion to split the issues for consideration carried.

Motion by Supervisor Gigante, seconded by Supervisor Kuhnke, to adopt the Title 2 "Sec. 2-139 (b) Membership" change. Questions were raised regarding the ability and process of filling open positions on the County Zoning Agency committee. Discussion followed. The question was called by Supervisor Gigante, seconded by Supervisor Scharine, and a roll vote was conducted. Total Vote: 23; Ayes: 14 – Burwell, Gigante, Grant, Ketchpaw, Kuhnke, Lightfield, Lohrmann, Miles, Peterson, Russell, Shepstone, Shroble, Wenglowisky, Norem; Noes: 9 – Arnold, Felten, Guido, Morrison, Palzkill, Parker, Polyock, Schaefer, Scharine; Absent: 2 – Hilbelink, Lothian. The motion failed, as a 2/3's vote is required.

Motion by Supervisor Gigante, seconded by Supervisor Wenglowky, to approve the second part of the proposed change to Title 2 "Sec. 2-41 (5) Assignments". This would reduce by two the number of committees on which the chairperson serves. Discussion followed. A roll call vote was conducted. Total Vote: 23; Ayes: 16 – Arnold, Gigante, Grant, Ketchpaw, Kuhnke, Lightfield, Miles, Peterson, Polyock, Russell, Schaefer, Scharine, Shepstone, Shroble, Wenglowky, Norem; Noes: 7 – Burwell, Felten, Guido, Lohrmann, Morrison, Palzkill, Parker; Absent: 2 – Hilbelink, Lothian. AT THIS POINT IN TIME, IT WAS STATED THAT THE MOTION PASSED; HOWEVER, THE NEXT DAY IT WAS POINTED OUT THAT A 2/3'S VOTE IS 17, NOT 16, SO THIS MOTION DID, IN FACT, FAIL.

Finance Committee:

A motion was offered by Supervisor Lohrmann, seconded by Supervisor Arnold, to approve the following three resolutions and one ordinance (items 1,2,4 & 6) with a single vote. All were adopted by voice vote.

Item 1. Resolution No. 02-04/03 – Resolution Requesting a Waiver From Certain Statutes Requiring Publication in a Newspaper of Certain Notices

Resolution No. 02-04/03
Resolution Requesting a Waiver From Certain Statutes
Requiring Publication in a Newspaper of Certain Notices.

Moved/Sponsored by: Finance Committee

WHEREAS, section 66.0143 of the Wisconsin Statutes permits local government to request a waiver from a State mandate not related to health or safety; and,

WHEREAS, Walworth County spent \$48,175 in 2002 to comply with various publication requirements noted above; and,

WHEREAS, Walworth County should have flexibility in publishing required notices including the use of the internet so as many more citizens will have access to the information at much lower cost to the County's taxpayers.

NOW, THEREFORE, BE IT RESOLVED that the Walworth County Board of Supervisors requests a waiver, pursuant to Sec. 66.0143, Wisconsin Statutes, from the requirement to publish certain notices in a newspaper in order to permit the County to have additional options of disseminating notices, including publishing the information online, such requirements appearing in the following statutes:

8.50(1)(b) and (d)	59.65.
8.55(1) and (2)	59.66(1)(c) and (2)(a)1.
10.01(1)	59.69(5)(a) and (14)

10.04(1) and (2)(a)	59.694(6)
10.06(2)(a), (d),(f),(g),(j), (l), (m) and (n)	9.605(3)(a)2.
10.82(2)(f)	59.70(12)(b)3. and (c)2.
27.065(6)(d), (f) and (j)	66.1003 (referenced in 236.445)
33.62(2)	75.521(6)
43.18(3)	75.69(1)
46.23(3)2.	92.11(3)
59.08(6)	171.05
59.14(2)	171.06
59.60(1), (7) and (9)	198.06(1)
	198.22(3)

BE IT FURTHER RESOLVED that the County Clerk forward copies of this resolution to the Department of Revenue, Governor James Doyle, Walworth County's state legislators, and the Wisconsin Counties Association.

William M. Norem	4/30/03	Kimberly S. Bushey	
County Board Chair	Date	County Clerk	Date

Policy and Fiscal Note is attached.

Approved as to Form:	David A. Bretl	3/31/03
	County Administrator/ Corporation Counsel	Date
	N. Andersen	4/1/03
	Finance Director	Date

Action Required: Majority Vote Two-thirds Vote Other _____

County Board Meeting Date: April 15, 2003

Policy and Fiscal Note
Resolution No. 02-04/03

- I. Title: Resolution Requesting a Waiver From Certain Statutes Requiring Publication in a Newspaper of Certain Notices.
- II. Purpose and Policy Impact Statement: The purpose of this resolution is to request a waiver from the requirement to publish certain county board notices in the newspaper. Said waiver may reduce the costs associated with publishing, and notices published online will be more readily available to interested parties, thus reducing the need for newspaper publication.

III. Is this a budgeted item and what is its fiscal impact: The fiscal impact would potentially be a reduction in costs of up to \$48,000 per year based on 2002 usage.

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

Committee: Finance

Meeting Date: March 27, 2003

Vote: 6 - 0

V. Approved as to form:

David A. Bretl 3/31/03
County Administrator/ Date
Corporation Counsel

N. Andersen 4/1/03
Finance Director Date

County Board Meeting Date: April 15, 2003

Item 2. Resolution No. 03-04/03 – Resolution to Name Official County Newspaper 2003-2005

Resolution No. 03-04/03
Resolution to Name Official County Newspaper 2003-2005

Moved/Sponsored by: Finance Committee

WHEREAS, bids were solicited and received for publication of legal notices; and,

WHEREAS, the Elkhorn Independent submitted a 2003-2005 bid of \$4.00 per advertising unit for inclusion in the Elkhorn Independent and also provides the option of broader circulation at a rate of \$4.33 per advertising unit for inclusion in the Elkhorn Independent Plus; and,

WHEREAS, the Elkhorn Independent Plus of the Elkhorn Independent is distributed and will be included in the following newspapers: Elkhorn Independent, East Troy News, The Times (which includes Bay Times, Walworth Times and Fontana Times), Whitewater Register, Lake Geneva Regional News; and,

WHEREAS, the combined circulation of the Elkhorn Independent Plus is 12,115, and the circulation of the Elkhorn Independent alone is 2138; and,

WHEREAS, the Walworth County Board of Supervisors wishes to have legal notices available to the largest segment of the county population whenever advisable; and,

WHEREAS, in the year 2000 Corporation Counsel determined that the use of a more broadly circulated section of the official newspaper may be used for the publication of legal notices, as long as it remains as part of the official county newspaper itself; and,

WHEREAS, the Finance Committee of the Walworth County Board of Supervisors at their March 27, 2003 meeting, recommended that the Elkhorn Independent be designated the official county newspaper for a two year period with additional direction that, whenever necessary, the Elkhorn Independent Plus section of the Elkhorn Independent may be utilized for publishing legal notices because of its broad circulation; and,

NOW, THEREFORE, BE IT RESOLVED by the Walworth County Board of Supervisors that pursuant to Section 985.05, Wisconsin Statutes, the Elkhorn Independent, be and is hereby designated the Official Newspaper for Walworth County for the period beginning May 1, 2003 and ending March 31, 2005 or when a successor newspaper is designated or named.

William M. Norem	4/30/03	Kimberly S. Bushey	
County Board Chairman	Date	County Clerk	Date

Policy and Fiscal Note is attached.

Approved as to Form:	David A. Bretl	4/6/03
	County Administrator/ Corporation Counsel	Date

N. Andersen	4/7/03
Finance Director	Date

Action Required: Majority Vote Two-thirds Vote Other _____

County Board Meeting Date: April 15, 2003

Resolution No. 03-04/03
Policy and Fiscal Note

- I. Title: Resolution to Name Official County Newspaper 2003-2005
- II. Purpose and Policy Impact Statement: To designate an official Walworth County newspaper as outlined by Wisconsin Statute 985.05.
- III. Is this a budgeted item and what is its fiscal impact: Individual departments requiring legal notices budget for these costs independently.

WHEREAS, internal service funds are used when a fund provides services to other funds or departments within the governmental unit and charges those funds for their services; and

WHEREAS, the Governmental Accounting Standards Board's discourages the use of internal service funds in their new reporting format; and

WHEREAS, the consolidation of the Facilities Management department & the Highway department resulted in the reduction of office staff; and

WHEREAS, eliminating the monthly charges between departments will reduce the time necessary to maintain the county's financial records; and

WHEREAS, the change in reporting will have no material effect on the financial status of the County;

NOW, THEREFORE, BE IT RESOLVED by the Walworth County Board of Supervisors that the County eliminate the use of internal service funds to finance the services of Facilities Management and Information Systems effective December 31, 2003; and

BE IT FURTHER RESOLVED that Facilities Management and Information Systems develop their 2004 budgets as part of the county's general fund, thereby requiring a direct tax subsidy versus an indirect subsidy, and

BE IT FURTHER RESOLVED that the Finance Department is directed to work with Facilities Management and Information Systems to implement the intent of this resolution.

William M. Norem
County Board Chair

Kimberly S. Bushey
Attest: County Clerk Date

Policy and Fiscal Note is attached.

Approved as to Form:

David A. Bretl 4/1/03
County Administrator/ Date
Corporation Counsel

N. Andersen 4/1/03
Finance Director Date

Action Required: Majority Vote Two-thirds Vote Other _____

County Board Meeting Date: April 15, 2003

THE WALWORTH COUNTY BOARD OF SUPERVISORS DOES ORDAIN AS FOLLOWS:

That Article VI, Section 30-262(e) of the Walworth County Code of Ordinances is hereby amended to read as follows:

SECTION 30-262. SURPLUS PROPERTY

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

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

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

PASSED and ADOPTED by the Walworth County Board of Supervisors this 15th day of April, 2003.

William M. Norem
County Board Chairman

Kimberly S. Bushey
Attest: County Clerk

Policy and Fiscal Note is Attached.

Approved as to form:	David A. Bretl County Administrator / Corporation Counsel	4/2/03 Date
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N. Andersen Finance Director	4/3/03 Date
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Action Required: Majority Two-Thirds Other

County Board Meeting Date: April 15, 2003

Ordinance No. 239 – 04/03

Fiscal Note and Policy Impact Statement

- I. Title Ordinance No. 239 – 04/03 Amending Section 30-262 of the Walworth County Code of Ordinances so as to Allow Surplus Property to be Sold at Public Sale
- II. Purpose and Policy Impact Statement: The purpose of this ordinance is to amend Section 30-262(e) of the Walworth County Code of Ordinances to allow surplus property to be disposed of at a public sale. Currently, property may be disposed of by competitive bid, public auction, trade-in or as refuse. This amendment would provide an additional option for the disposal of surplus property. In certain circumstances, a public sale would be more cost beneficial than the existing options.

Paragraph (j), as referenced in the ordinance, authorizes the county administrator to develop procedures to carry out the intent of this section.

- III. Is this a budgeted item and what is its fiscal impact: Passage of this ordinance will not require any additional funding to administer in the 2003 budget.
- IV. Referred to the following standing committees for consideration and date of referral:

Committee: Finance	Date: March 27, 2003
Vote: 6-0	

- V. Approved as to form:

David A. Bretl	4/2/03
County Administrator /	Date
Corporation Counsel	
N. Andersen	4/3/03
Finance Director	Date

County Board Meeting Date: April 15, 2003

Supervisor Lohrmann offered a motion, seconded by Supervisor Grant, to approve items 3 and 5 with a single vote because these resolutions require a 2/3's vote. Items 3 and 5 are the following resolutions:

Item 3. Resolution No. 04-04/03 – Transferring the Sum of \$15,000 from 2003 Contingency Fund for the Purpose of Paying Costs Associated with Lakeland Animal Welfare Shelter Services

Item 5. Resolution No. 06-04/03 – Resolution to Change the Funding Source for Phase Five of the Land Information Mapping Project from Bond Funds to the Use of General Funds

Discussion followed regarding Resolution No. 04-04/03. The question was called by Supervisor Gigante, seconded by Supervisor Lohrmann. The two resolutions were adopted by unanimous voice vote.

Resolution No. 04-04/03
Transferring the Sum of \$15,000 from 2003 Contingency Fund
for the Purpose of Paying Costs Associated with
Lakeland Animal Welfare Shelter Services.

Resolution Sponsored by: Walworth County Finance Committee

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

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

WHEREAS, pursuant to an agreement signed between Walworth County and LAWS, said LAWS will care for animals held in such actions, however, the County has certain financial responsibility for the cost of the care; and

WHEREAS, the cost of care and boarding the animals is estimated to be \$15,000 for expenses incurred in January 2003; and

WHEREAS, it is required that the sum of \$15,000 be transferred from the contingency fund to pay for the cost of care.

NOW, THEREFORE, BE IT RESOLVED by the Walworth County Board of Supervisors that the sum of \$15,000 be and the same is hereby transferred from the 2003 contingency fund to the appropriate operating budget account for the purpose of paying costs associated with animals held by LAWS, and that the Finance Director be authorized to make payment to the terms of that agreement.

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 4/2/03
County Administrator/ Date
Corporation Counsel

N. Andersen 4/3/03
Finance Director Date

Action Required: Majority Vote Two-thirds Vote Other _____

County Board Meeting Date: April 15, 2003

Policy and Fiscal Note
Resolution No. 04-04/03

- I. Title: Transferring the Sum of \$15,000 from 2003 Contingency Fund for the Purpose of Paying Costs Associated with Lakeland Animal Welfare Shelter Services.
- II. Purpose and Policy Impact Statement: The purpose of this request is to provide funds in the amount of \$15,000 to Lakeland Animal Welfare Shelter Services to pay costs incurred in providing shelter for animals seized pursuant to warrant by the Walworth County Sheriff's Office.
- III. Is this a budgeted item and what is its fiscal impact: This request is not a budgeted item and \$15,000 would need to be transferred from the contingency fund to cover the costs incurred by Lakeland Animal Welfare Shelter.
- IV. Referred to the following standing committees for consideration and date of referral:

Finance Committee: Date: March 27, 2003

Vote: 6-0

- V. Approved as to form:

David A. Bretl	4/2/03
County Administrator/ Corporation Counsel	Date
N. Andersen	4/3/03
Finance Director	Date

County Board Meeting Date: April 15, 2003

Resolution No. 06 - 04/03
Resolution to Change the Funding Source for Phase Five of the Land Information Mapping Project from Bond Funds to the Use of General Funds

Resolution Sponsored by: Walworth County Finance Committee

WHEREAS, the county previously authorized the modernization of the county's land records through the implementation of a geographical information system; and

WHEREAS, the total cost of the project was estimated to be \$5,052,920 and the project was to be funded in five phases over a period of five years.

WHEREAS, four of the five phases have previously been funded and substantial progress has been made on the project; and

WHEREAS, the implementation of phase five was included in the budget for fiscal year 2003 at a cost of \$1,010,584; and

WHEREAS, funding for the project consisted of \$500,000 in bond proceeds, a \$200,000 transfer from the general fund and the use of \$310,584 from land information fees; and

WHEREAS, bond regulations require the spend down of bond proceeds within a two-year time frame to avoid the calculation of arbitrage; and

WHEREAS, the scope of phase five is anticipated to take three years to complete; and

WHEREAS, the county has sufficient general fund balance to finance the amount previously anticipated to be funded with bond proceeds; and

WHEREAS, the transfer \$500,000 from the general fund to the land information fund is in accord with Section 30-157 of the Walworth County Code of Ordinances related to the use of undesignated general fund balance; and

WHEREAS, the use of general fund dollars will eliminate the tax levy impact in future years that would result from the borrowing; and

NOW, THEREFORE, BE IT RESOLVED by the Walworth County Board of Supervisors that \$500,000 be transferred from the undesignated general fund balance to the land information fund for the purpose of completing phase five of the geographical information mapping system; and

BE IT FURTHER RESOLVED that funding for the geographical information mapping system be eliminated from the proposed 2003 long term borrowing.

William M. Norem
County Board Chair

Kimberly S. Bushey
Attest: County Clerk

Date

Policy and Fiscal Note is attached.

Approved as to Form:

David A. Bretl
County Administrator/
Corporation Counsel

4/3/03
Date

N. Andersen
Finance Director

4/3/03
Date

Action Required: Majority Vote Two-thirds Vote Other _____

County Board Meeting Date: April 15, 2003

Policy and Fiscal Note
Resolution No. 06 – 04/03

- I. Title: Resolution to Change the Funding Source for Phase Five of the Land Information Mapping Project from Bond Funds to the Use of Undesignated General Funds
- II. Purpose and Policy Impact Statement: The transfer of undesignated General funds for the purpose of funding a portion of phase five of the geographical information mapping system is compatible with the guidelines established in Section 30-157(c) of the Walworth County Code of Ordinances related to the use of undesignated general fund balance.
- III. Is this a budgeted item and what is its fiscal impact: Phase five of the geographical information mapping project was approved as part of the 2003 budget. Due to the availability of excess general funds, the recommendation is to transfer \$500,000 from the general fund and eliminate the proposed 2003 borrowing related to this project.

As of February 28, 2003, the Local Government Investment Pool was paying 1.31 percent on the county's investments. The county's financial advisor recently estimated cost of long-term borrowing at 4.75 percent.

Passage of this resolution will not increase spending beyond what was already budgeted for the project. Passage will simply mean that instead of borrowing \$500,000 for the project, we will use "cash on hand" in terms of our undesignated reserves to pay for the project.

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

Committee: Finance Committee

Date: March 27, 2003

Vote: 6 - 0

V. Approved as to form: David A. Bretl 4/3/03
County Administrator/ Date
Corporation Counsel

N. Andersen 4/3/03
Finance Director Date

County Board Meeting Date: April 15, 2003

Health & Human Services Committee:

Item 1. Resolution No. 01-04/03 – Resolution Calling on the State of Wisconsin to Access Available Federal CIP Medicaid Waiver Funds and Ensure a High Quality and Stable Workforce to Care for People with Developmental Disabilities in the Community was adopted by voice vote on motion by Supervisor Shepstone, seconded by Supervisor Miles.

Resolution No. 01 – 04/03

Resolution Calling on the State of Wisconsin to Access Available Federal CIP Medicaid Waiver Funds and Ensure a High Quality and Stable Workforce to Care for People with Developmental Disabilities in the Community.

Moved/Sponsored by: Health and Human Services Committee

WHEREAS, counties play a unique role in administering state programs for people with developmental disabilities. In addition to being responsible for the safety and care of people with developmental disabilities receiving services through Chapter 51 and 55, they are responsible for delivering directly, or through contract, residential, vocational and other support services; and

WHEREAS, the largest funding source for the delivery of those services comes from the Community Integration Program Medicaid Waiver, CIP 1B. The number of people served by CIP waivers tripled between 1994 and 2001. In contrast, the daily rates provided to counties to support people in the community, adjusted for inflation, have actually declined; and

WHEREAS, of the approximately 40,000 Wisconsin citizens with developmental disabilities currently receiving county-administered community services, 500 live in Walworth County. Statewide in 2001, counties contributed more than \$16.5 million in county tax levy and Community Aids to supplement the CIP 1B Medicaid waiver rate for state-funded waiver placements. This amount of overmatch was required in order to make up the difference between the rate for state-funded CIP 1B placements and the actual cost of state-funded CIP 1B placements. If the trend of increasing county match in state-funded CIP 1B placements does not change, this cost to counties will double by the end of the 2004-2005 biennium. Walworth County contributed \$971,000 in 2002; and

WHEREAS, CIP Medicaid Waiver rates have been frozen since 1994. For example, CIP 1B rates remain under \$50/day while the actual average cost of county-funded and state-funded CIP 1B slots is \$83/day. The wages of direct care workers have increased minimally. Statewide, some direct care workers make as little as \$5.15 an hour, among the lowest paid workers in the state; and,

WHEREAS, low wages directly contribute to the difficulty that direct care agencies have in recruiting and retaining workers. Statewide, 67% of agencies say that low pay and benefits are one of the top three reasons direct service workers cite as driving them from the field. Half of employers say the county budget is the single most important criteria they use in making salary decisions while almost 90% say they would prefer to use performance. Employers report more vacant positions now than at this time last year. Vacancies, losing employees because of low pay and being unable to reward good performance are all factors that can put the safety of consumers with developmental disabilities at risk; and consumer safety is the direct responsibility of counties; and,

WHEREAS, counties and their contract provider agencies face escalating health insurance costs. An increasing number of direct care workers do not have access to health insurance and those that do must share the cost of premiums that are as high as \$1900 a month, making the basic need for health insurance unaffordable to direct care workers, their employers, and to the counties that administer and fund community services; and

WHEREAS, Walworth County spent 2/3 of the Long-Term Support budget on individuals with developmental disabilities in 2002. To meet the needs of these individuals Walworth County must contribute community aids money significantly above the daily CIP rate. The number of individuals requesting services through the CIP 1 program increases every year. The population requesting these services is becoming more complex medically and behaviorally. The cost of services to meet the more complex needs is increasingly annually. Services to meet these complex needs are not always available within Walworth, requiring residential placement outside of Walworth County. Case managers are required to travel out of county to see their clients and monitor their services. There are individuals in the community with complex medical, developmental, and behavior needs who are waiting to be served with CIP funding. The county provides these individuals with some services using community aids and local tax dollars. More families expect the county to assume the full responsibility of caring for their family member with developmental disabilities including residential services if it is requested. Residential services are more costly than locating services to go into the home. It is often difficult to find care providers to go into the home due to low pay and lack of benefits for these positions. There is a high turn over rate for in-home providers for the same reason.

NOW, THEREFORE, BE IT RESOLVED that the Walworth County Board of Supervisors goes on record in support of an increase in state funding so that the state-

funded CIP 1B rate for existing and new placements is equal to the actual average cost of county-funded and state-funded placements.

BE IT FURTHER RESOLVED that the state funds needed to adequately fund current CIP 1B placements not come from a state income tax increase but be gained by capturing additional federal Medicaid funds, for example, from anticipated intergovernmental transfer funds (IGT) that the state is able to earn as a result of the counties' investment of local dollars to supplement the state's funding of the CIP Medicaid waiver programs (these funds will leverage additional millions in new federal funding to help pay for the cost of the waiver rate increases).

BE IT FURTHER RESOLVED that the Walworth County Board of Supervisors goes on record in support of the recommendations herein, and

BE IT FINALLY RESOLVED that copies of this resolution be sent to the Governor, the leadership of both houses of the Legislature, legislators representing Walworth County, and the Wisconsin Counties Association.

William M. Norem
County Board Chair

Kimberly S. Bushey
Attest: County Clerk Date

Policy and Fiscal Note is attached.

Approved as to Form:

David A. Bretl 3/25/03
County Administrator/ Date
Corporation Counsel

N. Andersen 3/27/03
Finance Director Date

Action Required: Majority

County Board Meeting Date: April 15, 2003

Policy and Fiscal Note
Resolution No. 01-04/03

- I. Title: Resolution Calling on the State of Wisconsin to Access Available Federal CIP Medicaid Waiver Funds and Ensure a High Quality and Stable Workforce to Care for People with Developmental Disabilities in the Community.
- II. Purpose and Policy Impact Statement: This is an advisory resolution requesting action by the Governor, State of Wisconsin legislators and the Wisconsin Counties Association.

III. Is this a budgeted item and what is its fiscal impact: Passage of this resolution will not impact the Walworth County adopted budget. Increased funding in this program could however have the potential of reducing county allocation to this program.

IV. Referred to the following standing committee(s) for consideration and date of referral:

Committee: Health and Human Services Date: March 18, 2003

Vote: 9 – 0

V. Approved as to form:	David A. Bretl County Administrator/ Corporation Counsel	3/25/03 Date
	N. Andersen Finance Director	3/27/03 Date

County Board Meeting Date: April 15, 2003

Highway Committee:

Item 1. Ordinance No. 241-04/03 – Prohibiting Parking on County Highway “A” Right-of-Way was adopted by voice vote on motion by Supervisor Gigante, seconded by Supervisor Polyock.

Ordinance No. 241 - 04/03

Prohibiting Parking on County Highway “A” Right-of-way

Moved/Sponsored by: Walworth County Highway Department

The County Board of Supervisors of the County of Walworth, State of Wisconsin, Does Ordain as follows:

WHEREAS, vehicles have been parking on right-of-way on County Highway “A”; and

WHEREAS, the vehicles have caused vision obstruction and have increased the risk of accidents.

WHEREAS, Highway Department staff recommendation is to restrict parking along County Trunk Highway “A” on both sides from the intersection with County Trunk “ES” and to extend to the west for 1100 feet.

NOW, THEREFORE BE IT ORDAINED, that vehicle parking on County highway "A" on both sides from the intersection of County Trunk "ES" and extend to the west for 1,100 feet is prohibited, except in emergencies; and

BE IT FURTHER ORDAINED, that a forfeiture of \$100 plus costs and assessments be imposed for each violation of this ordinance; and

BE IT FURTHER ORDAINED, that this ordinance may be enforced by the Walworth County Sheriff or the Highway Commissioner; and

BE IT FURTHER ORDAINED, by the COUNTY BOARD OF SUPERVISORS of the County of Walworth, that this ordinance will take effect on the date of publication.

PASSED and ADOPTED by the Board of Supervisors of Walworth County, Wisconsin this 15th day of April, 2003.

Policy and Fiscal Note is attached.

William M. Norem
County Board Chairman

Kimberly S. Bushey
Attest: County Clerk

Approved as to form:

David A. Bretl
County Administrator/
Corporation Counsel
4/7/03
Date

N. Andersen
Finance Director
4/8/03
Date

Action Required: Majority Vote Two-thirds Vote Other _____

County Board Meeting Date: April 15, 2003

Policy and Fiscal Note
Ordinance No. 241 – 04/03

- I. Title: Ordinance Prohibiting Parking on County Highway "A" Right of way
- II. Purpose and Policy Impact Statement:

The Town of Sugar Creek has requested the County post no parking along County Trunk "A" from County Trunk Highway "ES" for 1100 feet west of the intersection of County Trunk Highway "ES" due to parking concerns in and around the Silver Lake Inn (formerly the Colonial Inn) on north side of County Trunk Highway A, between County Trunk Highway ES and H. When the business changed from the Colonial Inn to the Silver Lake Inn the Town of Sugar Creek required a parking lot be built to

accommodate patrons without parking along County Trunk "A". The required parking lot has been installed and therefore, parking along the highway is no longer necessary. The implementation of the no parking restriction will provide for safer traffic operations in the area, both on the highway and exiting onto the highway from the Silver Lake Inn or abutting residential properties.

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

Signing for this installation will be approximately \$750.00 and is included in the operating budget for the Highway Division of Public Works under general sign installation.

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

Highway Committee: Date: January 21, 2003

Vote: 5-0

V. Approved as to form: David A. Bretl 4/7/03
County Administrator/ Date
Corporation Counsel

N. Andersen 4/8/03
Finance Director Date

County Board Meeting Date: April 15, 2003

Human Resources Committee:

On motion by Supervisor Morrison, seconded by Supervisor Felten, and by voice vote, the following ordinance and resolutions were approved with a single vote:

Item 1. Resolution No. 07-04/03 – Reauthorization of Self-Insurance for Worker's Compensation

Resolution No. 07-04/03
Reauthorization of Self-Insurance for Worker's Compensation

Moved/Sponsored by: Human Resources Committee

WHEREAS, Walworth County is a qualified political subdivision of the State of Wisconsin; and,

WHEREAS, the Wisconsin Worker's Compensation Act ("Act") provides that employers covered by the Act either insure their liability with worker's compensation insurance carriers authorized to do business in Wisconsin, or to be exempted (self-insured) from insuring liabilities with a carrier and thereby assuming the responsibility for its own worker's compensation risk and payment; and,

WHEREAS, the State and its political subdivisions may self-insure worker's compensation without a special order from the Department of Workforce Development (Department) if they agree to report faithfully all compensible injuries and agree to comply with the Act and rules of the Department; and,

WHEREAS, the Human Resources Committee at its February 19, 2003, meeting approved the continuation of the self-insured worker's compensation program, in compliance with Wisconsin Administrative Code DWD 80.60(3).

NOW, THEREFORE, BE IT RESOLVED that the Walworth County Board of Supervisors does ordain as follows:

- (1) To provide for the continuation of a self-insured worker's compensation program that is currently in effect.
- (2) To authorize the County Clerk to forward certified copies of this resolution to the Worker's Compensation Division, Wisconsin Department of Workforce Development.

William M. Norem 4/15/03
County Board Chairman Date

Michele A. Kilpin 4/15/03
Deputy County Clerk Date

Policy and Fiscal Note is attached.

Approved as to Form:

David A. Bretl 4/6/03
County Administrator/
Corporation Counsel Date

N. Andersen 4/7/03
Finance Director Date

Action Required: Majority Vote Two-thirds Vote Other _____

County Board Meeting Date: April 15, 2003

Policy and Fiscal Note
Resolution No. 07-04/03

I. Title: Reauthorization of Self-Insurance for Worker's Compensation

II. Purpose and Policy Impact Statement: Every three years each self-insure political subdivision must provide the Department of Workforce Development with a resolution, passed by the governing body, that states its intent and agreement to self-insure. Walworth County first elected to self-insure worker's compensation pursuant to resolution number 113 adopted in November 1981.

III. Is this a budgeted item and what is its fiscal impact: Passage of this resolution has no fiscal impact.

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

Committee: Human Resources Meeting Date: January 22, 2003

Vote: 7 – 0 to recommend

V. Approved as to form:	David A. Bretl County Administrator/ Corporation Counsel	4/6/03 Date
	N. Andersen Finance Director	4/7/03 Date

County Board Meeting Date: April 15, 2003

Item 2. Resolution No. 08-04/03 – Implementation of HIPAA Security and Privacy Regulations and Designation of Health Care Components of Walworth County

Resolution No. 08-04/03
Implementation of HIPAA Security and Privacy Regulations and
Designation of Health Care Components of Walworth County

Moved/Sponsored by: Human Resources Committee

WHEREAS, Walworth County must comply with federal regulations on standards for privacy of individually identifiable health information under the Health Insurance Portability and Accountability Act ("HIPAA"); and,

WHEREAS, Walworth County is a covered entity as: (1) a plan sponsor of health plans, and (2) a health care provider who transmits any health information in electronic form in connection with a transaction covered by HIPAA regulations; and,

WHEREAS, Walworth County as a hybrid entity is required to designate the components that are part of one or more health care components of the covered entity.

NOW, THEREFORE, BE IT RESOLVED by the Walworth County Board of Supervisors that Walworth County as a hybrid entity designates the following health care components:

- (1) Health and Human Services Department, as a health care provider;
- (2) Lakeland Health Care Center, as a health care provider; and
- (3) Human Resources Department, as the plan administrator for employee health plans sponsored by Walworth County.

BE IT FURTHER RESOLVED that the department head for each health care component shall appoint a privacy officer and may designate additional privacy contact persons as necessary to carry-out HIPAA privacy requirements.

BE IT FURTHER RESOLVED that the County Administrator is authorized to promulgate administrative procedures necessary to meet compliance with HIPAA regulations.

William M. Norem		Kimberly S. Bushey	
County Board Chairman	Date	County Clerk	Date

Policy and Fiscal Note is attached.

Approved as to Form:	David A. Bretl	4/6/03
	County Administrator/ Corporation Counsel	Date

N. Andersen	4/7/03
Finance Director	Date

Action Required: Majority Vote Two-thirds Vote Other _____

County Board Meeting Date: April 15, 2003

Policy and Fiscal Note
Resolution No. 08-04/03

I. Title: Implementation of HIPAA Security and Privacy Regulations and Designation of Health Care Components of Walworth County.

II. Purpose and Policy Impact Statement: The Health Insurance Portability and Accountability Act of 1996 ("HIPAA") is an unfunded government mandate that impacts a health plan, health care provider, health care clearinghouse, or business associate. The law was designed to reform health care and recognize increased use and reliance on electronic technology. The law regulates the rights of individuals to enroll in health

plans, to move from one health plan to another health plan, and to have all individual health information protected in terms of use and disclosure of protected health information ("PHI").

Walworth County must comply with HIPAA in the following ways:

- As a health care provider -- Lakeland Health Care Center, and Health & Human Services
- As the plan sponsor of group health plans -- health insurance, dental insurance, employee assistance plan, and medical spending accounts.
- As an employer in its permitted use and disclosure of protected health insurance.
- As an employer it is prohibited from making employment-related decisions based on protected health information.

April 14, 2003 is the deadline for implementing policies and procedures to be in compliance with the new HIPAA privacy regulations.

III. Is this a budgeted item and what is its fiscal impact: County departments have been able to identify alternative methods of operation to achieve compliance within the 2003 adopted budget. No additional funding is requested.

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

Committee: Human Resources Meeting Date: April 2, 2003

Vote: 4 – 0 to recommend

V. Approved as to form:

David A. Bretl	4/6/03
County Administrator/ Corporation Counsel	Date
N. Andersen	4/7/03
Finance Director	Date

County Board Meeting Date: April 15, 2003

Item 3. Resolution No. 09-04/03 – Repealing Chapter 220 of the Personnel Code and Replacing it with a Human Resources Ordinance

Resolution No. 09-04/03
Repealing Chapter 220 of the Personnel Code and Replacing it with a
Human Resources Ordinance

Moved/Sponsored by: Human Resources Committee

WHEREAS, Human Resources Committee (“Committee”) recommends eventually eliminating the Personnel Code and replacing it with a Human Resources ordinance (“Ordinance”); and,

WHEREAS, the Committee recommends repeal of the below-listed Personnel Code chapters contingent upon adoption by the County Board of Supervisors of Ordinance No. 240 - 04/03.

NOW, THEREFORE, BE IT RESOLVED by the Walworth County Board of Supervisors that chapter 220 of the Personnel Code be and the same is hereby repealed in its entirety, effective upon adoption and publication of Ordinance No. 240 - 04/03.

BE IT FURTHER RESOLVED that the County Administrator be authorized to promulgate administrative procedures to supplement and carry out the provisions of Ordinance No. 240 - 04/03.

BE IT FURTHER RESOLVED that those chapters of the Personnel Code not repealed by this resolution shall remain in full force and effect.

William M. Norem County Board Chairman	Date	Kimberly S. Bushey County Clerk	Date
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Policy and Fiscal Note is attached.

Approved as to Form:	David A. Bretl County Administrator/ Corporation Counsel	4/6/03 Date
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N. Andersen Finance Director	4/7/03 Date
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Action Required: Majority Vote Two-thirds Vote Other _____

County Board Meeting Date: April 15, 2003

Policy and Fiscal Note
Resolution No. 09-04/03

I. Title: Repealing Chapter 220 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 the chapter of the Personnel Code that have been replaced by the County Board in ordinance form pursuant to Ordinance 240– 04/03.
- III. Is this a budgeted item and what is its fiscal impact: Passage of this resolution has no fiscal impact.
- IV. Referred to the following standing committees for consideration and date of referral:

Committee: Human Resources Meeting Date: April 2, 2003

Vote: 4 – 0 to recommend

V. Approved as to form:

David A. Bretl	4/6/03
County Administrator/ Corporation Counsel	Date
N. Andersen	
Finance Director	Date

County Board Meeting Date: April 15, 2003

Item 4. Ordinance No. 240-04/03 – Creating Sections 15-120 to 15-129 and Amending Section 15-04 of the Walworth County Code of Ordinances Relating to Human Resources

ORDINANCE NO. 240-04/03

CREATING SECTIONS 15-120 TO 15-129 AND AMENDING SECTION 15-04 OF THE WALWORTH COUNTY CODE OF ORDINANCES RELATING TO HUMAN RESOURCES

THE WALWORTH COUNTY BOARD OF SUPERVISORS DOES ORDAIN AS FOLLOWS:

PART 1: THAT sections 15-120 to 15-129 in Division 8 of Article II of Chapter 15 of the Walworth County Code of Ordinances are hereby created to read as follows:

"DIVISION 8. HOURS OF WORK

Sec. 15-120. Policy.

(a) It is the policy of the county that all county departments, except those identified in sub. 15-120 (b), shall provide services to the public between the hours of 8:00 a.m. and 5:00 p.m., Monday through Friday, excluding those holidays observed by the county.

(b) Any exception to sub. 15-120 (a) shall take into consideration customer service needs, the workflow between departments, and operating efficiencies. Exceptional business hours are authorized for the following departments: Lakeland School business hours shall be 7:30 a.m. to 5:00 p.m.

(c) The county administrator may authorize a temporary change in business hours for a specific purpose and for a time-specific period when the change better meets operational needs.

(d) The human resources director shall administer this division in conformance with collective bargaining agreements and the Fair Labor Standards Act.

Sec. 15-121. Normal workweek.

(e) The normal workweek for a full-time employee shall be Sunday through Saturday, and consisting of forty hours. The normal workday shall consist of eight hours of work, excluding an unpaid meal period.

(f) Any exceptions to sub. (a) shall be subject to review and recommendation of the county administrator and final approval of the human resources committee.

Sec. 15-122. Meal periods and rest periods.

(g) Meal periods. Employees paid on an hourly basis shall receive a minimum 30-minute unpaid and uninterrupted meal period, subject to scheduling approved by the employee's supervisor.

(h) On-duty meal period. When an employee is required to remain on duty and eat while on duty, the meal period shall be included in hours worked.

(i) Rest periods. Rest periods ("coffee breaks") for non-represented employees shall be 15 minutes for each four hours of scheduled work. Rest periods for represented employees shall be as specified by the collective bargaining agreement. Rest periods shall be included in regular hours worked. Rest periods shall not be accumulative and shall not be used to shorten the normal workday.

Sec. 15-123. Employee work schedules.

(j) The department head shall oversee the scheduling of work hours, meal periods and rest periods for employees in compliance with county policy and collective bargaining agreement requirements.

(k) Schedules shall be fixed to meet the requirement of sec. 15-120.

(l) The department head may schedule and require overtime work, subject to funds being allocated in the budget for overtime purposes.

Sec. 15-124 to sec. 15-129. Reserved."

PART 2: BE IT FURTHER ORDAINED THAT sec. 15-04 of the Walworth County Code of Ordinances entitled "Definitions" is hereby amended to create and insert the following definitions:

"Exempt means, for purposes of wage administration, positions which are either classified as executive, administrative, or professional as defined under the provisions of the Fair Labor Standards Act ("FLSA").

FLSA means the Fair Labor Standards Act, 29 U.S.C. §§201-219.

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

PASSED and ADOPTED by the Board of Supervisors of Walworth County Wisconsin this 15th day of April, 2003.

William M. Norem
County Board Chairman

Kimberly S. Bushey
Attest: County Clerk

Approved as to form:

David A. Bretl
County Administrator/
Corporation Counsel
4/6/03
Date

N. Andersen
Finance Director
4/8/03
Date

Action Required: Majority Vote Two-thirds Vote Other _____

County Board Meeting Date: April 15, 2003

Ordinance No. 240-04/03
Fiscal Note and Policy Impact Statement

- I. Title Ordinance No. Creating Sections 15-120 To 15-129 And Amending Section 15-04 Of The Walworth County Code Of Ordinances Relating To Human Resources
- II. Purpose and Policy Impact Statement: This ordinance adopts human resource policy by ordinance, and directs the county administrator to enact administrative

procedures to carryout the provisions of the ordinance. In the past these policies were adopted by resolution. By separate resolution, the former policies related to this ordinance are repealed.

- III. Is this a budgeted item and what is its fiscal impact: Passage of this resolution has no fiscal impact.
- IV. Referred to the following standing committee(s) for consideration and date of referral:

Committee: Human Resources

Date: April 2, 2003

Vote: 4 – 0 to recommend

- V. Approved as to form:

	David A. Bretl	4/6/03
	County Administrator/ Corporation Counsel	Date
	N. Andersen	4/7/03
	Finance Director	Date

County Board Meeting Date: April 15, 2003

Land Conservation Committee:

The following two resolutions were considered separately on motion by Supervisor Kuhnke, seconded by Supervisor Gigante.

Item 1. Resolution No. 10-04/03 – Snowmobile Trail Plan was adopted by voice vote on motion by Supervisor Wenglow sky, seconded by Supervisor Lohrmann.

Resolution No. 10 – 04/03
Snowmobile Trail Plan

Moved/Sponsored by: Land Conservation Committee

WHEREAS, Walworth County maintains approximately 8 miles of the more than approximately 200 miles of public use trails for snowmobiling activity; and

WHEREAS, upon approval of a County snowmobile plan, Walworth County will be eligible for 100% funding from the Wisconsin Department of Natural Resources (hereinafter, "DNR") for acquisition, development, law enforcement and liability insurance for a County snowmobile trail; and

WHEREAS, upon approval of a snowmobile plan such funds can be used to subcontract to local organizations for the performance of trail maintenance; and

WHEREAS, the County Land Conservation Committee has reviewed the proposed snowmobile plan;

NOW, THEREFORE, BE IT RESOLVED that the Walworth County Board of Supervisors adopt the proposed snowmobile plan as the official Walworth County Plan; and

BE IT FURTHER RESOLVED that the Walworth County Highway Commissioner be named agent for this program and that he be authorized to notify the DNR of Walworth County's intent to request State aids from the snowmobile registration funds upon approval of the Walworth County Snowmobile Trail Plan; and

BE IT FURTHER RESOLVED that Walworth County's approval of this plan is predicated upon the DNR's approval of this plan, in its entirety, including, but not limited to, the subcontracting of portions of the plan such as acquisition of rights-of-way and development and maintenance of trails and the obtaining of insurance which covers for liability purposes the County, the Snowmobile Alliance and Walworth County landowners; that in the event changes in the plan are necessary the plan shall be returned to this Board for amendment and be resubmitted to the State of Wisconsin Department of Natural Resources.

All costs that may be incurred in this program are provided by the Snowmobile Alliance and/or DNR.

William M. Norem	4/30/03	Kimberly S. Bushey	4/30/03
County Board Chair	Date	County Clerk	Date

Policy and Fiscal Note is attached.

Approved as to Form:	David A. Bretl	4/7/03
	County Administrator/ Corporation Counsel	Date

N. Andersen	4/8/03
Finance Director	Date

Action Required: Majority Vote Two-thirds Vote Other _____

County Board Meeting Date: April 15, 2003

Policy and Fiscal Note
Resolution No. 10 – 04/03

I. Title: Resolution for Snowmobile Trail Plan

- II. Purpose and Policy Impact Statement: This resolution is to update existing Resolution No. 134-1/83 entitled "Snowmobile Trail Plan", due to changes in the management of the program. In order to qualify for a snowmobile trail acquisition, development, law enforcement and liability insurance, funded by the Wisconsin Department of Natural Resources (hereinafter, "DNR"). Walworth County must approve a snowmobile trail plan and provide authorization to apply for the grant funds. The January 1983 Resolution has been used since it was adopted to qualify for the annual grant.

The Highway Commissioner and the Public Works Department have been authorized to develop and maintain the White River Trail, which accommodates approximately 8 miles of the more than 200 miles of snowmobile trails on the County's plan. The 1983 Resolution stated that the County did not maintain any trails and, therefore, the new resolution was changed to include the 8 miles of the White River State Trail, which the Public Works Department maintains. The 1983 Resolution called for the Walworth County Planning Director to be named the agent for this program, and authorized to request State aids in the form of grants. The responsibilities for the snowmobile program have been shifted from the Land Management Department to the Public Works Department as a result of the reorganization of the Land Management Department and the Public Works Department being made responsible for the maintenance of the White River State Trail. Therefore, the new ordinance provides for the Highway Commissioner to be named the agent for this program and who is authorized to apply for grants. In addition, the passage of this resolution will update the County's commitment to the snowmobile plan from its initial approval in 1983.

- III. Fiscal Impact: There is no fiscal impact associated with this resolution. The costs for maintenance of the Trail are incurred by the Snowmobile Alliance, and their requests for reimbursement are passed through the County to the DNR, who administers the grants. Once expenditures have been approved for reimbursement by the DNR, the County passes the repayment on to the Snowmobile Alliance, thereby incurring no costs to the County.

- IV. Referred to the following standing committee(s) for consideration and date of referral:

Land Conservation Committee

Date: March 17, 2003

Vote: 7 – 0

- V. Approved as to form:

David Bretl
County Administrator/
Corporation Counsel

4/7/03
Date

N. Andersen
Finance Director

4/8/03
Date

Item 2. Resolution No. 11-04/03 – Walworth County Endorsement of the Whitewater Trail Stewardship Grant Application was moved for adoption by Supervisor Russell, seconded by Supervisor Ketchpaw. There were questions raised regarding this grant. Supervisor Russell, member of the Parks Committee, and Brian DuPont, Highway Commissioner, addressed these questions. The resolution was adopted by voice vote, with Supervisors Gigante, Kuhnke and Lohrmann going on record as “no” votes.

Resolution No. 11 – 04/03
Walworth County Endorsement of the Whitewater Trail
Stewardship Grant Application

Moved/Sponsored by: Land Conservation Committee

WHEREAS, The City of Whitewater (City) desires to apply for a Wisconsin Department of Natural Resources Stewardship Grant to construct a portion of a recreational trail in the U.S. Highway 12 Bypass right-of-way near the Whitewater Creek; and

WHEREAS, The County approved Resolution No. 71-11/02, which approved an intergovernmental agreement with the City, and an agreement with the Wisconsin Department of Transportation concerning construction of an underpass under the U.S. Highway 12 for the purposes of facilitating a trail; and

WHEREAS, the City desires to use its expenditure of \$75,000.00 for the Highway 12 underpass to be used as a local match to the Stewardship Grant Program for developing trails; and

WHEREAS, the location of the proposed project is outside the City limits, and therefore needs a local sponsor with jurisdiction over the project area; and

WHEREAS, the Walworth County Park Advisory Committee has recommended that the adopted 2010 Bicycle Way System Plan for Southeastern Wisconsin in Walworth County be amended to incorporate the proposed trail through the Highway 12 underpass;

NOW, THEREFORE, BE IT RESOLVED that the Walworth County Board of Supervisors supports the Stewardship Grant application of the City of Whitewater, subject to execution by the City of Whitewater of an appropriate intergovernmental agreement whereby the City of Whitewater would be responsible for all costs associated with the grant application and implementation.

BE IT FURTHER RESOLVED that the County Clerk is hereby authorized to execute the Stewardship Grant Application.

Committee: Land Conservation Committee

Date: March 17, 2003

Vote: 7 - 0

V. Approved as to form:	David A. Bretl County Administrator/ Corporation Counsel	4/7/03 Date
	N. Andersen Finance Director	4/8/03 Date

County Board Meeting Date: April 15, 2003

There were no Reports of Special Committees.

Chairman Norem commended the Zoning Committee on handling the pressure that they experienced regarding the Zoe Acres rezone application. He stated that we will continue to assist Mr. Athans in locating another appropriate site for his project. One comment received from Mr. Athans was that when he tried to speak with supervisors, a few hung up on him. Chairman Norem pointed out that this is inappropriate behavior.

On motion by Supervisor Gigante, seconded by Supervisor Shepstone, the meeting of the Walworth County Board adjourned at 8:50 p.m.

The next regularly scheduled meeting of the Walworth County Board will be held on Tuesday, May 13, 2003, at 6:00 p.m.

Jean Eddy
Deputy County Clerk

STATE OF WISCONSIN)
)SS
COUNTY OF WALWORTH)

I, Jean Eddy, Deputy County Clerk in and for the County aforesaid do hereby certify that the foregoing is a true and correct copy of the proceedings of the County Board of Supervisors for the April 15, 2003 meeting.

THE MAY 13, 2003 SESSION
OF THE
WALWORTH COUNTY BOARD OF SUPERVISORS

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

Reverend Mary Meisner, St. John in the Wilderness Church, Elkhorn, gave the invocation.

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

Withdrawals from the Agenda

On motion by Supervisor Lightfield, seconded by Supervisor Lohrmann, and by unanimous voice vote, Resolution No. 14-05/03 – Resolution to Approve the Rules of Government for the Walworth County Parks Advisory Committee, was withdrawn from the evening's agenda and was referred back to the Land Conservation Committee.

Approval of Agenda

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

On motion by Supervisor Miles, seconded by Supervisor Grant, the minutes of the April 15, 2003 County Board Meeting, were approved by voice vote.

Comment Period by Members of the Public

Betty Landreth, 11815 60th Street, Kenosha, WI 53144, also known as the "Goat Lady", said that she was here to talk about the farm animals that were taken from the Sinette residence. Landreth said she has been doing business with Mrs. Sinette for 17 years. Landreth said she was not happy about the care and health of her animals after they were seized and placed at the Lakeland Animal Shelter. Landreth said that she tried to retrieve the animals and was turned down. Landreth also said that she has not been happy with the current Humane Officer.

Karen Cole, W831 Valley View Road, Burlington, addressed the Board. Cole said that she owns six horses that were seized from the Sinette place. Cole said that she gave permission to sell her horses at public auction in December and instead they were boarded out at a cost higher than normal. Cole said that the supervisors would not have had to worry about boarding them out if they had been sold and thinks Walworth

County wasted money in boarding out her horses. She is in favor of a trained Humane Officer. Cole was also concerned that no one was charged in this case until three months after the animals were seized by the Lakeland Animal Shelter. This resulted in costly boarding fees for the County.

Emily Dunbar, 4518 Silverwood, Burlington, said that she had previously presented a letter in favor of renewing the contract with the Lakeland Animal Welfare Society. Dunbar said that the Shelter takes care of animals in a humane and caring environment until they are adopted. Dunbar said that without the contract, the animals can be held for seven days and then disposed of.

Appointments

On motion by Supervisor Gigante, seconded by Supervisor Grant, Brant Mursch, Walworth County Controller, was appointed to the Joint Review Board of the City of Delavan Tax Incremental District No. 4.

CITY OF DELAVAN TAX INCREMENTAL DISTRICT NO. 4

STATE OF WISCONSIN)
)SS
COUNTY OF WALWORTH)

I, the undersigned Chairman of the Walworth County Board of Supervisors, do hereby appoint Brant Mursch, Walworth County Controller, as a member of the Joint Review Board of the City of Delavan for Tax Incremental District No. 4.

Dated this 13th day of May, 2003.

William M. Norem, Chairman
Walworth County Board of Supervisors

Communications and Matters to be Referred

- Notice of Injury – The Notice of Injury of Jeremy Buchberger was referred to the Executive Committee.
- Ozaukee County Resolution No. 03-15 – Allowable Mileage Reimbursement for Volunteers, was referred to the Finance Committee.
- The Report of the County Clerk concerning communications received by the Board and recommended to be placed on file was placed on file.
- The following Reports of Zoning Gone into Effect were read and placed on file:

Dick Kraus, Jr., Town of Whitewater
Gary and Gloria Stebnitz and Roger and Siri Voskuil, Town of Darien
Oakwood Cemetery Association, Town of Sharon
Highfield Glen, Ltd., Inc./Terry Woods, Town of Linn
Bernard C. Rosauer, Town of Bloomfield
Krueger Road Business Park, Town of Geneva
James Pody, Town of Geneva

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

The following Report of Petitions Referred was read and forwarded to the County Zoning Agency.

Report of Petitions Referred to County Zoning Agency

TO: The County Board of Walworth County

The undersigned County Clerk hereby reports that the following petitions for rezone of land in Walworth County were referred to the County Zoning Agency for public hearing:

- Douglas and Deana Grall, Town of Whitewater, A-1 to C-2
- Southern Lakes Evangelical Free Church, Town of Lafayette, A-1 to P-2
- Town of Lyons (Scherrer Const Co., Inc., App.), Town of Lyons, A-1 to P-2
- Robert T. Stewart, Town of Walworth, A-1 to A-5
- Michael Palenski, Town of Delavan, A-1 to A-5
- Text Amendment to Walworth County Code of Ordinances, Chapter 74, Division 6.0, Signs, 74-208 & 74-79, 74-214 & 74-85, 17 & 74-88 and Division 13 Definitions
- Text Amendment to General Code of Ordinances for Walworth County Private Sewage Systems – all Sections

Reports of Standing Committees

County Zoning Agency:

Report of Proposed Zoning Amendments

Referencing the proposed zoning amendments listed in the Report below, Item #5, Peter and Kathleen Zeller, Town of Bloomfield, Rezone 35.31 acres, and Item #7, SilverStone Ranch, LLC (William Appelbaum), Town of Lafayette, Rezone 179.36 acres, Supervisor Gigante stated that since the acreage is so large in these cases, the County Zoning Agency should identify what portion of the acres is going to different zoning.

Supervisor Grant requested that Item # 1 of the Report be voted on separately and Supervisor Polyock requested that Item #7 of the Report be voted on separately.

A motion by Supervisor Lohrmann to approve Items #2 through #6 of the County Zoning Agency Report of the Proposed Zoning Amendments was seconded by Supervisor Lothian. Motion carried by unanimous voice vote.

Supervisor Lothian made a motion to concur with the recommendation of the County Zoning Agency to deny Item #1 of the Proposed Zoning Amendments, seconded by Supervisor Lohrmann. Motion carried unanimously.

Supervisor Grant offered a motion to approve the recommendation of the County Zoning Agency, which is to deny Item #7 of the Proposed Zoning Amendments, seconded by Supervisor Hilbelink. Supervisor Arnold made a motion, seconded by Supervisor Morrison, to refer Item #7 back to the committee. Discussion ensued. Michael Cotter said that if the town denied the rezone it could not be approved unless something is changed and it goes back to committee. Supervisor Ketchpaw stated that the concern about this item is the environmental impact in the area. Supervisor Gigante called the question, seconded by Supervisor Lohrmann. Motion failed to refer Item #7 back to the County Zoning Agency.

A vote was then conducted on the motion to concur with the Report of the County Zoning Agency and accept the recommendation of the County Zoning Agency to deny Item #7. The motion carried with Supervisors Arnold and Morrison requesting that their "No" votes be recorded.

REPORT OF COUNTY ZONING AGENCY
TO COUNTY BOARD ON HEARING ON PETITION
TO AMEND THE WALWORTH COUNTY ZONING ORDINANCE

TO THE COUNTY BOARD OF WALWORTH COUNTY:

The County Zoning Agency, 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. Ralph and Robin Goessling, Town of Whitewater – filed a petition on the 14th day of May, 2002, to amend said zoning maps from A-1 Prime Agricultural Land District to A-4 Agricultural Related Manufacturing, Warehousing and Marketing District on the following described lands:

Part of Tax Parcel #'s D W 700004 and D W 700004B

In the NW1/4, Sec. 7, T4N, R15E, in the Town of Whitewater, Walworth Co., WI, and described as follows:

Beginning at a point on the N line of said NW ¼, Sec. 7, S 87°58'00" W, 678.35 feet from the N ¼ cor. Said Sec. 7, said point being the NW corner, Lot 1, CSM 1099; thence S 1°52'00" E, 74.22 feet, along the W line said Lot 1, to the SW cor. thereof; thence N 86°53'00" E, 153.44 feet, along the S line said Lot 1, to the SE corner thereof, said corner being on the E line of that parcel described in a deed recorded in Vol. 459, page 505 Records of Walworth Co.; thence S 0°40'00" E, along said E line, 202.00 feet; thence leaving said E line, S 86°38'31" W, 224.00 feet; thence N 3°14'36" W, 37.00 feet; thence S 86°45'24" W, 74.00 feet; thence S 2°17'31" E, 104.00 feet; thence N 89°51'43" W, 75.00 feet; thence N 0°39'26" E, 745.00 feet, to a point on the N line of said NW ¼, Sec. 7; thence N 87°58'00" E, along said N line, 191.00 feet, to the Point of Beginning.

Recommendation: Said petition be denied based on the fact that the applicants no longer own the property.

2. Gordon W. Keyes (Kristine K. Keyes-Longhorn and Kevin Longhorn, App.), Town of Geneva – filed a petition on the 5th day of February, 2003, to amend said zoning maps from A-1 Prime Agricultural Land District to A-5 Agricultural-Rural Residential District.

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

Rezoning this site would make the irregular shape of the field easier to farm and this area is a clay knoll.

3. Larry K. Kulik, Town of Geneva – filed a petition on the 5th day of February, 2003, to amend said zoning maps from C-4 Lowland Resource Conservation District (Shoreland) to A-2 Agricultural Land District.

Recommendation: Said petition be approved.

4. Dean Chudy, Town of Bloomfield – filed a petition on the 30th day of January, 2003, to amend said zoning maps from R-1 Single-Family Residence District to M-1 Industrial District.

Recommendation: Said petition be approved.

5. Peter and Kathleen Zeller, Town of Bloomfield – filed a petition on the 5th day of February, 2003, to rezone from A-4 Agricultural Related Manufacturing, Warehousing and Marketing District & A-1 Prime Agricultural Land District to A-2 Agricultural Land District, C-2 Upland Resource Conservation District, & C-1 Lowland Resource Conservation District.

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

Soil reports were provided showing that the property was not prime farmland.

6. Randolph C. Cruse, Town of Whitewater – filed a petition on the 4th day of February, 2003, to rezone from R-1 Single-Family Residence District (Unsewered) to C-2 Upland Resource Conservation District.

Recommendation: Said petition be approved.

7. SilverStone Ranch, LLC (William Appelbaum), Town of Lafayette – filed a petition on the 4th day of June, 2002, to rezone from R-4 Multiple-Family Residence District, A-1 Prime Agricultural Land District, A-2 Agricultural Land District, C-4 Lowland Resource Conservation District (Shoreland), & C-1 Lowland Resource Conservation District to C-2 Upland Resource Conservation District, C-1 Lowland Resource Conservation District, & C-4 Lowland Resource Conservation District (Shoreland) on the following described lands:

Tax Parcel #'s K LF1600006, K LF1600007, L KF2100003, K LF2100004, KA 28400001, & KA 28400002

Parcel 1, A-1, A-2, C-4, & R-4 to C-2

Located in part of the South ½ of Section 16 and in part of the North ½ of Section 21, all in Town 3 North, Range 17 East, Walworth County, Wisconsin, more particularly described as follows: Beginning at a concrete monument found marking the center of said Section 21; thence N 02DEG 16MIN 41SEC W, 1322.18 feet; thence S 89DEG 44MIN 45SEC W, 1318.34 feet; thence N 02DEG 13MIN 42SEC W, 2222.97 feet; thence N 48DEG 04MIN 03SEC E, 25.79 feet; thence N 44DEG 41MIN 23SEC E, 86.42 feet; thence N 62DEG 34MIN 17SEC E, 52.55 feet; thence N 89DEG 41MIN 25SEC E, 108.57 feet; thence S 85DEG 19MIN 55SEC E, 99.09 feet; thence N 57DEG 00MIN 44SEC E, 96.35 feet; thence S 81DEG 32MIN 21SEC E, 127.22 feet; thence S 76DEG 48MIN 49SEC E, 57.74 feet; thence N 75DEG 00MIN 54SEC E, 149.55 feet; thence S 76DEG 27MIN 06SEC E, 112.24 feet; thence N 68DEG 47MIN 01SEC E, 117.38 feet; thence N 70DEG 07MIN 00SEC E, 101.93 feet; thence S 64DEG 07MIN 06SEC E, 147.61 feet; thence S 85DEG 44MIN 39SEC E, 37.08 feet; thence N 78DEG 31MIN 04SEC E, 42.50 feet; thence N 44DEG 30MIN 28SEC E, 47.91 feet; thence S 71DEG 59MIN 36SEC E, 72.24 feet; thence N 87DEG 24MIN 28SEC E, 35.06 feet; thence S 57DEG 10MIN 52SEC E, 56.40 feet; thence S 59DEG 29MIN 36SEC E, 69.22 feet; thence S 37DEG 21MIN 26SEC E, 79.81 feet; thence S 61DEG 00MIN 48SEC E, 54.22 feet; thence S 27DEG 50MIN 16SEC E, 43.04 feet; thence S 05DEG 22MIN 48SEC W, 86.28 feet; thence S 11DEG 55MIN 50SEC E, 86.49 feet; thence S 11DEG 00MIN 35SEC E, 74.37 feet; thence S 03DEG 50MIN 32SEC W, 126.60 feet; thence N 29DEG 27MIN 58SEC E, 92.85 feet; thence S 04DEG 45MIN 50SEC E, 67.98 feet; thence S 21DEG 12MIN 51SEC E, 64.94 feet; thence S 30DEG 40MIN 44SEC E, 37.85 feet; thence S 11DEG 57MIN 49SEC W, 64.36 feet; thence S 57DEG 03MIN 59SEC W, 59.46 feet; thence S 33DEG 17MIN 46SEC W, 53.48 feet; thence S 35DEG 15MIN 36SEC W, 25.93 feet; thence S 37DEG 06MIN 33SEC W, 74.29 feet; thence S 22DEG

05MIN 13SEC W, 54.05 feet; thence S 19DEG 39MIN 25SEC W, 99.20 feet; thence S 06DEG 33MIN 48SEC E, 79.33 feet; thence S 05DEG 16MIN 56SEC W, 40.94 feet; thence S 74DEG 02MIN 35SEC E, 33.10 feet; thence N 60DEG 57MIN 05SEC E, 82.35 feet; thence N 53DEG 08MIN 01SEC E, 86.61 feet; thence N 26DEG 28MIN 34SEC E, 207.49 feet; thence N 05DEG 55MIN 47SEC E, 110.50 feet; thence S 87DEG 50MIN 13SEC E, 83.26 feet; thence N 10DEG 07MIN 05SEC E, 135.77 feet; thence N 26DEG 44MIN 39SEC E, 77.04 feet; thence N 09DEG 20MIN 31SEC E, 98.76 feet; thence N 01DEG 11MIN 57SEC E, 137.03 feet; thence N 09DEG 42MIN 54SEC W, 84.46 feet; thence N 07DEG 09MIN 46SEC W, 217.78 feet; thence N 05DEG 56MIN 15SEC W, 185.57 feet; thence N 07DEG 28MIN 18SEC W, 88.92 feet; thence N 89DEG 53MIN 03SEC E, 61.02 feet; thence S 02DEG 10MIN 00SEC E, 3954.35 feet to the centerline of Potter Road; thence along said centerline, S 89DEG 03SEC W, 654.97 feet to the Point of Beginning. 120.31 acres.

Parcel 2, A-1, C-1, & C-4 to C-1 & C-4

Located in part of the South ½ of Section 15 and in part of the North ½ of Section 21, all in Town 3 North, Range 17 East, Walworth County, Wisconsin, more particularly described as follows: Commencing at a concrete County monument found marking the center of said Section 21; thence N 02DEG 16MIN 41SEC W, 1322.18 feet; thence S 89DEG 44MIN 45SEC W, 1318.34 feet; thence N 02DEG 13MIN 42SEC W, 2222.97 feet to the Point of Beginning; thence N 48DEG 04MIN 03SEC E, 25.79 feet; thence N 44DEG 41MIN 23SEC E, 86.42 feet; thence N 62DEG 34MIN 17SEC E, 52.55 feet; thence N 89DEG 41MIN 25SEC E, 108.57 feet; thence S 85DEG 19MIN 55SEC E, 99.09 feet; thence N 57DEG 00MIN 44SEC E, 96.35 feet; thence S 81DEG 32MIN 21SEC E, 127.22 feet; ;thence S 76DEG 48MIN 49SEC E, 57.74 feet; thence N 75DEG 00MIN 54SEC E, 149.55 feet; thence S 76DEG 27MIN 06SEC E, 112.24 feet; thence N 68DEG 47MIN 01SEC E, 117.38 feet; thence N 70DEG 07MIN 00SEC E, 101.93 feet; thence S 64DEG 07MIN 06SEC E, 147.61 feet; thence S 85DEG 44MIN 39SEC E, 37.08 feet; thence N 78DEG 31MIN 04SEC E, 42.50 feet; thence N 44DEG 32MIN 28SEC E, 47.91 feet; thence S 71DEG 59MIN 36SEC E, 72.24 feet; thence N 87DEG 24MIN 28SEC E, 35.06 feet; thence S 57DEG 10MIN 52SEC E, 56.40 feet; thence S 59DEG 29MIN 36SEC E, 69.22 feet; thence S 37DEG 21MIN 26SEC E, 79.81 feet; thence S 61DEG 00MIN 48SEC E, 54.22 feet; thence S 27DEG 50MIN 16SEC E, 43.04 feet; thence S 05DEG 22MIN 48SEC W, 86.28 feet; thence S 11DEG 55MIN 50SEC E, 86.49 feet; thence S 11DEG 00MIN 35SEC E, 74.37 feet; thence S 03DEG 50MIN 32SEC W, 126.60 feet; thence N 29DEG 27MIN 58SEC E, 92.85 feet; thence S 04DEG 50SEC E, 67.98 feet; thence S 21DEG 12MIN 51SEC E, 64.94 feet; thence S 30DEG 40MIN 44SEC E, 37.85 feet; thence S 11DEG 57MIN 49SEC W, 64.36 feet; thence S 57DEG 03MIN 59SEC W, 59.46 feet; thence S 33DEG 17MIN 46SEC W, 53.48 feet; thence S 35DEG 15MIN 36SEC W, 25.93 feet; thence S 37DEG 06MIN 33SEC W, 74.29 feet; thence S 22DEG 05MIN 13SEC W, 54.05 feet; thence S 19DEG 39MIN 25SEC W, 99.20 feet; thence S 06DEG 33MIN 48SEC E, 79.33 feet; thence S 05DEG 16MIN 56SEC W, 40.94 feet; thence S 74DEG 02MIN 35SEC E, 33.10 feet; thence N 60DEG 57MIN 05SEC E, 82.35 feet; thence N 53DEG 08MIN 01SEC E, 86.61 feet; thence N 26DEG 28MIN 34SEC E, 207.49 feet; thence N 05DEG 55MIN 47SEC E,

110.50 feet; thence S 87DEG 50MIN 13SEC E, 83.26 feet; thence N 10DEG 07MIN 05SEC E, 135.77 feet; thence N 26DEG 44MIN 39SEC E, 77.04 feet; thence N 09DEG 20MIN 31SEC E, 98.76 feet; thence N 01DEG 11MIN 57SEC E, 137.03 feet; thence N 09DEG 42MIN 54SEC W, 84.46 feet; thence N 07DEG 09MIN 46SEC W, 217.78 feet; thence N 05DEG 56MIN 15SEC W, 185.57 feet; thence N 07DEG 28MIN 18SEC W, 88.92 feet; thence S 89DEG 53MIN 03SEC W, 593.83 feet; thence N 01DEG 56MIN 04SEC W, 1311.52 feet; thence S 89DEG 49MIN 54SEC W, 1330.72 feet; thence S 02DEG 13MIN 42SEC E, 1724.64 feet to the Point of Beginning. 59.05 acres.

Recommendation: Said petition be denied based on the Town's denial and the following concerns:

1. Public health and safety concerns
2. Overcrowding and urban sprawl
3. Preservation of natural areas
4. Traffic concerns

ORDINANCE AMENDING WALWORTH COUNTY ZONING ORDINANCE

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

WHEREAS, the petitions have been referred to the Walworth County Zoning Agency for public hearing; and

WHEREAS, the Walworth County Zoning Agency 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. Gordon W. Keyes (Kristine K. Keyes-Longhorn and Kevin Longhorn, App.), Town of Geneva – to amend said zoning maps from A-1 Prime Agricultural Land District to A-5 Agricultural-Rural Residential District on the following described lands:

Part of Tax Parcel #J G 300003

A parcel of land to be zoned A-5, located in the Southeast ¼ of the Northwest ¼ of Section 3, Town 2 North, Range 17 East, Township of Geneva, Walworth County, Wisconsin, described as follows:

Beginning at the Southeast Corner of Lot 1 of Certified Survey Map 2641; thence N 01DEG 25MIN 00SEC W, 368.37 feet along the East line of said Certified Survey; thence N 90DEG 00MIN 00SEC E, 156.46 feet to the East line of the Northwest ¼ of said Section 3; thence S 01DEG 08MIN 20SEC E, 368.33 feet along said ¼ Section line to the center section of Section 3; thence N 00DEG 00MIN W 154.68 feet to the Southeast corner of Certified Survey Map 2641 and the Point of Beginning. Containing 57,290 square feet (1.3 AC.) of land more or less.

Rezoning this site would make the irregular shape of the field easier to farm and this area is a clay knoll.

2. Larry K. Kulik, Town of Geneva – to amend said zoning maps from C-4 Lowland Resource Conservation District (Shoreland) to A-2 Agricultural Land District on the following described lands:

Part of Tax Parcel #J G 2800007

A part of the Southeast ¼ of the Southeast ¼ of Section 28, Town 2 North, Range 17 East, Town of Geneva, Walworth County, Wisconsin, zoned C-4 to be rezoned as A-2, described as follows:

Commencing at the Southeast corner of said Section 28; thence N 00DEG 50MIN 09SEC W, 425.04 feet along the East line of said Section 28 to the South line of a former railroad right of way; thence along said railroad ROW 984.19 feet along the arc of a curve to the left having a radius of 11405.77 feet and a chord which bears S 75DEG 23MIN 29SEC W, 984.19 feet to the Point of Beginning; thence S 72DEG 50MIN 20SEC W, 33.17 feet; thence N 17DEG 11MIN 57SEC W, 30.00 feet; thence N 72DEG 50MIN 20SEC E, 33.01 feet; thence S 17DEG 30MIN 10SEC E, 30.00 feet to the Point of Beginning. Containing 0.02 acres of land more or less.

3. Dean Chudy, Town of Bloomfield – to amend said zoning maps from R-1 Single Family Residence District to M-1 Industrial District on the following described lands:

Part of Tax Parcel #MB 1300002

A parcel of land to be zoned M-1, located in the Northeast ¼ of the Northeast ¼ of Section 13, Town 1 North, Range 18 East, Town of Bloomfield, Walworth County, Wisconsin, described as follows: Beginning at the Northwest corner of Lot 1 of Certified Survey Map 2459; thence S 02DEG 11MIN 42SEC W, 70.22 feet; thence S 28DEG 09MIN 17SEC W, 116.09 feet; thence S 65DEG 55MIN 08SEC E, 202.45' to the Northwest corner of Lot 2 of Certified Survey Map 2459; thence S 00DEG 58MIN

52SEC W, 264.44 feet to the centerline of Powers Lake Road, thence along said centerline S 89DEG 06MIN 10SEC W, 381.00 feet; thence continue along said centerline S 89DEG 05MIN 54SEC W, 92.62 feet; thence N 25DEG 19MIN 24SEC E, 586.29 feet; thence S 88DEG 16MIN 58SEC E, 100.00 feet to the Point of Beginning. Containing 151,212 square feet (3.5 AC.) of land more or less.

4. Peter and Kathleen Zeller, Town of Bloomfield – to amend said zoning maps from A-4 Agricultural Related Manufacturing, Warehousing and Marketing District & A-1 Prime Agricultural Land District to A-2 Agricultural Land District, C-2 Upland Resource Conservation District & C-1 Lowland Resource Conservation District on the following described lands:

Tax Parcel #MB 1100003B

A-1 & A-4 to C-2

Part of the Northeast $\frac{1}{4}$ of the Southwest $\frac{1}{4}$ of Section 11, Town 1 North, Range 18 East, Bloomfield Township, Walworth County, Wisconsin, described as follows: Commence at the West $\frac{1}{4}$ corner of said Section 11; thence N 89°57'39" E 1317.83 feet to the Northwest corner of the Northeast $\frac{1}{4}$ of the Southwest $\frac{1}{4}$ of said Section 11 and the centerline of Daisy Road and the Point of Beginning; thence N 89°57'39" E 503.00 feet on the North line of the Northeast $\frac{1}{4}$ of the Southwest $\frac{1}{4}$; thence South 519.34 feet; thence West 503 feet to the centerline of Daisy Road and the West line of the Northeast $\frac{1}{4}$ of the Southwest $\frac{1}{4}$ of said Section 11; thence North 519.00 feet along said centerline and West line of the Northeast $\frac{1}{4}$ of the Southwest $\frac{1}{4}$ to the Point of Beginning. Said parcel contains 6.0 acres more or less.

A-1 to A-2 & C-1

Part of the Northeast $\frac{1}{4}$ of the Southwest $\frac{1}{4}$ of Section 11, Town 1 North, Range 18 East, Bloomfield Township, Walworth County, Wisconsin described as follows: Commence at the West $\frac{1}{4}$ corner of said Section 11; thence N 89°57'39" E 1317.83 feet to the Northwest corner of the Northeast $\frac{1}{4}$ of the Southwest $\frac{1}{4}$ of said Section 11 and the centerline of Daisy Road; thence N 89°57'39" E 503.00 feet on the North line of the Northeast $\frac{1}{4}$ of the Southwest $\frac{1}{4}$ to the Point of Beginning; thence continue N 89°57'39" E 814.83 feet to center of said Section 11; thence S 0°06'36" W 1323.76 feet on the East line of the Northeast $\frac{1}{4}$ of the Southwest $\frac{1}{4}$ of said Section 11; thence S 89°55'25" W 1060.29 feet on the South line of the Northeast $\frac{1}{4}$ of the Southwest $\frac{1}{4}$; thence North 805.27 feet; thence East 248.00 feet; thence North 519.34 feet to the Point of Beginning. Said parcel contains 28.44 acres more or less.

Soil reports were provided showing that the property was not prime farmland.

5. Randolph C. Cruse, Town of Whitewater – to amend said zoning maps from R-1 Single-Family Residence District (Unsewered) to C-2 Upland Resource Conservation District on the following described lands:

Part of Tax Parcel #D W 2500004

Part of the NW1/4 and SW1/4 of the NW1/4 of Section 25, T4N, R15E, Town of Whitewater, Walworth County, Wisconsin, to-wit:

Commencing at the NW corner of said Section 25; thence N88°06'21"E along the North line of said NW1/4, 1304.85 feet to the NE corner of said NW1/4 of the NW1/4; thence S 0°13'18"W, along the East line of said NW1/4 of the NW1/4, 910.05 feet to a 3/4" iron rod on the South line of Lot 1, Certified Survey Map No. 1373; thence continue S 0°13'18"W, along said East line and the East line of Said SW1/4 of the SW1/4, 811.62 feet to a 3/4" iron rod on the North line of Lot 1, Certified Survey Map No. 1526; thence S87°49'58"W, along said North line, 407.54 feet to a 3/4" iron rod at the NW corner thereof; thence N12°24'00"E, along the Easterly line of C.T.H. "P", 342.27 feet to a 3/4" iron rod; thence N77°36'00"W, along said Easterly line, 45.00 feet to a 3/4" iron rod; thence N12°24'00"E, along said Easterly line, 472.86 feet to a 3/4" iron rod at a point of curvature, thence along said Easterly line being the arc of a curve, concave Westerly, having a radius of 612.96 feet and a chord that bears N11°30'19"E, 19.14 feet to the SW corner of said Lot 1, Certified Survey Map No. 1373; thence N89°28'54"E, along said South line of Lot 1, 275.49 feet to the Point of Beginning, containing 6.471 acres. Excluding the Southern 160 feet of the above described land which is currently zoned C-2.

ATTEST this 13th day of May, 2003.
William M. Norem
County Board Chairman

ATTEST this 13th day of May, 2003.
Kimberly S. Bushey
County Clerk

Closed Session

On motion by Supervisor Gigante, seconded by Supervisor Grant, the Board convened 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. A roll call vote was held to convene in closed session. Total vote: 24: Ayes – Arnold, Burwell, Felten, Gigante, Grant, Guido, Hilbelink, Ketchpaw, Lightfield, Lohrmann, Lothian, Miles, Morrison, Palzkill, Parker, Peterson, Polyock, Russell, Schaefer, Scharine, Shepstone, Shroble, Wenglowsky, Norem; Noes: 0; Absent: 1 – Kuhnke.

The Board convened in open session on motion by Supervisor Gigante, seconded by Supervisor Ketchpaw, to take action on the following items:

Executive Committee:

On motion by Supervisor Gigante, seconded by Supervisor Grant, Item #1, Resolution No. 16-05/03 – Resolution Authorizing Settlement of Case No. 02CV35, Topps v. Walworth County was approved by voice vote.

Resolution No. 16-05/03
Resolution Authorizing Settlement of Case No. 02CV35, Topps v. Walworth County

Moved/Sponsored by: Executive Committee

WHEREAS, a lawsuit was filed against Walworth County (“County”) in the matter of Topps v. Walworth County, case no. 02CV35 (“Lawsuit”); and,

WHEREAS, Walworth County wishes to resolve the Lawsuit,

NOW, THEREFORE, BE IT RESOLVED by the Walworth County Board of Supervisors that the Corporation Counsel be authorized to settle the Lawsuit for an amount not to exceed \$93,316.18 in consideration of a full and final release in the matter.

William M. Norem	5/14/03	Kimberly S. Bushey	
County Board Chairman	Date	County Clerk	Date

Policy and Fiscal Note is attached.

Approved as to Form:	David A. Bretl	5/13/03
	County Administrator/ Corporation Counsel	Date

Nicki Andersen (pw)	5/13/03
Finance Director	Date

Action Required: Majority Vote Two-thirds Vote Other _____

County Board Meeting Date: May 13, 2003

Policy and Fiscal Note
Resolution No. 16-05/03

- I. Title: Resolution Authorizing Settlement of Case No. 02CV35, Topps v. Walworth County
- II. Purpose and Policy Impact Statement: The purpose of this resolution is to authorize settlement of Topps v. Walworth County, case no. 02CV35.
- III. Is this a budgeted item and what is its fiscal impact: This is a non-budgeted item.

Settlement is contingent upon a payment from the county to the plaintiff of \$93,316.18. A separate resolution authorizes the transfer of these funds.

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

Committee: Executive Meeting Date: April 24, 2003

Vote: 5 – 0

V. Approved as to form: David A. Bretl 5/13/03
County Administrator/ Date
Corporation Counsel
Nicki Andersen (pw) 5/13/03
Finance Director Date

County Board Meeting Date: May 13, 2003

On motion by Supervisor Gigante, seconded by Supervisor Grant, Item #2, Resolution No. 17-05/03 – Resolution Approving Settlement of Case No. 02CV1586, Walworth County v. Racine County was approved by voice vote.

Resolution No. 17-05/03
Resolution Approving Settlement of Case No. 02CV1586,
Walworth County v. Racine County

Moved/Sponsored by: Executive Committee

WHEREAS, a lawsuit was filed against Walworth County (“County”) in the matter of Walworth County v. Racine County, case no. 02CV1586 (“Lawsuit”); and,

WHEREAS, Walworth County wishes to resolve the Lawsuit,

NOW, THEREFORE, BE IT RESOLVED by the Walworth County Board of Supervisors that the Corporation Counsel be authorized to settle the Lawsuit, which settlement consists of dismissal of the action with prejudice and without costs.

William M. Norem 5/13/03 Kimberly S. Bushey
County Board Chairman Date County Clerk Date

Policy and Fiscal Note is attached.

Approved as to Form: David A. Bretl 5/13/03
County Administrator/ Date
Corporation Counsel

Nicki Andersen (pw) 5/13/03
Finance Director Date

Action Required: Majority Vote Two-thirds Vote Other _____

County Board Meeting Date: May 13, 2003

Policy and Fiscal Note
Resolution No. 17-05/03

- I. Title: Resolution Approving Settlement of Case No. 02CV1586, Walworth County v. Racine County
- II. Purpose and Policy Impact Statement: The purpose of this resolution is to authorize settlement of Walworth County v. Racine County, case no. 02CV1586.
- III. Is this a budgeted item and what is its fiscal impact: Terms of the settlement are dismissal without costs and with prejudice. Dismissal means there is no ability to pursue subrogation in this case. Settlement will not require the appropriation of additional funds.
- IV. Referred to the following standing committees for consideration and date of referral:

Committee: Executive Meeting Date: April 24, 2003

Vote: 5 – 0

- V. Approved as to form:
David A. Bretl 5/13/03
County Administrator/ Date
Corporation Counsel
Nicki Andersen (pw) 5/13/03
Finance Director Date

County Board Meeting Date: May 13, 2003

Finance Committee:

A motion was offered by Supervisor Lohrmann, seconded by Supervisor Gigante, to approve Items #2 and #3 from the Finance Committee, with a single vote. Motion carried unanimously by voice vote.

Item 2. Resolution No. 12-05/03 – Resolution Supporting Legislation to Increase Additional Page Fees for Register of Deeds Documents

Resolution No. 12-05/03
Resolution Supporting Legislation to Increase Additional Page Fees For
Register of Deeds Documents

Moved/Sponsored by: Finance Committee

WHEREAS, the fee for recording documents in the Register of Deeds office, established by Sec. 59.43(2)(ag), is currently \$11.00 for the first page and \$2.00 for each additional page; and,

WHEREAS, of the first page fee Walworth County retains \$9.00, \$4.00 of which is to be used "to develop, implement and maintain the county wide plan for land records modernization", and \$1.00 of which is "to be used to develop and maintain a computerized indexing of the county's land information records relating to housing", and all of the additional page fee, while \$2.00 of the first page fee is sent to the State of Wisconsin to fund the Land Information Program; and,

WHEREAS, the amount of money retained by counties from recording fees has not changed since 1982; and,

WHEREAS, a \$1.00 increase in the additional page fee would have generated added revenue of approximately \$150,000;

NOW, THEREFORE, BE IT RESOLVED that the Walworth County Board of Supervisors supports legislation to increase the fee charged for each additional page recorded in the Register of Deeds office from \$2.00 to \$3.00, and that counties be permitted to retain the additional fee, and urges the State Senate and Assembly to adopt such legislation.

BE IT FURTHER RESOLVED that the County Clerk is directed to forward copies of this resolution to Governor James Doyle, Walworth County's State Legislators and the Wisconsin Counties Association.

William M. Norem 5/14/03
County Board Chairman Date

Kimberly S. Bushey
County Clerk Date

Policy and Fiscal Note is attached.

Approved as to Form:

David A. Bretl 4/29/03
County Administrator/ Date
Corporation Counsel

N. Andersen 4/30/03
Finance Director Date

WHEREAS, Senate Bill 15 creates a Joint Survey Committee on State Mandates ("Committee") to provide relief to municipalities unfunded and underfunded mandates; and,

WHEREAS, if the Committee determines that a proposal will cost local units of government money to comply, then the Committee must introduce an amendment to appropriate the necessary funding; and,

WHEREAS, if a proposal is passed which does not fully fund a mandate, the mandate may not be enforced until it is fully funded; and,

WHEREAS, if a mandate, while fully funded initially, is not fully funded over the course of time, it may not be enforced once the funding is discontinued; and,

WHEREAS, a state agency may not promulgate a rule or take an action that imposes a mandate unless there is sufficient funding for that mandate; and,

WHEREAS, a Legislative Fiscal Bureau is directed to identify all existing mandates by May 1, 2005; and,

WHEREAS, the Joint Survey Committee is directed to submit legislation repealing all mandates to each house of the Legislature by August 1, 2005; and,

WHEREAS, any mandate existing on July 1, 2006, may not be enforced until the mandate is funded;

NOW, THEREFORE, BE IT RESOLVED that the Walworth County Board of Supervisors does hereby support Senate Bill 15 and strongly urges the Walworth County Legislative Delegation to do the same.

BE IT FURTHER RESOLVED that the Walworth County Clerk be directed to send copies of this resolution to the Walworth County Legislative Delegation, and the Wisconsin Counties Association.

William M. Norem	5/14/03	Kimberly S. Bushey	
County Board Chairman	Date	County Clerk	Date

Policy and Fiscal Note is attached.

Approved as to Form:	David A. Bretl	5/6/03
	County Administrator/ Corporation Counsel	Date
	N. Andersen	5/6/03
	Finance Director	Date

Action Required: Majority Vote Two-thirds Vote Other _____

County Board Meeting Date: May 13, 2003

Policy and Fiscal Note
Resolution No. 13-05/03

- I. Title: Resolution Supporting Senate Bill 15, Creating a Joint Survey Committee On State Mandates and Required Funding of State Mandates
- II. Purpose and Policy Impact Statement: The purpose of this resolution is to support Senate Bill 15, which ensures that local government will only be required to enforce mandates for which funding sources have been identified. The resolution is advisory only.
- III. Is this a budgeted item and what is its fiscal impact: This resolution is advisory and will have no effect upon the county's 2003 budget. However, if enacted by the state legislature, relief from unfunded mandates could potentially result in long-term savings by limiting the number of state-mandated programs the county is obliged to implement because no state funding is provided.
- IV. Referred to the following standing committees for consideration and date of referral:

Committee: Finance Meeting Date: April 24, 2003

Vote: 5 – 0

- V. Approved as to form:
 - David A. Bretl 5/6/03
County Administrator/
Corporation Counsel Date
 - N. Andersen 5/6/03
Finance Director Date

County Board Meeting Date: May 13, 2003

A motion was offered by Supervisor Lohrmann, seconded by Supervisor Scharine, to approve Item #1, Resolution No. 18-05/03 – Resolution Approving the Transfer of the Appropriate Sum of Money from the 2003 Contingency Fund for the Purpose of Paying Costs Associated with Settlement of Case No. 02CV35, Topps v. Walworth County. The resolution required a two-thirds vote and the Clerk inquired if there were any "No" votes. There were none. The motion was approved unanimously by voice vote.

Resolution No. 18-05/03

Resolution Approving the Transfer of the Appropriate Sum of Money from the 2003 Contingency Fund for the Purpose of Paying Costs Associated with Settlement of Case No. 02CV35, Topps v. Walworth County

Moved/Sponsored by: Finance Committee

WHEREAS, a lawsuit was filed against Walworth County ("County") in the matter of Topps v. Walworth County, case no. 02CV35 ("Lawsuit"); and,

WHEREAS, the County wishes to resolve the Lawsuit; and,

WHEREAS, it is necessary to transfer monies from the contingency fund to pay for settlement of the Lawsuit,

NOW, THEREFORE, BE IT RESOLVED by the Walworth County Board of Supervisors that the sum of \$93,316.18 be and the same is hereby transferred from the contingency fund to the appropriate account in the Walworth County treasurer's office for a full and final settlement in the case of Topps v. Walworth County, case number 02 CV 35.

William M. Norem	5/14/03	Kimberly S. Bushey	
County Board Chairman	Date	County Clerk	Date

Policy and Fiscal Note is attached.

Approved as to Form:	David A. Bretl	5/13/03
	County Administrator/ Corporation Counsel	Date

Nicki Andersen (pw)	5/13/03
Finance Director	Date

Action Required: Majority Vote Two-thirds Vote Other _____

County Board Meeting Date: May 13, 2003

Policy and Fiscal Note
Resolution No. 18-05/03

- I. Title: Resolution Approving the Transfer of the Appropriate Sum of Money from the 2003 Contingency Fund for the Purpose of Paying Costs Associated with Settlement of Case No. 02CV35 Topps V. Walworth County
- II. Purpose and Policy Impact Statement: The purpose of this resolution is to transfer funds for the purpose of settling Topps v. Walworth County, case no. 02CV35 filed against Walworth County.

III. Is this a budgeted item and what is its fiscal impact: This is a non-budgeted item which requires a transfer of \$93,316.18 from the contingency fund to the appropriate Walworth County treasurer's account. The county received \$90,500 in 2001 from the sale of the property which is the subject of this lawsuit. Any surplus in the treasurer's profit and loss account typically lapses at the end of the budget year so it is necessary to appropriate funds from the contingency fund to pay for this settlement. Pursuant to the terms of the settlement, the difference between the amount of the settlement and the amount received by the County in 2001, \$2,816.18 would be returned to the County by separate draft.

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

Committee: Finance Meeting Date: May 13, 2003

Vote: 7 – 0

V. Approved as to form: David A. Bretl 5/13/03
County Administrator/ Date
Corporation Counsel

Nicki Andersen (pw) 5/13/03
Finance Director Date

County Board Meeting Date: May 13, 2003

Supervisor Lohrmann offered a motion, seconded by Supervisor Gigante, to approve Item #4, Resolution No. 15-05/03 – Transfer Funds to Implement the 2002-2004 Deputy Sheriffs' Interest Arbitration Award. On motion by Supervisor Grant, seconded by Supervisor Burwell, the resolution was approved by unanimous consent.

Resolution No. 15-05/03
Transfer Funds to Implement the 2002-2004 Deputy Sheriffs' Arbitration Award

Moved/Sponsored by: Finance Committee

WHEREAS, Walworth County and the Deputy Sheriffs' Association reached impasse on a successor agreement to the labor agreement that expired on December 31, 2001, and the parties submitted final offers to arbitration; and,

WHEREAS, arbitrator Richard B. Bilder determined that the final offer of Walworth County is the more reasonable, and directed that the County's final offer and other already agreed upon items be incorporated into the parties January 1, 2002, to December 31, 2004 collective bargaining agreement.

NOW, THEREFORE, BE IT RESOLVED that the Walworth County Board of Supervisor's hereby adopts the arbitrator's award dated April 15, 2003.

BE IT FURTHER RESOLVED the sum of \$150,000 shall be and the same is hereby transferred from the contingency fund to the appropriate Sheriff's Department accounts for the purpose of implementing the arbitration award.

William M. Norem	5/14/03	Kimberly S. Bushey	
County Board Chairman	Date	County Clerk	Date

Policy and Fiscal Note is attached.

Approved as to Form:	David A. Bretl	5/5/03
	County Administrator/ Corporation Counsel	Date

N. Andersen	5/5/03
Finance Director	Date

Action Required: Majority Vote Two-thirds Vote Other _____

County Board Meeting Date: May 13, 2003

Policy and Fiscal Note
Resolution No. 15-05/03

- I. Title: Transfer Funds to Implement the 2002-2004 Deputy Sheriffs' Arbitration Award
- II. Purpose and Policy Impact Statement: The parties conducted arbitration hearings on November 8, December 6, and December 9, 2002. On April 15, 2003 Arbitrator Bilder issued his award in which the County's final offer was selected as the more reasonable final offer. The following changes will be incorporated into the 2002-2004 Deputy Sheriffs' collective bargaining agreement:
 - Wage increase of 2% on January 1, 2002 and 1% on July 1, 2002.
 - Wage increase of 3% on January 1, 2003.
 - Health insurance plan changes become effective May 1, 2003 and the wage schedule is increased an additional 1%.
 - Wage increase of 3% on January 1, 2004.
 - Stipulated changes in contract language having no economic impact.
- III. Is this a budgeted item and what is its fiscal impact: Funds were carried forward from 2002 to 2003 for the pending arbitration decision. The sum of \$150,000

shall be transferred from the contingency fund to the Sheriff's Department 2003 budget for implementation of the interest arbitration decision.

Wages	\$85,345
Wisconsin Retirement	14,080
Social Security	6,528
Workers Compensation	1,579
Health insurance	35,856
WRS penalty for 2002	1,140
Retiree insurance credits	5,472

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

Committee: Finance Meeting Date: May 13, 2003

Vote: 7 – 0

V. Approved as to form:

David A. Bretl	5/5/03
County Administrator/ Corporation Counsel	Date
N. Andersen	5/5/03
Finance Director	Date

County Board Meeting Date: May 13, 2003

Reports of Special Committees

Supervisor Burwell wanted to publicly note that Supervisor Lightfield was recognized by the State Extension Conference for his 30 years of service in Extension.

Supervisor Burwell also thanked the Solid Waste Department and Highway Department for their hard work on the recycling of the computers. Burwell said that they doubled the number of people that came for the last program and that she is very proud of them.

Chairman Norem announced that the White River Trail opening is scheduled for June 7, 2003, 10:00 a.m. at Babe Mann Park. Norem also stated that if anyone did not get a notice for the County Board party to let him know and to please get their reservations in by Friday of this week.

Supervisor Hilbelink said that the Elkhorn Police Department is putting on a Bike Rodeo and those people who are in the Elkhorn School District can get a registration form from the Elkhorn Police Department to participate in the Rodeo the morning of the opening of the Trail.

Supervisor Lothian commented on several items of particular interest to him that were

contained in the Legislative Review from the WCA which was distributed this evening. Lothian said that he is a member of the Assembly Ways and Means Committee and the Assembly Urban and Local Affairs Committee. The bills that are pending and will be going to those committees in the next two or three weeks are listed in the Legislative Review. Lothian stated that he would appreciate it if the Supervisors would come forward and express to him any particular stance they may have as he goes to those committees and votes on whether the bills will come out of committee and go to the floor.

On motion by Supervisor Morrison, seconded by Supervisor Lohrmann, the meeting of the Walworth County Board adjourned at 6:50 p.m.

The next regularly scheduled meeting of the Walworth County Board will be held on Tuesday, June 10, 2003, at 6:00 p.m.

Kimberly S. Bushey
County Clerk

STATE OF WISCONSIN)
)SS
COUNTY OF WALWORTH)

I, Kimberly S. Bushey, County Clerk in and for the County aforesaid do hereby certify that the foregoing is a true and correct copy of the proceedings of the County Board of Supervisors for the May 13, 2003 meeting.

THE MAY 22, 2003 SESSION
OF THE
WALWORTH COUNTY BOARD OF SUPERVISORS

The Walworth County Board of Supervisors was called to order by Chairman Norem at 11:00 a.m. at the Walworth County Courthouse, 100 W. Walworth St., Elkhorn, Wisconsin.

Roll call was read with all Supervisors present except Supervisor Palzkill, Kuhnke, Scharine, and Wenglowky who had been excused. Due to a Finance Committee Meeting, the following Supervisors arrived at the special meeting shortly after roll was read: Arnold, Lohrmann, Lothian, Russell, and Schaefer. A quorum was established.

Approval of the Agenda

On motion by Supervisor Miles, seconded by Supervisor Gigante, the agenda was approved.

Comment Period by Members of the Public

There were no comments by the public.

New Business

A motion was offered by Supervisor Ketchpaw, seconded by Supervisor Hilbelink, to approve the contract, and accompanying resolution, as proposed by J. P. Cullen, with acceptance of Alternate Number 5, in the amount of \$10,953,973.00 for construction of the Walworth County Judicial Center. Discussion ensued.

Administrator Bretl stated that Resolution No. 19-05/03 – Resolution Approving Contract for Construction of Walworth County Judicial Center and accompanying budget amendment was approved by the Finance Committee prior to the County Board meeting. The budget amendment increases the Judicial Center budget using 2003 budgets for projects on the “moratorium” list and by using dollars remaining from current year projects that are under budget. The budget amendment adds \$378,800 to the Judicial Center budget for contingencies.

Supervisor Gigante said that he feels the Board is making a big mistake in expending these funds for this purpose at this time. Supervisor Gigante called for a roll call vote.

A roll call vote was held to approve Resolution No. 19-05/03. Total votes: 21; Ayes: 19 – Arnold, Burwell, Felten, Grant, Guido, Hilbelink, Ketchpaw, Lightfield, Lothian, Miles, Morrison, Parker, Peterson, Polyock, Russell, Schaefer, Shepstone, Shroble, and

Norem; Noes: 2 – Gigante and Lohrmann. Absent: 4 – Kuhnke, Palzkill, Scharine, and Wenglowsky.

Resolution No. 19-05/03

Resolution Approving Contract for Construction of Walworth County Judicial Center

Moved/Sponsored by:

WHEREAS, The county desires to construct a judicial facility ("Facility"), and, to that end solicited sealed bids for construction of said Facility; and,

WHEREAS, the property committee has recommended the proposal of J.P. Cullen & Sons, Inc. with acceptance of Alternate Number 5 in the amount of \$10,953,973.

NOW, THEREFORE, BE IT RESOLVED by the Walworth County Board of Supervisors that the bid of J.P. Cullen & Sons, Inc. with Alternate Number 5 be and the same is hereby approved and that staff is hereby authorized to execute the proper contract documents.

William M. Norem	5/22/03	Kimberly S. Bushey	5/22/03
County Board Chairman	Date	County Clerk	Date

Policy and Fiscal Note is attached.

Approved as to Form:	David A. Bretl	5/22/03
	County Administrator/ Corporation Counsel	Date

Nicki Andersen (pw)	5/22/03
Finance Director	Date

Action Required: Majority Vote Two-thirds Vote Other _____

County Board Meeting Date: May 22, 2003

Policy and Fiscal Note
Resolution No. 19-05/03

- I. Title: Resolution Approving Contract for Construction of Walworth County Judicial Center
- II. Purpose and Policy Impact Statement: To approve a construction contract for a new judicial facility.

III. Is this a budgeted item and what is its fiscal impact: A budget transfer, approved on May 22, 2003, by the finance committee, will facilitate construction of the project. An overall project budget has been established in the amount of \$11,199,604. A copy of the level three budget amendment is attached.

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

Committee: Property 5 - 0 Meeting Date: May 20, 2003
Finance May 22, 2003

V. Approved as to form:

David A. Bretl 5/22/03
County Administrator/
Corporation Counsel

Nicki Andersen (pw) 5/22/03
Finance Director Date

County Board Meeting Date: May 22, 2003

On motion by Supervisor Lohrmann, seconded by Supervisor Morrison, the meeting of the Walworth County Board adjourned at 11:45 a.m.

The next regularly scheduled meeting of the Walworth County Board will be held on Tuesday, June 10, 2003, at 6:00 p.m.

Kimberly S. Bushey
County Clerk

STATE OF WISCONSIN)
)SS
COUNTY OF WALWORTH)

I, Kimberly S. Bushey, County Clerk in and for the County aforesaid do hereby certify that the foregoing is a true and correct copy of the proceedings of the County Board of Supervisors for the May 22, 2003 meeting.

THE JUNE 10, 2003 SESSION
OF THE
WALWORTH COUNTY BOARD OF SUPERVISORS

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

Invocation

The Reverend Doctor Joan Goebel, St. James United Methodist Church, East Troy, gave the invocation.

Roll Call of Members

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

Withdrawals from the Agenda

There were no withdrawals from the agenda.

Approval of the Agenda

On motion by Supervisor Gigante, seconded by Supervisor Morrison, the evening's agenda was approved.

Approval of the Minutes

Supervisor Grant offered a motion to approve the minutes of the May 13, 2003 Committee of the Whole, the May 13, 2003 County Board Meeting, and the May 22, 2003 Special Meeting, seconded by Supervisor Gigante.

Supervisor Kuhnke asked to amend the minutes of the May 13, 2003 County Board Meeting. Page 5, line item 5, Peter and Kathleen Zeller, Town of Bloomfield, Rezone 35.31 acres of A-4 & A-1 to A-2 & C-1 should also include C-2. Supervisor Kuhnke said that the C-2 rezone was approved by the County Zoning Agency and was accidentally left off the correspondence sent to the Clerk's office. The minutes were approved as amended.

Comment Period from Members of the Public

Jeff Downing, Elkhorn, addressed the Supervisors. Downing said that his son was murdered in May of 2001 in Elkhorn. Downing said that he wanted to thank the people

of the County and he thinks that it is important for the Supervisors to know how appreciative he is. Downing said that the kindness shown by Detective Tom Bushey of the Elkhorn Police Department, District Attorney Phil Koss, and Evelyn Schulz, Victim Witness Coordinator, made his and his family's life easier and could never be repaid. Downing said that the Jury Bailiffs and County Officers in the Courthouse were kind and generous to him and his family as well. Downing said that he wanted to thank the Supervisors for the good people of the County and to remind them that they should not forget the employees of the County.

Jerry Hoffman, Sugar Creek Township, addressed the Supervisors. Hoffman said that he came to thank each of those Supervisors that attended for being present at the opening of the White River Bike Trail. Hoffman also wanted to thank the people who were advocates of the Trail from the beginning and also those who were opposed. Those who were opposed to the Trail gave them resolve to bring forth more information to promote the Trail.

Special Order of Business

Phyllis Williams addressed the Supervisors to present the Wisconsin Association of Health and Services for the Aged 2003 Youth Service Award to Coral Lindloff. Each year the Association requests nominations to recognize individuals that go that extra step, strive for excellence, and put the care into the meaning of long term care. Williams said that for the second year in a row, Lakeland Health Care Center has had the Youth Service Award awarded to one of our youth volunteers. Coral Lindloff is an eighth grader at Lake Geneva Middle School. Coral began volunteering at Lakeland Health Care Center in the summer of 1999 and in spite of her very busy school schedule she has logged over 700 hours of volunteer services. Williams said that Coral's most enjoyable activity is participating in the sing-a-longs with the residents. Williams said that on May 8, at the Wausau Annual Awards Banquet, Coral was awarded the Wausau 2003 State East Service Award. Coral could not be present tonight because of a school commitment. Chairman Norem presented Coral's award to her great-grandmother, Marian Dewart. Supervisor Lothian also presented a certificate to Mrs. Dewart from the State Assembly and the State Senate Legislature congratulating Coral Lindloff for her service to Lakeland Health Care Center. Mrs. Dewart thanked Lakeland Health Care Center on Coral's behalf and said that Coral enjoys working at the nursing home.

Supervisor Wenglowsky presented an award to Richard Turk for his 30 years of service to Walworth County. Wenglowsky said that Richard Turk has served for 26 ½ years as Assistant Director of Special Education at Lakeland School. Mr. Turk will be retiring as Assistant Director of Special Education at the end of this year. Wenglowsky said that Mr. Turk has been involved in education for 34 years.

County Administrator Dave Bretl addressed the Supervisors with a brief update on the status of the liability insurance study. Bretl said that he is referring to our general

William M. Norem, Chairman
Walworth County Board of Supervisors

CIVIL SERVICE BOARD – John Negley – Term to expire December 31, 2007

CIVIL SERVICE BOARD

STATE OF WISCONSIN)
)SS
COUNTY OF WALWORTH)

I, the undersigned Chairman of the Walworth County Board of Supervisors do hereby appoint John Negley to serve on the Civil Service Board for a five-year term. Said term to expire December 31, 2007 or until a successor is appointed or named.

Dated this 10th day of June, 2003.

William M. Norem, Chairman
Walworth County Board of Supervisors

COMMISSION ON AGING – Jacki Gotz, Bill Leith, and Cathy Potosnyak – Terms to expire June 30, 2006

COMMISSION ON AGING

STATE OF WISCONSIN)
)SS
COUNTY OF WALWORTH)

I, the undersigned Chairman of the Walworth County Board of Supervisors, do hereby reappoint the following to the Commission on Aging:

Jacki Gotz
Bill Leith
Cathy Potosnyak

Said terms to expire June 30, 2006 or until a successor is appointed or named.

Dated this 10th day of June, 2003.

William M. Norem, Chairman
Walworth County Board of Supervisors

COURTHOUSE SECURITY AND FACILITIES COMMITTEE – Robert Arnold, Lawrence Scharine, Thomas Lothian, Robert Shepstone – Terms to expire April 30, 2004

- Resolutions supporting Senate Bill 15 to create a Joint Survey Committee on State Mandates and Required Funding of State Mandates – Chippewa, Jackson, and Langlade counties – Res. No. 13-05/03 previously approved by County Board May 13, 2003.
- Resolution opposing the proposed cut in state aid to Wisconsin fairs – Dunn County – previously given to Supervisors.
- Resolution to support Federal legislation to change Medicare payment inequities between states – Langlade County – previously referred to Executive Committee.
- Correspondence from James Gultry, Administrator, Department of Revenue, acknowledging receipt of Walworth County's resolution regarding requests for mandate relief.
- Correspondence from State Representative Samantha J. Kerkman and State Representative Debi Towns acknowledging receipt of Res. No. 01-04/03 and Res. No. 02-04/03 approved at the April 15, 2003 meeting of the Walworth County Board of Supervisors.

The following item was distributed to the Supervisors June 10, 2003 and will be placed on file:

Wisconsin Counties Association correspondence regarding NACo Steering Committees Nominations.

The following items were received in the County Clerk's office after the agenda deadline and were distributed to the Supervisors this evening. The items will be referred to various committees as shown below:

- Claim of John Witcher will be referred to the Executive Committee.
- A letter from Supervisor Dorothy Burwell to the County Board of Supervisors regarding the future of Lakeland Health Care Center and Lakeland School will be referred to the Finance Committee.
- Ozaukee County Resolution No. 03-24 – Late Payments of Property Tax Installments will be referred to the Finance Committee.
- Calumet County Resolution 2003-6 – Resolution to Support the Adoption of a Human Cloning Ban in Wisconsin will be referred to the Executive Committee.
- Manitowoc County Resolution No. 2003/2004-24 – Resolution Supporting Family Planning Demonstration Project, will be referred to the Health & Human Services Board.

The following resolutions were received from various counties and have previously been referred to several committees. They will be placed on file in the Clerk's Office.

- Resolutions in Support of Federal Legislation to Change Medicare Inequities Between States from Bayfield, Calumet, and Vernon Counties

- Calumet County Resolution 2003-3 – Resolution Supporting Senate Bill 15 Which Creates a Joint Survey Committee on State Mandates and Required Funding of State Mandates
- Sauk County Resolution #77-03 – Requesting Waiver from Certain States Requiring Newspaper Publication for Notices and Minutes

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

- Gordon W. Keyes (Kristine K. Keyes-Longhorn and Kevin Longhorn, App.), Town of Geneva
- Larry K. Kulik, Town of Geneva
- Randolph C. Cruse, Town of Whitewater
- Dean Chudy, Town of Bloomfield
- Peter and Kathleen Zeller, Town of Bloomfield

The following Report of Petitions Referred was read and forwarded to the County Zoning Agency

Report of Petitions Referred to County Zoning Agency

TO: The County Board of Walworth County

The undersigned County Clerk hereby reports that the following petitions for rezone of land in Walworth County were referred to the County Zoning Agency for public hearing: Reports of Standing Committees.

- Town of Bloomfield re Pell Lake Sanitary District, Town of Bloomfield, R-1 to R-2
- Scott Dahlberg, Town of Spring Prairie, C-2 to R-1
- Patrick B. Blair, Town of East Troy, C-4 to C-2
- David and Patricia Rieck, Town of Lafayette, A-1 to A-5
- Cliff's View, LLC, Town of Richmond, A-1 & A-3 to A-2 & C-2

Reports of Standing Committees

County Zoning Agency

Report of Proposed Zoning Amendments

Supervisor Scharine offered a motion to approve Items #1 through #6 of the Report of Proposed Zoning Amendments, seconded by Supervisor Ketchpaw. Supervisor Russell asked that Items #1 and #2 be removed from the motion and voted on separately. Items #3 through #6 were approved. Discussion ensued. Item #1 was approved by voice vote with Supervisors Burwell, Gigante, Guido, Hilbelink, Lohrmann, Palzkill, and Russell requesting to be recorded as "No" votes. Discussion ensued on Item #2. Item

#2 was approved with Supervisors Gigante, Guido, Hilbelink, Lohrmann, and Palzkill recorded as "No" votes.

REPORT OF COUNTY ZONING AGENCY
TO COUNTY BOARD ON HEARING ON PETITION
TO AMEND THE WALWORTH COUNTY ZONING ORDINANCE

TO THE COUNTY BOARD OF WALWORTH COUNTY:

The County Zoning Agency, 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. Frederic K. Lake, Town of Troy – filed a petition on the 8th day of January, 2003, to amend said zoning maps from C-4 Lowland Resource Conservation District (Shoreland) & C-2 Upland Resource Conservation District to C-2 Upland Resource Conservation District & C-4 Lowland Resource Conservation District (Shoreland).

Recommendation: Said petition be approved.

2. Jerome E. Brennan and John C. Brennan, Jr., Town of Walworth – filed a petition on the 25th day of February, 2003, to amend said zoning maps from A-1 Prime Agricultural Land District to C-2 Upland Resource Conservation District.

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

The majority of the parcel is wooded and it is affected by the Guardian Pipeline easement.

3. William C. Grunow, Jr. (William C. Grunow III & Jennifer L. Grunow, App.), Town of Linn – filed a petition on the 26th day of February, 2003, to amend said zoning maps from A-3 Agricultural Land Holding District & A-4 Agricultural Related Manufacturing, Warehousing and Marketing District to R-1 Single-Family Residence District (Unsewered) and A-4 Agricultural Related Manufacturing, Warehousing and Marketing District.

Recommendation: Said petition be approved.

4. Kenneth H. Monroe, Town of Bloomfield – filed a petition on the 5th day of March, 2003, to amend said zoning maps from B-1 Local Business District to B-2 General Business District.

Recommendation: Said petition be approved.

5. Todd and Denise Fink, Town of Lafayette – filed a petition on the 27th day of February, 2003, to amend said zoning maps from M-3 Mineral Extraction District to C-2 Upland Resource Conservation District.

Recommendation: Said petition be approved.

6. Theodor Junker (B. R. Amon & Sons, App.), Town of Sugar Creek – filed a petition on the 21st day of February, 2003, to amend said zoning maps from A-1 Prime Agricultural Land District to M-3 Mineral Extraction District.

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

It is an existing pit and will be restored back to agricultural property when completed.

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 Zoning Agency for public hearing; and

WHEREAS, the Walworth County Zoning Agency 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. Frederic K. Lake, Town of Troy – filed a petition on the 8th day of January, 2003, to amend said zoning maps from C-4 Lowland Resource Conservation District (Shoreland) & C-2 Upland Resource Conservation District to C-2 Upland Resource Conservation District & C-4 Lowland Resource Conservation District (Shoreland) on the following described lands:

Tax Parcel #'s LSL 00001, LSL 00001A, LSL 00001B, and LSL 00001C

A part of Lots 1 thru 38 of Block 1 of Swift Lake Subdivision, located in Section 8, Town 4 North, Range 17 East, Walworth County, Wisconsin, currently zoned C-2 and C-4 to be rezoned as C-4, described as follows:

Commencing at the Northwest Corner of Lot 38 of Block 1 of Swift Lake Subdivision; thence S 39DEG 21MIN 42SEC E, 17 feet to the Point of Beginning; thence Northerly of a line of wetland flags staked by SEWRPC the following courses:

N 64DEG 43MIN 36SEC E, 184.60 feet; thence S 46DEG 39MIN 23SEC E, 41.93 feet; thence S 24DEG 17MIN 43SEC W, 31.66 feet; thence S 71DEG 33MIN 40SEC E, 34.97 feet; thence N 31DEG 07MIN 56SEC E, 93.42 feet; thence N 56DEG 22MIN 55SEC E, 102.01 feet; thence N 75DEG 49MIN 38SEC E, 71.70 feet; thence S 10DEG 29MIN E, 70.05 feet; thence S 87DEG 59MIN 25SEC E, 81.26 feet; thence N 78DEG 01MIN 03SEC E, 136.91 feet; thence S 66DEG 21MIN 14SEC E, 41.46 feet; thence N 51DEG 31MIN 13SEC E, 143.51 feet; thence N 29DEG 32MIN 06SEC W, 55.96 feet; thence N 29DEG 48MIN 17SEC E, 101.21 feet; thence N 65DEG 23MIN 06SEC E, 55.81 feet; thence N 56DEG 37MIN 01SEC E, 183.14 feet; thence N 76DEG 43MIN 25SEC E, 94.16 feet; thence N 54DEG 51MIN E, 128.91 feet; thence N 82DEG 55MIN 24SEC E, 42.09 feet; thence S 84DEG 26MIN 08SEC E, 26.17 feet; thence N 57DEG 55MIN 08SEC E, 199.52 feet; thence N 80DEG 19MIN 22SEC E, 270.79 feet more or less to the East line of Lot 1 of Block 1 of said subdivision; thence South along said lot line, 36 feet more or less to the shore of Doyles Lake; thence Southwesterly along the shore of said lake, 2022 feet more or less to the West line of Lot 38 of Block 1 of said subdivision; thence N 39DEG 21MIN 42SEC W, 180 feet more or less to the Point of Beginning.

Also

Part of Lots 23 thru 25 of Block 1 of said Swift Lake Subdivision, to be zoned C-4, described as follows:

Commencing at the Northwest Corner of Lot 38 of Block 1 of Swift Lake Subdivision; thence N 72DEG 15MIN 13SEC E, 703.89 feet to the Point of Beginning; thence N 44DEG 44MIN 06SEC E, 47.37 feet; thence S 87DEG 57MIN 39SEC E, 52.66 feet; thence S 38DEG 30MIN 15SEC W, 81.13 feet; thence N 48DEG 10MIN 57SEC W, 47.57 feet to the Point of Beginning.

Legal Description

Lands to remain as C-2

Lots 1 thru 38 of Block 1 of Swift Lake Subdivision, located in Section 8, Town 4 North, Range 17 East, Walworth County, Wisconsin, excepting therefrom the above described C-4 parcels.

2. Jerome E. Brennan and John C. Brennan, Jr., Town of Walworth – filed a petition on the 25th day of February, 2003, 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 #E W 1800010

Being part of the NW1/4 of the SE1/4 and also the NE1/4 of the SW1/4 of Section 18, Township 1 North, Range 16 East, Town of Walworth, Wisconsin, being more completely described as follows:

Commencing at the SE corner of Section 18 Township 1 North, Range 16 East, thence S 88°30'12"W, along the South line of said SE1/4 a distance of 1332.74' to the SE corner of the SW1/4 of the SE1/4 of said Section 18; thence N 1°06'29"W along the East line of said SW1/4 659.25' to a point on the North line of CSM #2508; thence along said North line S 88°31'06"W, a distance of 811.94' to the Point of Beginning;; thence continuing S 88°31'06"W, a distance of 516.72' to a point on the West line of the SE1/4 of said Section 18; thence with said West line S 01°18'54"E, a distance of 0.56' to a point; thence S 88°16'30"W, a distance of 147.54' to a point; thence N 01°17'33"W, a distance of 413.58' to a point; thence N 86°10'56"E, a distance of 276.63' to a point; thence S 58°35'30"E, a distance of 255.26' to a point; thence S 34°38'10"E, a distance of 210.27' to a point; thence S 29°08'50"E, a distance of 123.09' to the Point of Beginning.

The majority of the parcel is wooded and it is affected by the Guardian Pipeline easement.

3. William C. Grunow, Jr. (William C. Grunow III & Jennifer L. Grunow, App.), Town of Lynn – filed a petition on the 26th day of February, 2003, to amend said zoning maps from A-3 Agricultural Land Holding District & A-4 Agricultural Related Manufacturing, Warehousing and Marketing District to R-1 Single-Family Residence District (Unsewered) and A-4 Agricultural Related Manufacturing, Warehousing and Marketing District on the following described lands:

Part of Tax Parcel #I L 1700001

Parcel "A" - A-3 to A-4

A parcel of land located in the Northeast ¼ of Section 17, T1N, R17E, Walworth County, Wisconsin, described more particularly as follows: Commencing at the Northeast Corner of said Section 17; thence N 89°32'40" W along the North line of the Northeast ¼ of said Section 17, 1950.00 feet; thence S 00°27'20" W 426.11 feet to the Point of Beginning; thence S 89°30'24" E, a distance of 262.33 feet; thence S 0°32'26" W, a distance of 23.71 feet;; thence N 89°32'40" W, a distance of 262.30 feet; ;thence N 0°27'20" E, a distance of 23.89 feet to the Point of Beginning; said described tract containing 0.14 acres, more or less.

Parcel "B" – A-3 & A-4 to R-1

A parcel of land located in the Northeast ¼ of Section 17, T1N, R17E, Walworth County, Wisconsin, described more particularly as follows: Commencing at the Northeast Corner of said Section 17; thence S 89°32'40" W along the North line of the Northeast

¼ of said Section 17, 1285.66 feet; thence S 00°27'19" W 66.00 feet to the Point of Beginning; thence S 25°00'00" W, a distance of 501.10 feet; thence S 76°44'11" W, a distance of 79.99 feet; thence N 77°54'57" W, a distance of 118.72 feet; thence N 0°32'26" E, a distance of 90.57 feet; thence N 89°30'24" W, a distance of 43.84 feet; thence N 0°06'09" W, a distance of 75.00 feet; thence N 36°00'00" E, a distance of 350.59 feet; thence S 89°32'40" E, a distance of 242.77 feet to the Point of Beginning; said described tract containing 2.85 acres, more or less.

Parcel "C" – A-3 to A-4

A parcel of land located in the Northeast ¼ of Section 17, T1N, R17E, Walworth County, Wisconsin, described more particularly as follows: Commencing at the Northeast Corner of said Section 17; thence S 00°07'34" W along the East line of the Northeast ¼ of said Section 17, 1245.67 feet to the Point of Beginning; thence N 89°52'26" W, a distance of 757.17 feet; thence N 0°27'20" E, a distance of 142.03 feet; thence S 79°14'20" E, a distance of 769.58 feet to the Point of Beginning; said described tract containing 1.23 acres, more or less.

Parcel "D" – A-3 to A-4

A parcel of land located in the Northeast ¼ of Section 17, T1N, R17E, Walworth County, Wisconsin, described more particularly as follows: Commencing at the Northeast Corner of said Section 17; thence S 00°07'34" W along the East line of the Northeast ¼ of said Section 17, 1320.68 feet; thence N 89°54'36" W 164.46 feet to the Point of Beginning; thence S 0°04'42" W, a distance of 171.04 feet; thence S 89°48'37" W, a distance of 30.53 feet; thence N 89°16'54" W, a distance of 606.89 feet; thence N 0°43'06" E, a distance of 164.55 feet; thence S 89°54'36" E, a distance of 635.54 feet to the Point of Beginning; said described tract containing 2.45 acres, more or less.

4. Kenneth H. Monroe, Town of Bloomfield – filed a petition on the 5th day of March, 2003, to amend said zoning maps from B-1 Local Business District to B-2 General Business District on the following described lands:

Tax Parcel #MPL 00217

Lots 973 – 987 Block 22 Pell Lake Subdivision, a subdivision located in Section 22, Town 1 North, Range 18 East, Town of Bloomfield, Walworth County, Wisconsin.

5. Todd and Denise Fink, Town of Lafayette – filed a petition on the 27th day of February, 2003, to amend said zoning maps from M-3 Mineral Extraction District to C-2 Upland Resource Conservation District on the following described lands:

Part of Tax Parcel #K LF 700005

Located in part of the Southeast ¼ of Section 7, Town 3 North, Range 17 East, Walworth County, Wisconsin, more particularly described as follows: Commencing at the South ¼ corner of said Section 7; thence along the N-S line of said Section 7, N

00DEG 12MIN 31SEC W, 950.59 feet; thence S 89DEG 25MIN 52SEC E, 468.57 feet to the Point of Beginning; thence N 01DEG 48MIN 53SEC E, 617.05 feet; thence N 38DEG 00MIN 15SEC E, 131.38 feet; thence N 89DEG 32MIN 34SEC E, 591.37 feet; thence S 04DEG 57MIN 05SEC E, 173.31 feet; thence S 36DEG 29MIN 30SEC W, 791.42 feet; thence N 89DEG 07MIN 20SEC W, 189.00 feet; thence N 00DEG 00MIN 00SEC E, 80.57 feet; thence N 89DEG 25MIN 52SEC W, 47.11 feet to the Point of Beginning.

6. Theodor Junker (B. R. Amon & Sons, App.), Town of Sugar Creek – filed a petition on the 21st day of February, 2003, to amend said zoning maps from A-1 Prime Agricultural Land District to M-3 Mineral Extraction District on the following described lands:

Tax Parcel #G SC 900004

A parcel of land located in the Northwest $\frac{1}{4}$ of Section 9, Town 3 North, Range 16 East, Walworth County, Wisconsin, described as follows. Commence at the North $\frac{1}{4}$ Corner of said Section 9; thence South along the East line of the Northwest $\frac{1}{4}$, 1746.74 feet to the Point of Beginning; thence North along said Section line 1536.74 feet; thence S $76^{\circ}30'00''$ W 650.00 feet; thence South 130.00 feet; thence N $67^{\circ}28'W$ 535.00 feet; thence North 150.00 feet; thence N $57^{\circ}05'30''$ W 223.32 feet to the Northwest Corner of the East $\frac{1}{2}$ of the Northwest $\frac{1}{4}$; thence S $00^{\circ}00'13''$ W along the West lien of the East $\frac{1}{2}$ of the Northwest $\frac{1}{4}$, 2654.83 feet to a point in the South line of the Northwest $\frac{1}{4}$ and the centerline of County Trunk Highway "A", thence N $89^{\circ}32'46''$ E along said line 302.72 feet to the Southwest corner of Certified Survey Map No. 1676; thence N $00^{\circ}26'07''$ W 340.85 feet along the Westerly line of said certified survey map; thence N $89^{\circ}33'53''$ E along the Northerly line of said certified survey map, 428.93 feet; thence N $01^{\circ}01'47''$ W along lands zoned M-3, 570.11 feet; thence N $889^{\circ}19'44''$ E 595.10 feet to the Point of Beginning. Said parcel contains 55.83 acres of land more or less.

It is an existing pit and will be restored back to agricultural property when completed.

ATTEST this 10th day of June, 2003.

William M. Norem
County Board Chairman

ATTEST this 10th day of June, 2003.

Kimberly S. Bushey
County Clerk

Children with Disabilities Education Board

Motion by Supervisor Shepstone, seconded by Supervisor Scharine, to approve Resolution No. 30-06/03 – Approving a Staffing Increase for the Children with Disabilities Education Board. Tracy Moate addressed the Supervisors to explain why there would be an increase in staff. Moate said that as students increase, staff has to

be increased or Walworth County could face litigation from the Federal government. Bretl said that if the revenue isn't there the positions aren't there. Federal funds can also be used to offset other costs such as the tax levy. Supervisor Felten said she voted against this at the committee level because we are in the position of cutting employees and we have never eliminated any of the staff in the past. Moate said that this position is out in the district not at the Lakeland School. Supervisor Guido stated that the resolution is written to indicate that if funds are reduced, staff will be reduced as well. The Clerk asked if there were any "No" votes as this resolution requires a two-thirds vote. There were none and a unanimous vote was recorded.

Resolution No. 30-06/03
Amending 2003 Budget of the Children with Disabilities Education Board
To Approve Staffing Increases

WHEREAS, the steady increase in children, ages 3-21, who qualify for special education services requires the addition of 3.67 FTE positions; and

WHEREAS, existing programs in the Delavan-Darien and Lake Geneva school districts are operating at or beyond full capacity outlined in D.P.I. guidelines; and

WHEREAS, an increase in IDEA Entitlements for 2003-04 have been confirmed by the Department of Public Instruction to offset the total costs of the additional positions; and

WHEREAS, the WCCDEB currently receives 31% reimbursement through state categorical aid for staffing salaries and benefits; and

WHEREAS, recently completed individual education plans for individual students require the WCCDEB to provide related service support; and

WHEREAS, all of these positions would be fully supported by federal IDEA dollars and therefore have zero impact on the WCCDEB budget and the appropriations made through the Walworth County tax levy.

NOW, THEREFORE BE IT RESOLVED by the Walworth County Board of Supervisors, that the 2003 budget be amended to increase 3.67 FTE positions, creating 2.67 in paraprofessional positions, a .50 occupational therapist, and increase a .50 speech/language clinician to 1.00 FTE.

BE IT FURTHER RESOLVED that the sum of \$154,520 shall be appropriated to cover the increased cost of salary and fringe benefits for the 2003-04 school year.

BE IT FURTHER RESOLVED that the cost of the new 3.67 FTE positions be covered utilizing the increase in IDEA funding as shown on the attached policy and fiscal note,

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

Recommendations: In order to correct the current and anticipated over-enrollment and student needs issue, the following additional positions are needed for the 2003-04 school year:

Paraprofessionals	2.67 FTE
Support Staff	1.0 FTE (Increase current speech and language staff person to full time and add a part-time occupational therapist)
TOTAL	3.67 FTE

Fiscal Impact: All of these positions would be fully supported by federal flow through dollars and therefore have zero impact on the budget and the appropriations made through the Walworth County tax levy.

POSITION	TOTAL SALARY/BENEFIT COST
Paraprofessional	\$ 91,800
Support Staff	\$ 62,720 (Increase current speech and language staff person to full time and add a part-time occupational therapist)
TOTAL	\$ 154,520

Approved as to form: David A. Bretl 6/3/03
County Administrator/ Date
Corporation Counsel

Reviewed for Budget/Fiscal Impact: Nicki Andersen (pw) 6/3/03
Finance Director Date

Executive Committee

Supervisor Grant asked to have Item #1, Res. No. 32-06/03 referred to the Finance Committee.

A motion was offered by Supervisor Lothian, seconded by Supervisor Gigante, to approve Item #2, Resolution No. 36-06/03 – Resolution Declaring Partnership Between Walworth County and Landkreis Waldeck-Frankenberg And Authorizing the County Administrator to Execute the Same on Behalf of the County Board, and Item #3, Resolution No. 33-06/03 – Recognizing the Hessentag Festival in the State of Hesse, Federal Republic of Germany. The question was called and Items #2 and #3 were approved. Supervisor Polyock requested to be recorded as a “No” vote.

Resolution No. 36 – 06/03
Resolution Declaring Partnership
Between Walworth County and Landkreis Waldeck-Frankenberg
And Authorizing the County Administrator to Execute the Same
on Behalf of the County Board

Moved/Sponsored by: Executive Committee

WHEREAS, Walworth County in the State of Wisconsin in the United States of America and the Region of Waldeck-Frankenberg in the State of Hesse in the Federal Republic of Germany agreed to establish a partnership as a symbol of their friendship; and,

WHEREAS, the government of Waldeck-Frankenberg wishes to recognize the relationship at a public ceremony to be held in conjunction with the Hessentag Festival on June 14, 2003; and

WHEREAS, the county administrator will be attending said Hessentag Festival;

NOW, THEREFORE, BE IT RESOLVED by the Walworth County Board of Supervisors that the County Administrator is authorized to sign, on behalf of the Board, the following "Declaration of Partnership" with the Governor of the Region of Waldeck-Frankenberg, thereby confirming the previously established "Sister County" agreement between the counties:

"Whereas, Walworth County in the State of Wisconsin in the United States of America and the Region of Waldeck-Frankenberg in the State of Hesse in the Federal Republic of Germany agree to establish a partnership as a symbol of their friendship; and

Whereas, Walworth County and the Region of Waldeck-Frankenberg wish to lead the way in establishing partnerships between the United States of America and the Federal Republic of Germany so as to serve the interests of their citizens in public and private entities; and,

Whereas, the partnership between Walworth County and the Region of Waldeck-Frankenberg promotes social progress and intensive business relations through the exchange of opinion and experience in the fields of education, youth exchange, science, the arts, culture, economy and trade;

The Walworth County Board of Supervisors and the local parliament of Waldeck-Frankenberg have agreed to establish a partnership for the well being of their citizens.

We hereby confirm this declaration with the seals of our respective counties/regions and with our signatures."

William M. Norem
County Board Chairman

6/25/03
Date

Kimberly S. Bushey
County Clerk

Date

Policy and Fiscal Note is attached.

Approved as to Form:

David A. Bretl
County Administrator/
Corporation Counsel

6/4/03
Date

Nicki Andersen (pw)
Finance Director

6/4/03
Date

Action Required: Majority Vote Two-thirds Vote Other _____

County Board Meeting Date: June 10, 2003

Policy and Fiscal Note
Resolution No. 36 – 06/03

- I. Title: Declaration of Partnership Between Walworth County and Landkreis Waldeck-Frankenberg and Authorizing the County Administrator to Execute the Same on Behalf of the County Board
- II. Purpose and Policy Impact Statement: The purpose of the resolution is to recognize the previously declared "Sister County" partnership at a signing ceremony at the Hessentag Festival.
- III. Is this a budgeted item and what is its fiscal impact: Adoption of this resolution will have no fiscal impact on the County budget. No taxpayer funds will be spent in connection with the county administrator's travel.
- IV. Referred to the following standing committees for consideration and date of referral:

Committee: Executive

Meeting Date: June 10, 2003

Vote: 7 - 0

V. Approved as to form:

David A. Bretl
County Administrator/
Corporation Counsel

6/4/03
Date

Nicki Andersen (pw)
Finance Director

6/4/03
Date

County Board Meeting Date: June 10, 2003

- II. Purpose and Policy Impact Statement: The purpose of this resolution is to recognize the Hessentag Festival which will be celebrated by our sister county Landkreis Waldeck-Frankenberg.
- III. Is this a budgeted item and what is its fiscal impact: Adoption of this resolution will have no fiscal impact on the County budget.
- IV. Referred to the following standing committees for consideration and date of referral:

Committee: Executive Meeting Date: June 10, 2003

Vote: 7 - 0

- V. Approved as to form:

David A. Bretl	6/4/03
County Administrator/ Corporation Counsel	Date
Nicki Andersen (pw)	6/4/03
Finance Director	Date

County Board Meeting Date: June 10, 2003

Motion by Supervisor Grant, seconded by Supervisor Ketchpaw, to refer Item #1, Resolution No. 32-06/03 – Opposing Governor Doyle’s Proposal to Remove Five Hundred Million Dollars from the State Transportation Budget, to the Finance Committee. A roll call vote was held on whether or not to send Item #1 to the Finance Committee. Bretl said that the resolution is an advisory one. Supervisor Lothian said that the Joint Finance Committee has already put the money back into the trust fund for the highways but it would still be appropriate to vote in opposition of the Governor. A roll call vote was held. Total votes: 24; Ayes: 6 – Burwell, Felten, Grant, Ketchpaw, Lightfield, Lohrmann; Noes: 18 – Gigante, Guido, Hilbelink, Kuhnke, Lothian, Miles, Morrison, Palzkill, Parker, Peterson, Polyock, Russell, Schaefer, Scharine, Shepstone, Shroble, Wenglowsky, Norem; Absent: 1- Arnold. The roll call vote to send Resolution No. 32-06/03 to the Finance Committee failed.

On motion by Supervisor Lothian, seconded by Supervisor Schaefer, Finance Committee Item #1, Resolution No. 32-06/03, was approved.

Advisory Resolution No. 32 - 06/03
Opposing Governor Doyle’s Proposal to Remove Five Hundred Million Dollars from the
State Transportation Budget

Moved/Sponsored by: Executive Committee

WHEREAS, the Wisconsin Counties Association ("WCA") solicited Walworth County to submit advisory resolutions for the fall WCA convention scheduled to be held in La Crosse County, Wisconsin, September 11 – 15, 2003; and,

WHEREAS, Governor Doyle's current budget proposal includes the removal of \$500,000,000 from the state transportation budget; and,

WHEREAS, the Executive Committee has recommended County Board support for opposition to the Governor's proposal;

NOW, THEREFORE, BE IT RESOLVED that the Walworth County Board of Supervisors hereby goes on record in opposition of Governor Doyle's proposal to remove \$500,000,000 in transportation funding from the proposed budget.

BE IT FURTHER RESOLVED that the County Clerk shall forward a copy of this advisory resolution to the Wisconsin Counties Association.

William M. Norem	6/25/03	Kimberly S. Bushey	
County Board Chairman	Date	County Clerk	Date

Policy and Fiscal Note is attached.

Approved as to Form:	David A. Bretl	6/10/03
	County Administrator/ Corporation Counsel	Date

Nicki Andersen (pw)	6/10/03
Finance Director	Date

Action Required: Majority Vote

County Board Meeting Date: June 10, 2003

Policy and Fiscal Note
Resolution No. 32 - 06/03

- I. Title: Opposing Governor Doyle's Proposal to Remove Five Hundred Million Dollars from the State Transportation Budget.
- II. Purpose and Policy Impact Statement: The purpose of this resolution is to submit an advisory resolution to the Wisconsin Counties Association for consideration at the fall 2003 WCA convention.
- III. Is this a budgeted item and what is its fiscal impact: Adoption of this advisory resolution will have no fiscal impact on the Walworth County budget.

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

Committee: Executive Meeting Date: May 22, 2003

Vote: 5 - 0

V. Approved as to form: David A. Bretl 6/4/03
County Administrator/ Date
Corporation Counsel

Nicki Andersen (pw) 6/4/03
Finance Director Date

County Board Meeting Date: June 10, 2003

Finance Committee

On motion by Supervisor Lohrmann, seconded by Supervisor Gigante, Item #1, Resolution No. 21-06/03 – Resolution Supporting a Change in the Tax Code to Increase Allowable Mileage Reimbursement for Volunteers, was approved.

Resolution No. 21-06/03
Resolution Supporting a Change in the Tax Code
To Increase Allowable Mileage Reimbursement for Volunteers

Moved/Sponsored by: Finance Committee

WHEREAS, the Internal Revenue Service ("IRS") tax code allowable mileage reimbursement for volunteers is 14 cents per mile but is 36 cents per mile for business use; and,

WHEREAS, except in limited circumstances depending on the funding source, the difference between the IRS allowable mileage rate of 14 cents per mile for volunteers and the rates provided by the county is taxable income to the volunteer; and,

WHEREAS, at a time when government is asking volunteers and volunteer organizations to bear an increasing burden to deliver essential services, requiring the volunteer to recognize that 14 cents per mile as taxable income deters volunteer participation; and,

WHEREAS, raising the limit on mileage reimbursement for volunteers to the level permitted for business use will help organizations to continue to attract the volunteers who play a critical role in helping to deliver services; and,

WHEREAS, raising the limit on mileage reimbursement for volunteers to the level permitted for business use will simplify the tax code both for organizations using volunteers and for the volunteers themselves; and,

WHEREAS, the system currently in place does not make sound policy or fiscal sense.

NOW, THEREFORE, BE IT RESOLVED that the Walworth County Board of Supervisors supports federal legislation to change the IRS tax code to raise the limit on mileage reimbursement for volunteers to the level permitted for business use.

BE IT FURTHER RESOLVED by the Walworth County Board of Supervisors that the County Clerk shall forward a copy of this resolution to the Governor, Wisconsin federal legislative representatives, and to the Wisconsin Counties Association.

William M. Norem County Board Chairman	6/25/03 Date	Kimberly S. Bushey County Clerk	Date
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Policy and Fiscal Note is attached.

Approved as to Form:	David A. Bretl County Administrator/ Corporation Counsel	6/2/03 Date
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Nicki Andersen (pw) Finance Director	6/3/03 Date
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Action Required: Majority Vote Two-thirds Vote Other _____

County Board Meeting Date: June 10, 2003

Policy and Fiscal Note
Resolution No. 21-06/03

- I. Title: Resolution Supporting a Change in the Tax Code to Increase Allowable Mileage Reimbursement for Volunteers
- II. Purpose and Policy Impact Statement: The purpose of this resolution is to support federal legislation to change the tax code to increase the allowable mileage reimbursement to volunteers. The applicable IRS tax code would be affected by this legislation. Volunteers would no longer have to declare mileage reimbursement amounts over 14 cents per mile as taxable income, thereby increasing the likelihood that more people will serve as volunteers.
- III. Is this a budgeted item and what is its fiscal impact: No county budget impact would occur by approval of this resolution. Once the IRS tax code is amended

volunteers would not have to declare mileage reimbursement up to 36 cents per mile as taxable income.

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

Committee: Finance Meeting Date: May 22, 2003

Vote: 6 - 0

V. Approved as to form David A. Bretl 6/2/03
County Administrator/ Date
Corporation Counsel
Nicki Andersen (pw) 6/2/03
Finance Director Date

County Board Meeting Date: June 10, 2003

Supervisor Lohrmann made a motion, seconded by Supervisor Shepstone, to approve Item #2, Resolution No. 22-06/03 – Resolution Declaring Certain Farm Structures Surplus and Authorizing the Transfer of \$25,475.00 from the Undesignated Fund for the Purpose of Razing the Same. Discussion ensued. A motion offered by Supervisor Gigante, seconded by Supervisor Burwell, to table Item #2, Resolution No. 22-06/03, failed by voice vote. A roll call vote was held to approve Item #2, Resolution No. 22-06/03. Total votes: 24; Ayes: 10 – Grant, Hilbelink, Ketchpaw, Kuhnke, Miles, Polyock, Schaefer, Scharine, Shepstone, Norem; Noes: 14 – Burwell, Felten, Gigante, Guido, Lightfield, Lohrmann, Lothian, Morrison, Palzkill, Parker, Peterson, Russell, Shroble, Wenglowisky; Absent: 1 – Arnold. The motion to approve Resolution No. 22-06/03 failed.

Resolution No. 22 - 06/03

DEFEATED

Resolution Declaring Certain Farm Structures Surplus and Authorizing the Transfer of \$25,475.00 from the Undesignated Fund for the Purpose of Razing the Same

Moved/Sponsored by: Finance Committee

WHEREAS, pursuant to previous action of the County Board, the County farm has been leased at fair market value; and,

WHEREAS, the Public Property committee recommends demolition of certain structures associated with the farm, to wit: two barns, three silos, one corn crib; and
WHEREAS, the Property committee on March 25 approved the specifications and authorized Requests for Proposals for the demolition of the various County farm structures; and,

Policy and Fiscal Note
Resolution No. 22-6/03

- I. Title: Resolution to Use Undesignated General Fund Balance for Demolition of Various County Farm Structures
- II. Purpose and Policy Impact Statement: The Public Property Committee approved the specifications and authorized Requests for Proposals for demolition of the various County farm structures at their March 25 meeting. The only complete and viable proposal for the work was received from Mann Brothers. However, the proposed cost of \$61,975 exceeds the funds available from use of excess farm revenue.
- III. Is this a budgeted item and what is its fiscal impact: The demolition of the various County farm structures was not included in the 2003 budget. When the demolition was bid out, it was anticipated that farm revenue exceeding the 2003 budgeted amount would be sufficient to pay for the demolition. However, the accepted bid of Mann Brothers exceeds the available excess farm revenue by \$25,475. To complete the demolition, it will be necessary to utilize \$25,475 from the undesignated general fund balance. The undesignated general fund balance has \$3,016,155 available as of June 1, 2003. If this resolution is approved, available fund balance will total \$2,990,680.
- IV. Referred to the following standing committees for consideration and date of referral:

Committee: Finance

Meeting Date: 5/23/03

Vote: 6-0

- V. Approved as to form:

David A. Bretl	6/3/03
County Administrator/ Corporation Counsel	Date
Nicki Andersen (pw)	6/3/03
Finance Director	Date

County Board Meeting Date: June 10, 2003

A motion was made by Supervisor Ketchpaw, seconded by Supervisor Lohrmann, to approve Resolution 23-06/03 – Resolution Authorizing the Prepayment of Seven Hundred Thirty-Seven Thousand Three Hundred and Eighty-Two Dollars, Plus Associated Interest, to the State of Wisconsin, Board of Commissioners of Public Lands, for Repayment of Existing Loans. A roll call vote was held. Total votes: 24; Ayes: 23 – Burwell, Felten, Grant, Guido, Hilbelink, Ketchpaw, Kuhnke, Lightfield,

Lohrmann, Lothian, Miles, Morrison, Palzkill, Parker, Peterson, Polyock, Russell, Schaefer, Scharine, Shepstone, Shroble, Wenglowsky, Norem; Noes: 1 – Gigante; Absent: 1 - Arnold. Motion carried.

Resolution No. 23-06/03

RESOLUTION AUTHORIZING THE PREPAYMENT OF SEVEN HUNDRED THIRTY SEVEN THOUSAND THREE HUNDRED AND EIGHTY TWO DOLLARS, PLUS ASSOCIATED INTEREST, TO THE STATE OF WISCONSIN, BOARD OF COMMISSIONERS OF PUBLIC LANDS, FOR REPAYMENT OF EXISTING LOANS

Moved/Sponsored by: Finance Committee

WHEREAS, financing decisions for capital improvements in Walworth County balance the use of pay-as you-go financing with long-term debt financing; and,

WHEREAS, maximizing the availability of tax dollars for operating requirements is considered in the development of Walworth County's Capital Financing Plan; and,

WHEREAS, Walworth County's existing debt includes \$737,382 in principal and \$12,076 in interest due to the State of Wisconsin, Board of Commissioners of Public Lands; and,

WHEREAS, the current interest rate on this debt is 5%; and,

WHEREAS, Walworth County is currently earning interest at the rate of 1.09% on its investments at the Local Government Investment Pool; and,

WHEREAS, The State of Wisconsin allows debt prepayment without penalty if given thirty days notice during the period of March 15 through July 31; and,

WHEREAS, prepayment of this debt would reduce the 2004 Walworth County tax levy by approximately \$360,000; and,

WHEREAS, funds are available in Walworth County's Debt Service and General Funds to prepay the County's existing debt to the State of Wisconsin from savings which resulted from the refunding of outstanding debt in prior years and from 2002 operational savings.

NOW, THEREFORE, BE IT RESOLVED by the Walworth County Board of Supervisors that the sum of \$450,000 is transferred from the County's Undesignated General Fund balance to the Debt Service Fund for the purpose of prepaying a portion of the outstanding debt due to the State of Wisconsin, Board of Commissioners of Public Lands; and

BE IT FURTHER RESOLVED that an additional \$299,458 be appropriated from unallocated debt service funds for the purpose of prepaying the balance of the outstanding debt with the State of Wisconsin; and

BE IT FURTHER RESOLVED that Walworth County prepay its outstanding principal debt of \$737,382, plus associated interest, to the State of Wisconsin, Board of Commissioners of Public Lands, effective July 16, 2003; and

BE IT FURTHER RESOLVED that the Director of Finance is hereby directed to carry out the provisions of this resolution, including proper notification to the State of Wisconsin.

William M. Norem 6/25/03
County Board Chairman Date

Kimberly S. Bushey
County Clerk Date

Policy and Fiscal Note is attached.

Approved as to Form: David A. Bretl (no date)
County Administrator/ Date
Corporation Counsel

Nicki Andersen (pw) 5/30/03
Finance Director Date

Action Required: Majority Vote Two-thirds Vote Other _____

County Board Meeting Date: June 10, 2003

Policy and Fiscal Note
Resolution No. 23-06/03

- I. Title: Resolution Authorizing the Prepayment of Seven Hundred Thirty Seven Thousand Three Hundred and Eighty Two Dollars, Plus Associated Interest, to the State of Wisconsin, Board of Commissioners of Public Lands, for Repayment of Existing Loans.
- II. Purpose and Policy Impact Statement: The use of the Undesignated General Fund balance to prepay the State of Wisconsin, Board of Commissioners of Public Lands in accord with Section 30-157(C)(2) which authorizes the use of undesignated fund balance for the purpose of prepaying outstanding debt to generate financial returns.
- III. Is this a budgeted item and what is its fiscal impact: The County is proposing to prepay its outstanding debt with the State of Wisconsin. Interest on this debt accrues at a rate of 5% while the County is earning interest at the rate of 1.09%

on its investments at the Local Government Investment Pool. The current Debt Service Schedule for this loan follows:

Year	Principal	Interest	Total
2004	\$325,380	\$36,621	\$362,001
2005	\$160,726	\$20,600	\$181,326
2006	\$164,367	\$12,564	\$176,931
2007	\$ 55,775	\$ 4,345	\$ 60,120
2008	<u>\$ 31,134</u>	<u>\$ 1,561</u>	<u>\$ 32,695</u>
Total	\$737,382	\$75,691	\$813,073

The total payment due, assuming a July 16, 2003 prepayment date, would be \$749,458 comprised of \$737,382 in principal and \$12,076 in interest.

Estimated interest income on the principal and interest balance of \$813,073 for the period of July 16, 2003 through March 15, 2008 is \$15,700. This estimate is based on the current Local Government Investment Pool interest rate of 1.09%.

Adoption of this resolution proposes to use \$450,000 of the existing undesignated general fund and \$299,458 from existing unallocated debt service funds. The balance available in the undesignated fund as of June 1, 2003, is \$3,016,155. Assuming passage of this resolution and Res. No. 22-06/03 (on tonight's agenda), available fund balance would be \$2,540,680. Prepayment would reduce the 2004 tax levy by approximately \$360,000.

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

Committee: Finance

Meeting Date: May 22, 2003

Vote: 5-0

V. Approved as to form:

David A. Bretl
County Administrator/
Corporation Counsel

(no date)
Date

Nicki Andersen (pw)
Finance Director

5/30/03
Date

County Board Meeting Date: June 10, 2003

Highway Committee

On motion by Supervisor Gigante, seconded by Supervisor Kuhnke, Resolution 24-06/03 – Resolution Approving an Agreement By and Between Walworth County and the State of Wisconsin Concerning a Jurisdictional Transfer of a Portion of State Trunk

Highway 120 from the Wisconsin Department of Transportation to Walworth County, was approved by voice vote.

Resolution No. 24 - 06/03

Resolution Approving an Agreement By and Between Walworth County and the State of Wisconsin Concerning a Jurisdictional Transfer of a Portion of State Trunk Highway 120 from the Wisconsin Department of Transportation to Walworth County

Moved/Sponsored by: Highway Committee

WHEREAS, jurisdictional transfers of roadways are recommended as part of the State Trunk Highway 120 bypass project around the City of Lake Geneva; and

WHEREAS, a portion of this plan calls for the Wisconsin Department of Transportation (hereafter "State") to transfer jurisdiction of State Trunk Highway 120 to Walworth County (hereafter "County") from Milwaukee Street to the westerly limits of the U.S. Highway 12 ramps in the City of Lake Geneva; and

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

WHEREAS, the scheduling for this resurfacing project will take place in 2004; and

WHEREAS, the State has proposed that the County to take over responsibility for the roadway on November 15th of the year the resurfacing work is completed.

NOW, THEREFORE, BE IT RESOLVED by the Walworth County Board of Supervisors that the County accepts jurisdiction of State Trunk Highway 120 from Milwaukee Street to the westerly limits of the U.S. Highway 12 ramps, and in the City of Lake Geneva (approximately 0.68 miles) upon the conditions stated above.

BE IT FURTHER RESOLVED that the proper County officials be authorized to execute a Jurisdictional Transfer Agreement with the State to facilitate said transfer .

William M. Norem	6/25/03	Kimberly S. Bushey	
County Board Chairman	Date	County Clerk	Date

Policy and Fiscal Note is attached.

Approved as to Form:	David A. Bretl	6/3/03
	County Administrator/ Corporation Counsel	Date

Nicki Andersen (pw)	6/3/2003
Finance Director	Date

Action Required: Majority Vote Two-thirds Vote Other _____

County Board Meeting Date: June 10, 2003

Policy and Fiscal Note
Resolution No. 24 - 06/03

- I. Title: Resolution Approving an Agreement By and Between Walworth County and the State of Wisconsin Concerning a Jurisdictional Transfer of a Portion of State Trunk Highway 120 from the Wisconsin Department of Transportation to Walworth County
- II. Purpose and Policy Impact Statement: The purpose is to accept the jurisdiction over a part of State Trunk Highway 120 from the State in accordance with the recommended jurisdictional Highway Plan concerning the State Trunk Highway 120 bypass of Lake Geneva.
- III. Is this a budgeted item and what is its fiscal impact: Passage of this resolution will cause no fiscal impact for the 2003 budget. Upon completion of this jurisdictional transfer the County will be responsible for 0.68 miles of existing State Trunk Highway which will be designated as County Trunk Highway "H". This portion of highway will be maintained as part of the County Highway budget. There will be an ongoing cost of maintaining the road, however, it represents less than one-half of the road mileage, which was previously transferred to the City of Lake Geneva.

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

Committee: Highway Committee Date: May 20, 2003
Vote: 5-0

- V. Approved as to form:
 - David A. Bretl 6/3/03
County Administrator/ Date
Corporation Counsel
 - Nicki Andersen (pw) 6/3/03
Finance Director Date

County Board Meeting Date: June 10, 2003

Human Resources Committee

Supervisor Morrison made a motion to approve Items #1 and #2 under the Human Resources Committee, seconded by Supervisor Kuhnke. Supervisor Guido asked that Item #1 be separated from Item #2 and voted on separately.

- II. Purpose and Policy Impact Statement: The purpose of this resolution is to confirm the appointment of Tracy Moate as Director of Special Education and approve an employment contract with Ms. Moate.
- III. Is this a budgeted item and what is its fiscal impact: Pursuant to the employment contract:
- Ms. Moate would be paid \$80,683.00 per year plus County benefits to serve as Director of Special Education. This is currently step C of range 22M. She will be eligible to receive a step increase on January 1, 2004, and across-the-board raises that the County Board might approve from time-to-time, in the same manner as other department heads.
 - In general, Ms. Moate would receive the same benefits as other department heads of the county, including health insurance, vacation, and holidays. Based on her length of service with the county, she will be eligible for five weeks of vacation.
 - Ms. Moate's employment would be "at will" meaning she can be terminated by the County Administrator for any reason. This is a departure from tenure enjoyed by department heads appointed prior to January 8, 2003, who have "for cause" job protection. As a result, a one hundred twenty-day notice or severance provision is included in the contract. If Ms. Moate is not provided with one hundred twenty days notice of termination, severance would need to be provided. Ms. Moate may end her employment with thirty days written notice.
 - Sufficient funds exist in the CDEB budget to support changes to Ms. Moate's current salary, pursuant to the employment contract.
- IV. Referred to the following standing committees for consideration and date of referral:

Committee: Human Resources

Date: June 10, 2003

Vote: 6 - 1

- V. Approved as to form:
- | | |
|--|-----------------|
| David A. Bretl
County Administrator/
Corporation Counsel | 6/10/03
Date |
| Nicki Andersen (pw)
Finance Director | 6/10/03
Date |

County Board Meeting Date: June 10, 2003

Item #2. Resolution No. 35 – Resolution Approving an Employment Agreement By and Between Walworth County and Michael Cotter as Director of Land Use & Resource Management was unanimously approved.

Resolution No. 35 - 06/03
Resolution Approving an Employment Agreement By and Between Walworth County
and Michael Cotter as Director of Land Use and Resource Management

Moved/Sponsored by: Human Resources Committee

WHEREAS, The Walworth County Administrator has nominated Michael Cotter ("Cotter") to serve in the position of Director of Land Use and Resource Management; and

WHEREAS, the Land Conservation Committee and County Zoning Agency met jointly on June 10, 2003, and recommend approval of the appointment; and

WHEREAS, the Human Resources Committee met on June 10, 2003, to consider a proposed employment agreement between Walworth County and Cotter and recommend approval of the same; and

NOW, THEREFORE, BE IT RESOLVED by the Walworth County Board of Supervisors that the appointment of Michael Cotter to serve in the position of Director of Land Use and Resource Management be and the same is hereby approved pursuant to the terms of the attached employment contract, which contract is hereby approved.

William M. Norem 6/25/03
County Board Chair

Kimberly S. Bushey
Attest: County Clerk Date

Policy and Fiscal Note is attached.

Approved as to Form:

David A. Bretl 6/10/03
County Administrator/ Date
Corporation Counsel

Nicki Andersen (pw) 6/10/03
Finance Director Date

Action Required: Majority Vote Two-thirds Vote Other _____

County Board Meeting Date: June 10, 2003

Policy and Fiscal Note
Resolution No. 35-06/03

- I. Title: Resolution Approving an Employment Agreement By and Between Walworth County and Michael Cotter as Director of Land Use and Resource Management.

II. Purpose and Policy Impact Statement: The purpose of this resolution is to confirm the appointment of Michael Cotter as Director of Land Use and Resource Management and approve an employment contract with Mr. Cotter.

III. Is this a budgeted item and what is its fiscal impact: Pursuant to the employment contract:

- Mr. Cotter would be paid \$74,464.00 per year plus County benefits to serve as Director of Land Use and Resource Management. This is currently step D of management pay range 19. He would be eligible to receive step increases and across-the-board raises that the County Board might approve from time-to-time, in the same manner as other department heads.
- In general, Mr. Cotter would receive the same benefits as other department heads of the county, including health insurance, vacation and holidays.
- Mr. Cotter's employment would be "at will" meaning he can be terminated by the County Administrator for any reason. This is a departure from tenure enjoyed by department heads appointed prior to January 8, 2003, who have "for cause" job protection. As a result, a one hundred twenty-day notice or severance provision is included in the contract. If Mr. Cotter is not provided with one hundred twenty days notice of termination, severance would need to be provided. Mr. Cotter may terminate his employment upon thirty days written notice.
- Cotter would hold a concurrent appointment as Special Assistant Corporation Counsel and will, from time-to-time under the direction of Corporation Counsel, provide legal representation to the county.
- Sufficient funds were included within the 2003 budget for this position. No budget amendment is necessary to implement this contract.

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

Committee: Human Resources

Date: June 10, 2003

Vote: 7 - 0

V. Approved as to form:

David A. Bretl 6/10/03
County Administrator/ Date
Corporation Counsel

Nicki Andersen (pw) 6/10/03
Finance Director Date

County Board Meeting Date: June 10, 2003

Land Conservation Committee

A motion was offered by Supervisor Russell, seconded by Supervisor Ketchpaw, to approve all six items under the Land Conservation Committee. Supervisor Gigante asked to exclude Item #1. Discussion ensued. The following resolutions were unanimously approved by voice vote. As Resolution No. 29-06/03 required a two-thirds vote, the Clerk asked if there were any "No" votes. Hearing none, the vote was recorded as unanimous.

Item #2. Resolution No. 26-06/03 – Oppose the State Joint Finance Committee's Proposal to Cut the DNR Stewardship Program Over the Next Seven Years

Resolution No. 26-06/03

Oppose the State Joint Finance Committee's Proposal To Cut
The DNR Stewardship Program over the Next Seven Years

Sponsored by: Land Conservation Committee

WHEREAS, The Nelson-Knowles Stewardship Fund, named for former governors Gaylord Nelson and Warren Knowles, sets aside \$60 million in bonds each year to buy and develop land for recreation, wildlife habitat, state parks, trails, forests and other natural areas; and

WHEREAS, the Joint Finance Committee of the State of Wisconsin proposed reducing the Warren Knowles-Gaylord Nelson Stewardship Program by \$245 million from \$572 million to \$327 million by the year 2010; and

WHEREAS, the Joint Finance Committee of the State of Wisconsin further recommended that State of Wisconsin cut spending for land purchases in the next two fiscal years from \$120 million to \$25 million; and

WHEREAS, the Joint Finance Committee of the State of Wisconsin further directed the Department of Natural Resources to sell \$20 million of public land in each of the next two years.

NOW, THEREFORE, BE IT RESOLVED by the Walworth County Board of Supervisors that Walworth County opposes the Joint Finance Committee's proposal to cut \$245 million dollars from the State of Wisconsin Stewardship Fund; and

BE IT FURTHER RESOLVED by the Walworth County Board of Supervisors that the County Clerk is directed to send a copy of this resolution to Governor Doyle, the Walworth County legislative delegation and the Wisconsin Counties Association.

ADOPTED this 10th day of June, 2003.

William M. Norem 6/25/03
Walworth County Board Chairman

Kimberly S. Bushey
Walworth County Clerk

Policy and Fiscal Note attached.

County Board Meeting Date: June 10, 2003

Approved as to form:	David A. Bretl County Administrator	6/2/03 Date
	Nicki Andersen (pw) Finance Director	6/3/03 Date

Action Required: Majority Vote

POLICY AND FISCAL NOTE
RESOLUTION No. 26-06/03

- I. Title: Oppose the State Joint Finance Committee's proposal to cut the DNR Stewardship program over the next seven years.

- II. Purpose and Policy Impact Statement: The purpose is to oppose the State Joint Finance Committee's proposal to cut the DNR Stewardship program by \$245 million over the next seven years.

- III. Budget and Fiscal Impact: This is an advisory resolution. Passage of this resolution will have no fiscal impact on the Walworth County budget.

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

Land Conservation Committee.

Referral Date: To be considered at a Special Land Conservation Committee Meeting held prior to the County Board Meeting.

V. Approved as to Form:	David A. Bretl County Administrator	6/2/03 Date
	Nicki Andersen (pw) Finance Director	6/3/03 Date

Item #3. Resolution No. 27-06/03 – Supporting the Use Value Tax as Originally Intended for Agricultural and Conservation Uses

Resolution No. 27- 06/03

Supporting the Use Value Tax as Originally Intended
for Agricultural and Conservation Uses

Sponsored by: Land Conservation Committee

WHEREAS, for many years farmers have received property tax relief through the Wisconsin Farmland Preservation property tax relief program and the farmland property tax credit provision of the Wisconsin Tax Code; and

WHEREAS, in 1974 the State of Wisconsin changed the Wisconsin Constitution's uniformity clause to allow for the preferential assessment of agricultural and conservation land for property tax purposes; and

WHEREAS, the 1995 Budget Bill changed the way agricultural land was assessed and agricultural land is now assessed based upon the its use value; and

WHEREAS, the 1995 Budget Bill did not change the assessment of conservation land; and

WHEREAS, sensitive and marginal lands are being removed from conservation practices and placed into agricultural uses in order for the property owner to lower their property taxes; and

WHEREAS, Wisconsin risks losing environmentally sensitive lands if conservation practices are not protected through the use value tax.

NOW, THEREFORE, BE IT RESOLVED by the Walworth County Board of Supervisors that Walworth County supports the Use Value Tax as originally intended for Agricultural and Conservation Uses; and

BE IT FURTHER RESOLVED by the Walworth County Board of Supervisors that Walworth County supports assessing conservation lands under the use value formula; and

BE IT FURTHER RESOLVED by the Walworth County Board of Supervisors that the County Clerk is directed to send a copy of this resolution to the Governor, Walworth County legislative delegation and Wisconsin Counties Association.

ADOPTED this 10th day of June, 2003.

William M. Norem 6/25/03
Walworth County Board Chairman

Kimberly S. Bushey
Walworth County Clerk

Policy and Fiscal Note attached.

County Board Meeting Date: June 10, 2003

Approved as to form: David A. Bretl 6/3/03
County Administrator/Corporation Counsel Date

Nicki Andersen (pw) 6/3/03
Finance Director Date

Action Required: Majority Vote

POLICY AND FISCAL NOTE
RESOLUTION No. 27-06/03

- I. Title: Supporting the Use Value Tax as originally intended for Agricultural and Conservation Uses.
- II. Purpose and Policy Impact Statement: The purpose is to support the use value tax as originally intended for Agricultural and Conservation Uses.
- III. Budget and Fiscal Impact: This is an advisory resolution. If the Legislature adopts the requested change, owners of conservation land not currently in agriculture may receive lower tax assessments. In other cases, it may encourage owners to remove land that is being inappropriately farmed. Under present law equalized valuation impacts the County's overall levy limit.
- IV. Referred to the Following Standing Committees for Consideration and Date of Referral:

Land Conservation Committee.

Referral Date: To be considered at a Special Land Conservation committee meeting held prior to the County Board Meeting.

- V. Approved as to Form David A. Bretl 6/2/03
County Administrator Date
Nicki Andersen (pw) 6/3/03
Finance Director Date

Item #4. Resolution No. 28-06/03 – Supporting the Continuation of the Wisconsin Land Information Program Funding Mechanisms & the Combination of the Wisconsin Land Information Board and Wisconsin Land Counsel

Resolution No. 28-06/03

Supporting the Continuation of the Wisconsin Land Information Program
Funding Mechanisms and the Combination of the Wisconsin
Land Information Board & Wisconsin Land Council

Sponsored by: Land Conservation Committee

WHEREAS, current Wisconsin Statutes sunset the Wisconsin Land Information Board ("WLIB") and modify the Wisconsin Land Information Program (WLIP) funding effective September 1, 2003; and

WHEREAS, the Walworth County Land Conservation Committee met and considered the impact of these changes to land record modernization activities in Walworth County; and

WHEREAS, the WLIP has far reaching benefits to both Walworth County and the State of Wisconsin through land record modernization activities that have resulted in improvements to the real property listing and tax assessment process, more accurate parcel mapping, enhancements to emergency response, gained efficiencies in carrying out land conservation programs, and better information for land planning activities; and

WHEREAS, there is still much work to be completed before land records modernization reaches its maturity and the goal of having the designated foundational elements completed on a statewide basis; and

WHEREAS, it is vital that the functions of the WLIP through its funding mechanisms, statutory charges, and guidance of a coordinating body remain in place to carry the program through to its maturity and the achievement of the full benefits provided by modernizing land records statewide; and

WHEREAS, Walworth County recognizes that the financial situation of the State will require reductions in boards and programs.

NOW, THEREFORE, BE IT RESOLVED by the Walworth County Board of Supervisors that Walworth County support the continuation of the current WLIP funding mechanisms, statutory charges, and the guidance of a coordinating body that combines the functions of the WLIB and the Wisconsin Land Council ("WLC") as described in the Wisconsin Land Council & Wisconsin Land Information Board's Report to the Governor and Legislature, dated September 2002.

ADOPTED this 10th day of June, 2003.

William M. Norem 6/25/03
Walworth County Board Chairman

Kimberly S. Bushey
Walworth County Clerk

Policy and Fiscal Note attached.

County Board Meeting Date: June 10, 2003

Approved as to form: David A. Bretl 6/3/03
County Administrator/ Date
Corporation Counsel

Nicki Andersen (pw) 6/3/03
Finance Director Date

Action Required: Majority Vote

POLICY AND FISCAL NOTE
RESOLUTION No. 28-06/03

- I. Title: Supporting the Continuation of the Wisconsin Land Information Program Funding Mechanisms and the Combination of the Wisconsin Land Information Board and Wisconsin Land Council.
- II. Purpose and Policy Impact Statement: The purpose is support the continuation of the current Wisconsin Land Information Program funding mechanisms, statutory charges, and the combination of the Wisconsin Land Information Board and the Wisconsin Land Council.
- III. Budget and Fiscal Impact: This is an advising resolution. Adoption of this resolution will have no fiscal impact on the current county budget.
- IV. Referred to the Following Standing Committee(s) for Consideration and Date of Referral:

Land Conservation Committee

Referral Date: May 19, 2003

Vote: 7-0

V. Approved as to Form: David A. Bretl 6/3/03
County Administrator/ Date
Corporation Counsel

Nicki Andersen (pw) 6/3/03
Finance Director Date

Item #5. Resolution No. 29-06/03 – Supporting the Southeastern Wisconsin Regional Planning Commission’s Regional Water Supply Study

Resolution No. 29-06/03

Supporting the Southeastern Wisconsin Regional

Planning Commission's Regional Water Supply Study

Sponsored by: Land Conservation Committee

WHEREAS, Walworth County is charged with the protection of the health and welfare of its citizens, and the quality of their environs; and

WHEREAS, the changes in population distribution within Southeastern Wisconsin have impacted the availability of water supplies in varying ways and placed increased pressures on groundwater sources; and

WHEREAS, records have shown that over the past 50 years water levels in the deep sandstone aquifer underlying much of the Southeastern Wisconsin Region have declined precipitously due to consumption, and are continuing to decline at a rate of several feet per year; and

WHEREAS, tests indicate increasing salinity, radium, and arsenic levels in the water from the deep sandstone aquifer, as well as localized problems for shallower aquifers, that may limit groundwater use or be hazardous for human consumption; and

WHEREAS, technically sound water supply management requires consideration of comprehensive water resources planning addressing both surface water and groundwater; and

WHEREAS, there may be potential cost-effectiveness advantages to expanding the uses of Lake Michigan as a source of water supply and to managing groundwater sources based upon technical area-wide analyses; and

WHEREAS, without a sound plan for the protection and wise use of surface water and groundwater supplies, significant health, safety, and economic problems may occur for our citizens and our communities; and

WHEREAS, the Southeastern Wisconsin Regional Planning Commission (SEWRPC) is currently completing a regional groundwater inventory, and is working toward the completion of a groundwater simulation model for Southeastern Wisconsin; and

WHEREAS, in May and June of 2002, Kenosha and Racine County requested SEWRPC prepare a prospectus for the development of a water supply plan; and

WHEREAS, SEWRPC completed the Regional Water Supply Planning Program Prospectus and presented a summary of the prospectus to the Walworth County Land Conservation Committee on May 5, 2003; and

WHEREAS, SEWRPC estimates the cost of implementing this plan shall be \$931,000.00 of which \$731,000.00 would be a one-time funding requirement paid over a three year period by each of the seven counties in the SEWRPC region; and

WHEREAS, SEWRPC recommended prorating each counties share based upon equalized property value rather than dividing the amount of \$731,000.00 equally between all seven counties; and

WHEREAS, Walworth County's share would be \$17,000.00 for three years based upon equalized property value compared to \$35,000.00 for three years if the funding requirement were to be divided by each of the counties equally.

NOW, THEREFORE, BE IT RESOLVED that the Walworth County Board of Supervisors supports a comprehensive area-wide water supply plan as this plan is urgently needed to develop and manage the Region's water resources in an efficient and cost-effective manner that will protect the quality and quantity of the regional water supply for current and future generations.

BE IT FURTHER RESOLVED by the Walworth County Board of Supervisors that Walworth County supports dividing the funding requirement based upon equalized property value; and

BE IT FURTHER RESOLVED by the Walworth County Board of Supervisors that approval of funding of the study by Walworth County will be subject to further action by the county board.

BE IT FURTHER RESOLVED that the County Clerk is directed to send a copy of this resolution to SEWRPC.

William M. Norem 6/25/03
Walworth County Board Chairman

Kimberly S. Bushey
Walworth County Clerk

Policy and Fiscal Note attached.

County Board Meeting Date: June 10, 2003

Approved as to form: David A. Bretl 6/3/03
County Administrator/ Date
Corporation Counsel

Nicki Andersen (pw) 6/3/03
Finance Director Date

Action Required: 2/3 Vote

POLICY AND FISCAL NOTE
RESOLUTION No. 29-06/03

County Board of Supervisors and which committee shall assist the Land Conservation committee subject to rules established by said Land Conservation committee.

NOW, THEREFORE, BE IT RESOLVED by the Walworth County Board of Supervisors that the Walworth County Parks Advisory committee is hereby created subject to the following conditions:

1. Said advisory committee shall assist the Land Conservation committee and shall be subject to rules established by said Land Conservation committee, which rules may be amended from time to time;
2. All appointees to said advisory committee shall be subject to confirmation by the County Board;
3. Advisory committee members shall not be eligible for mileage or per diem.

William M. Norem
County Board Chair

6/25/03

Kimberly S. Bushey
Attest: County Clerk

Policy and Fiscal Note is attached.

Approved as to Form:

David A. Bretl
County Administrator
Corporation Counsel

5/29/03
Date

Nicki Andersen (pw)
Finance Director

5/30/03
Date

Action Required: Majority Vote Two-thirds Vote Other _____

County Board Meeting Date: June 10, 2003

Policy and Fiscal Note
Resolution No. 31-06/03

- I. Title: Establishing the Walworth County Parks Advisory Committee
- II. Purpose and Policy Impact Statement: The purpose of this Resolution is to establish the County Parks Advisory committee. County Board Ordinance No. 234-01/03 assigned responsibility for County parks and recreation issues to the Land Conservation committee and allowed the committee, subject to approval of the County Board, to form a Parks Advisory committee to assist it in the governance of parks issues. The Land Conservation committee has worked with the existing Park Advisory Board to continue the existing committee's service and to formalize the rules of governance between the two committees.

WHEREAS, the Land Conservation Committee has recommended horseback riding use be allowed as an approved use on a portion of the Trail between Springfield and Lyons for a one-year trial period, during which time the Trail may be closed due to weather conditions.

NOW, THEREFORE, BE IT RESOLVED by the Walworth County Board of Supervisors that horseback riding be and the same is an approved use of the White River State Trail between State Trunk Highway 120 and Springfield to Mill Street in Lyons for a one-year trial period, subject to appropriate regulations which shall include closing the Trail to horseback riders as a result of inclement weather conditions.

BE IT FURTHER RESOLVED that the Highway Commissioner is hereby directed to inform the Wisconsin Department of Natural Resources of the additional approved use.

William M. Norem 6/25/03
County Board Chair
William M. Norem

Kimberly S. Bushey
Attest: County Clerk

Policy and Fiscal Note is attached.

Approved as to Form:	David A. Bretl County Administrator/ Corporation Counsel	6/2/03 Date
	Nicki Andersen (pw) Finance Director	6/3/03 Date

Action Required: Majority Vote Two-thirds Vote Other _____

County Board Meeting Date: June 10, 2003

Policy and Fiscal Note
Resolution No. 25-06/03

- I. Title: Resolution Allowing Horse Riding as an Approved Use on a Section of the White River State Trail from Springfield to Lyons for a One-Year Period
- II. Purpose and Policy Impact Statement: Representatives of the equestrian community have requested that the White River State Trail be allowed to be used for horseback riding purposes. The White River Trail Advisory Committee has considered the request and determined that the area of least impact required to accommodate horse use would be between Springfield and Lyons. The Committee surveyed the abutting property owners to determine their concerns regarding expanding the uses of the Trail to include horseback riding, and the results of the survey indicated that 65% of the respondents were in favor of

On motion by Supervisor Burwell, seconded by Supervisor Ketchpaw, Resolution No. 20-6/03 – Resolution Authorizing the Submittal of a State Grant Application and the Subsequent Appropriation of County Funds for a “Clean Sweep” Household Hazardous Waste Collection Program for Walworth County. Discussion ensued. The resolution was approved by voice vote.

Resolution No. 20-06/03
Authorizing The Submittal of A State Grant Application and The Subsequent
Appropriation of County Funds for A “Clean Sweep”
Household Hazardous Waste Collection Program For Walworth County

Moved/Sponsored by: Solid Waste Management Board

WHEREAS, improper management and disposal of household hazardous waste materials have been identified as serious problems leading to contamination of ground and surface waters and the environment in general; and,

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

WHEREAS, Walworth County recognizes the benefits of a program to control the disposal and storage of potentially hazardous household waste and will carry out all proposed activities described in the state grant application; and,

WHEREAS, the Geneva Lake Environmental Agency, Elkhorn Area Chamber of Commerce, Elkhorn Kiwanis Club, and other local civic and environmental groups support such a program and encourage the County to get involved in such a program; and,

WHEREAS, the county's Clean Sweep Programs are intended to offer education and assistance to citizens in the identification, proper handling and disposal of household hazardous waste through distribution of public information materials, presentations to citizen groups, and a designated day for the collection and disposal of household hazardous waste; and,

WHEREAS, Walworth County successfully organized and conducted a Clean Sweep in 2002, and the county board has approved a Clean Sweep Program for 2003, with collection scheduled September 26 and 27, 2003; and,

WHEREAS, the county board hereby declares Walworth County's intent to conduct annual Clean Sweep Programs subject to public response and the appropriation of funding, and,

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

WHEREAS, the Solid Waste Division of the Facilities Management Department is planning to conduct a Household Clean Sweep program in 2004, and is proposing to budget \$43,000 for hazardous waste contractor services and \$12,225 for other program costs; and,

WHEREAS, the total net cost to the Solid Waste Division 2004 budget for this program would be \$0, because of the \$15,000 Department of Natural Resources state grant, \$14,500 Troy Area Landfill Fund revenue, and \$25,725 Mallard Ridge Landfill Fund revenue, and,

WHEREAS, Walworth County will maintain appropriate records documenting all expenditures made during the Clean Sweep Program; and,

WHEREAS, Walworth County will allow employees from the Wisconsin Department of Natural Resources access to inspect Clean Sweep Program sites; and,

WHEREAS, Walworth County will submit a Final Report to the Department of Natural Resources describing all Clean Sweep Program activities, achievements and problems, comparing the actual program with the activities and objectives proposed in our application, including samples of all informational and educational brochures prepared and distributed, data on residents' participation rates, waste quantities collected by category, documentation of all project costs, and a section on recommendations.

NOW, THEREFORE, BE IT RESOLVED that the Walworth County Board of Supervisors authorizes the Solid Waste Division to submit an application for a Household Hazardous Waste Clean Sweep Grant and upon acceptance of the grant, include the expected revenue and expenses in the Solid Waste Division 2004 budget with the intent of conducting a Household Clean Sweep program in compliance with Chapter NR 187, Wis. Adm. Code, in Walworth County in 2004.

William M. Norem	6/25/03	Kimberly S. Bushey	6/25/03
County Board Chairman	Date	County Clerk	Date

Policy and Fiscal Note is attached.

Approved as to Form:	David A. Bretl	6/2/03
	County Administrator/ Corporation Counsel	Date

Nicki Andersen (pw)	6/2/03
Finance Director	Date

Action Required: Majority Vote Two-thirds Vote Other _____

County Board Meeting Date: June 10, 2003

Policy and Fiscal Note
Resolution No. 20- 06/03

- I. Title: Authorizing The Submittal Of A State Grant Application And The Subsequent Appropriation Of County Funds For A "Clean Sweep" Household Hazardous Waste Collection Program For Walworth County
- II. Purpose and Policy Impact Statement: The purpose of this resolution is to obtain County Board approval to submit an application for Household Hazardous Waste Clean Sweep State Grant funding, and authorize the Solid Waste Division to include expected revenue and expenses in its 2004 budget with the intent of conducting a Household Clean Sweep program in 2004.

The Household Hazardous Waste Clean Sweep State Grant program requires that an approved resolution be included with the grant application. The resolution is being presented now because the grant application is due on July 1, 2003.

- III. Is this a budgeted item and what is its fiscal impact: The resolution would authorize including \$43,000 for hazardous waste contract costs and \$12,225 for other program costs in the 2004 Solid Waste Division budget. Total expenses for the Household Clean Sweep program are projected to be \$55,225.

Program revenue would offset all costs for the 2004 Household Clean Sweep program. Revenue for the program comes from the following funding sources:

- 1. Household Clean Sweep Program State grant funding - \$15,000
- 2. Troy Area Landfill Fund - \$14,500.
- 3. Mallard Ridge Landfill Fund - \$25,725

Revenue and expense amounts for the Household Clean Sweep program have been included in the Solid Waste Division budget on a yearly basis from 1997 through 2002, and again in 2003. Revenue and expense account comparisons for budget years 2003 and 2004 are as follows:

Revenue:	Budget Year 2003 As Approved:	Budget Year 2004 As Projected:
Household State Grant (550-9557-2009)	\$ -0-	\$ 15,000
Landfill Tipping Fees – Troy Area Landfill Fund (550-9557-3532)	\$ 14,500	\$ 14,500

Landfill Tipping Fees - Mallard Ridge Landfill Fund (550-9557-3533)	\$ 38,250	\$ 25,725
Total Revenue:	\$ 52,750	\$ 55,225
Expenses:	Budget Year 2003 As Approved:	Budget Year 2004 As Projected:
Haz Waste Contractor (550-9557-6128)	\$ 41,000	\$ 43,000
Other Prog Costs (550-9557-6409, 7000's & 8000's)	\$ 11,750	\$ 12,225
Total Expenses	\$52,750	\$ 55,225
Net Cost of Program	-0-	\$ -0-
Increase from budget year 2003 to 2004		\$-0-

ADDITIONAL KEY INFORMATION:

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

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

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

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

The Solid Waste Division has successfully conducted Household Hazardous Waste Clean Sweep programs in 1992, 1995, 1997, 1998, 1999, 2000, and 2002.

Walworth County's previous programs have been very successful. On average, 72% of

those who have attended Walworth County programs have been first-time participants. The household program has collected a total of 128,970 pounds of hazardous waste from Walworth County residents, which is an average of 18,424 pounds per program. The 2002 Clean Sweep program collected 23,253 pounds of hazardous waste.

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

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

Committee: Solid Waste Management Board Meeting Date: May 20, 2003

Vote: 7 - 0

V. Approved as to form:	David A. Bretl County Administrator/ Corporation Counsel	6/2/03 Date
	Nicki Andersen (pw) Finance Director	6/2/03 Date

County Board Meeting Date: June 10, 2003

Reports of Special Committees

There were no reports of Special Committees.

Chairman Norem commented that the ground breaking for the new Courthouse was today at 3:30 p.m.

On motion by Supervisor Morrison, seconded by Supervisor Schaefer, the meeting of the Walworth County Board adjourned at 7:35 p.m.

The next regularly scheduled meeting of the Walworth County Board will be held on Tuesday, July 8, 2003, at 6:00 p.m.

Kimberly S. Bushey
County Clerk

STATE OF WISCONSIN)
)SS
COUNTY OF WALWORTH)

I, Kimberly S. Bushey, County Clerk in and for the County aforesaid do hereby certify that the foregoing is a true and correct copy of the proceedings of the County Board of Supervisors for the June 10, 2003 meeting.