THE JULY 13, 2004 SESSION
OF THE
WALWORTH COUNTY BOARD OF SUPERVISORS
COMMITTEE OF THE WHOLE

The Walworth County Board of Supervisor's Committee of the Whole was called to order by Chairperson Lohrmann at 5:00 p.m. in the County Board Room at the Walworth County Courthouse, 100 W. Walworth Street, Elkhorn, Wisconsin.

Roll call was taken and all Supervisors were present except Supervisors Arnold, Hilbelink, Morrison, and Van Dreser who were excused. Due to the late dismissal of an earlier committee meeting, the following Supervisors arrived after roll call was taken and the meeting was in progress: Burwell, Goebel, Polyock, Russell and Schaefer.

Michael Cotter, Director of Land Use and Resource Management, presented an overview of the Park and Open Space Plan for Walworth County.

On motion by Supervisor Felten, seconded by Supervisor Hawkins, the meeting was adjourned.

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 Committee of the Whole for the July 13, 2004 meeting.

THE JULY 13, 2004 SESSION
OF THE
WALWORTH COUNTY BOARD OF SUPERVISORS

The Walworth County Board of Supervisors meeting was called to order by Chairperson Lohrmann at 6:00 p.m. in the County Board Room at the Walworth County Courthouse, 100 W. Walworth Street, Elkhorn, Wisconsin.

Supervisor Margaret Downing delivered the invocation.

All Supervisors were present except Supervisors Arnold, Hilbelink, Morrison, and Van Dreser. A quorum was established.

Amendments, Withdrawals, and Approval of Agenda

On motion by Supervisor Ketchpaw, seconded by Supervisor Grant, the agenda was approved.

Approval of the Minutes

On motion by Supervisor Muzatko, seconded by Supervisor Russell, the minutes of the June 8, 2004 meeting of the Walworth County Board were approved.

Comment Period by Members of the Public

Odell Gigante, N7791 Bell School Road, Burlington, addressed the Board regarding conflict of interest and ethical conduct. Gigante said that if a person is receiving any services from the County, then that person or those people should not be voting on the issues that deal with that particular service. He said that the County Board Supervisors should remember not to get involved with labor relations and should not discuss problems with the employees that are involved. Gigante said that if a Supervisor votes no at a committee meeting, then he asked that the Supervisor vote no at the Board meeting. He said the Supervisors are voting for the taxpayers, not the committee.

Bret Strong, N9159 Maple Street, East Troy, addressed the Board regarding the Taxpayers Bill of Rights or TABOR. Strong said that he feels voting down the TABOR bill shows that this County does not care about reducing taxes. Strong said that asking the taxpayers is the right thing to do regarding increasing taxes. Strong stated a number of things that have happened over the years that have increased the taxes in Walworth County. Strong said he feels that employee benefits are lavish. He said the taxpayers should be in charge, not the unions. Strong said that he hopes better decisions are made in the future to the betterment of each taxpayer in this County.

Special Order of Business

Chairperson Lohrmann said that she was pleased to present Service Awards to three employees who have served the County for a very long time. Lohrmann said that it is important in an organization to have a variety of tenured employees and, although it is good to have new ideas with new employees, we should not forget that the people who have been here a long time can help us in a lot of ways, such as remembering the way things were done and, remembering that something being suggested as new really isn't so new and did not work in the past.

Chairperson Lohrmann presented Employee Service awards to Christine Jordan, Walworth County Veteran's Service Officer, for 20 years of public service, Kathy DuBois, Walworth County Treasurer, for

25 years of public service, and Connie Woolever, Walworth County Register of Deeds, for 30 years of public service.

Appointments/Elections

1. County Zoning Agency
- G. Stewart Mathison – Term: June 30, 2004 to June 30, 2006
- Jeffrey Schramm – Term: June 30, 2003 to June 30, 2005
2. Local Emergency Planning Committee
- Shane Crawford, Public Works Director
3. Walworth County Housing Authority Board of Commissioners
- June Yantis – To fill term vacated by Reverend Jorge Mayorga which will end June 30, 2006
- John D. Kachel – Reappointment to a five-year term – Term to expire June 30, 2006

Supervisor Goebel asked that the above appointments be considered separately.

Supervisor Goebel offered a motion, seconded by Supervisor Kuhnke, to refer the nomination of G. Stewart Mathison back to the Executive Committee for further consideration because of outstanding issues. Discussion ensued. The motion to send the nomination of G. Stewart Mathison back to the Executive Committee for further consideration was approved by voice vote. Supervisor Grant requested that his vote be recorded as "No."

On motion by Supervisor Goebel, seconded by Supervisor Waelti, the recommendation of Jeffrey Schramm to fill the unexpired term of Rulo Clark was approved by voice vote.

On motion by Supervisor Kuhnke, seconded by Supervisor Polyock, Shane Crawford was appointed to the Local Emergency Planning Committee.

On motion by Supervisor Downing, seconded by Supervisor Goebel, June Yantis – term to expire June 30, 2006, and Jon D. Kachel – term to expire June 30, 2009, were appointed to the Walworth County Housing Authority.

Communications and Matters to Be Referred

1. Claims
2. Notice of Claim
- John E. Grennan vs Walworth County Department of Land Management and Walworth County Board of Adjustment was referred to the Executive Committee.
- Roberta J. Christensen vs County of Walworth was referred to the Executive Committee.
3. Jefferson County Resolution No. 2004-24 – Approving participation in an Ozone Action Day, "best methods" program to reduce ozone precursor emissions was referred to the Land Conservation Committee.
4. Village of East Troy Resolution 1004-09 – Opposing Attachment of Land in the Village to the Lake Beulah Management District was referred to the Land Conservation Committee.
5. Correspondence addressed to County Board Supervisors submitted by Supervisor Rick Stacey regarding County of Walworth vs Randal L. Williams (reviewed by Executive Committee in closed session at the June 17, 2004 meeting with no recommendation) was placed on file.
6. Correspondence from Supervisor Joe Guido regarding name change of the Lakeland School was referred to the Children with Disabilities Education Board.
7. Correspondence from Supervisor Joe Guido regarding draft ordinance for donations was referred to the Finance Committee.

8. Correspondence from Supervisor Jerry Waelti regarding citizen appointments was referred to the Executive Committee.
9. Correspondence from Supervisor Richard Kuhnke regarding citizen appointments to the County Zoning Agency was referred to the County Zoning Agency and the Executive Committee.
10. Correspondence from Town of Whitewater Chairman Ron Fero regarding citizen appointments to the Walworth County Zoning Board was referred to the Executive Committee.
11. Report of the County Clerk Concerning Communications Received by the Board and Recommended to be Placed on File, mailed with the agenda, was placed on file.

Report of the County Clerk Regarding Communications Received After the Agenda Mailing

The following items were received in the County Clerk's office after the agenda deadline and were placed on the Supervisors' desks:

- Correspondence from Edward Sikora in response to remarks regarding Camp Dewan attributed to Mr. Dowling during the Public Comment period at the April 22, 2004 Walworth County Board Meeting. Mr. Sikora wrote "(1) the fire was at my home and not at the campground and (2) the fire trucks got stuck in my yard and driveway and not in the entry road." Mr. Sikora asked that his remarks be made part of the recorded minutes and published Public Notice.
- Correspondence from Supervisor Rick Stacey requesting a change to the County Zoning Agency Code to require that "same-day" decisions be made by the County Zoning Agency was referred to the County Zoning Agency.
- Correspondence from Southeastern Wisconsin Regional Planning Commission with certification of the property tax levy required in partial support of regional planning in Southeastern Wisconsin in calendar year 2005 was referred to the Finance Committee.
- Correspondence from Southeastern Wisconsin Regional Planning Commission with an Amendment to the Regional Water Quality Management Plan, Walworth County Metropolitan Sewerage District-Lake Como Sanitary Sewer Service Area was referred to the Land Conservation Committee.
- Correspondence from Supervisor Joe Guido regarding the County's policies in regard to those county employees serving in the armed forces was referred to the Human Resources Committee.
- Thank you note from Supervisor Al Morrison for a plant, which was sent to him after his recent accident, was placed on file.
- Correspondence presented by Supervisor Roy Lightfield regarding a letter from the Wisconsin Department of Agriculture, Trade and Consumer Protection in appreciation for the leadership and commitment of the county conservation staff, especially Louise Olson, in regard to the county's land and water resource management plan was placed on file.

12. Report of County Clerk Concerning Zoning Gone Into Effect

- Carl S. Michalski et al (Regency Hills Development Corp., App.), Town of Bloomfield
- Michael P. Johnston, Town of Delavan
- Donald Woelky (Atty. David W. Schiltz, App.), Town of Geneva
- Michael J. Nigbor, Town of Lafayette
- Terry and Peggy Lilley, Town of Lyons
- Surrey Ridge Investment, LLC, Town of Troy
- County Zoning Agency, Text Amendment to Walworth County Code of Ordinances, Subdivisions, Chapter 58, and 58-4.5, 58-4.9, 58-4.10, 58-7.5, 58-7.6, & 58-7.7

13. Report of County Clerk Concerning Zoning Petitions Referred to the County Zoning Agency:

- Delavan Lake Animal Park, LLC (Dana Montana, Man. Mbr.), Town of Delavan, A-2 & C-2 to B-5
- Thomas C. Yakes (Town of Delavan, App.), Town of Delavan, B-2 to P-2
- Concetta Gerambia and Daniel Hurzeler, Town of Bloomfield, R-2 to B-4
- Town of Richmond, R-1 & C-4 to P-1 and A-4 to P-2
- WPW Broadcasting, Inc. (Douglas G. Olson, App.), Town of Richmond, A-1 & B-2 to A-5
- Abell's Woods, LLC (Cindy Balestrieri, Member), Town of Sugar Creek, A-2 to B-2
- Larry Bray, Cheryl Kosarek, Melany Christenson (Larry A. Bray, App.), Town of Lafayette, A-1 to C-2, C-1 & C-4
- Allan Polyock (Terry and LuAnn Smith, App.), Town of Linn, C-4 to A-1
- Text Amendment to Walworth County Code of Ordinances, Chapter 70 Utilities, Sec. 70-11, Limitations; 70-25 Administration fees; and 70-36 Septic tank maintenance program
- Amendment to Walworth County Code of Ordinances, Chapter 26 Farmland Preservation, Sec. 26-211, 26-212, 26-213, 26-214, and 26-217
- Amendment to Walworth County Code of Ordinances, Chapter 6 Animals, Article IV Animal Waste Storage, Sec. 6-131, 6-132, 6-133, 6-134, 6-136, 6-137, 6-138, 6-161, 6-162, 6-163, 6-164, 6-165, 6-166, 6-190, 6-192, 6-193, 6-194, 6-195, 6-196, 6-197, 6-198, 6-199, and 6-200

Unfinished Business

There was no unfinished business.

New Business

1. Discussion/Possible Action Regarding Replenishment of the Sunshine Fund

A motion offered by Supervisor Ketchpaw, seconded by Supervisor Guido, to donate $10 per Supervisor to the County Board's Sunshine Fund, was approved by voice vote. Supervisor Polyock requested that his vote be recorded as "No."

Reports of Standing Committees

County Zoning Agency Report of Proposed Zoning Amendments

1. Text Amendment to Walworth County Code of Ordinances, Chapter 74 (Zoning), Walworth County, Wisconsin, Sections 74-28, 74-29, 74-49, 74-50, 74-51, 74-52, 74-54, 74-58, 74-59, 74-63, 74-131 (5-20-04 public hearing) modified and approved 6-0.
2. Text Amendment to Walworth County Code of Ordinances, Chapter 74 (Shoreland Zoning), Walworth County, Wisconsin, Sections 74-153, 74-154, 74-176, 74-177, 74-178, 74-179, 74-181, 74-185, 74-186, 74-190, 74-263 (5-20-04 public hearing) modified and approved 6-0.
3. Text Amendment to Walworth County Code of Ordinances, Chapter 58 (Subdivisions), Walworth County, Wisconsin, Sections 58-1.1, 58-2.3, 58-2.4, 58-4.1, 58-4.11, 58-5-A, 58-5-A.1, 58-5-A.2, 58-5-A.3, 58-5-A.4, 58-5.2, 58-5.3, 58-11.9-A, 58-11.9-B, 58-12.8, and 58-12.15 (5-20-04 public hearing) modified and approved 6-0.
4. Timothy A. Fink, Town of Lafayette, Rezone 3.24 acres of A-1 to B-2, C-1, & C-4 (3-18-04 public hearing) approved 6-0.
5. Charles Malsch, Town of Bloomfield, Rezone .85 acres of R-2 to B-2 (5-20-04 public hearing) approved 6-0.
6. Thomas Jacobs and Jesse Jacobs (Weber Builders, Inc. Chris Weber, App.), Town of Bloomfield, Rezone 3.65 acres of M-3 to B-2 (5-20-04 public hearing) approved 6-0.

7. Brent Rouse, Town of Geneva, Rezone 5.28 acres of R-1 to C-2 (5-20-04 public hearing) approved 6-0.
8. Ronald D. and Kathryn M. Mompier, Town of East Troy, Rezone 1.4 acres of B-1 to A-2 (5-20-04 public hearing) approved 6-0.
9. Mike Good (Jeff Auberger, App.), Town of Troy, Rezone .6 acres of A-2 to C-2 (5-20-04 public hearing) approved 6-0.

Supervisor Kuhnke offered a motion, seconded by Supervisor Russell to approve items #1 through #9 of the County Zoning Agency Report. Supervisor Polyock asked that items #1 through #3 be voted on separately. Items #4 through #9 were approved by voice vote.

Supervisor Guido made a motion, seconded by Supervisor Polyock, to table the vote on the text amendments until next month. Dave Bretl explained that the entire text had been sent in the agenda packet. Supervisors Guido and Polyock withdrew the motion. Michael Cotter, Director of Land Use and Resource Management, explained that a memo from the Land Use and Resource Management Department, summarizing the proposed zoning and subdivision ordinance amendments, was also included in the packet. On motion by Supervisor Ketchpaw, seconded by Supervisor Burwell, the question was called. Items #1, #2, and #3 of the County Zoning Agency Report were approved by 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. County Zoning Agency, Walworth County – filed a petition on the 7th day of April, 2004, to amend the Walworth County Code of Ordinances – Text Amendment to Walworth County Code of Ordinances, Chapter 74 (Zoning), Sections 74-28, 74-29, 74-49, 74-50, 74-51, 74-52, 74-54, 74-58, 74-59, 74-63, 74-131 and Chapter 74 (Shoreland Zoning), Sections 74-153, 74-154, 74-176, 74-177, 74-178, 74-179, 74-181, 74-185, 74-186, 74-190, 74-263.

Recommendation: Said petition be modified and approved.

2. County Zoning Agency, Walworth County – filed a petition on the 7th day of April, 2004, to amend the Walworth County Code of Ordinances – Text Amendment to Walworth County Code of Ordinances, Chapter 58 (Subdivisions), Sections 58-1.1, 58-2.3, 58-2.4, 58-4.1, 58-4.11, 58-5-A, 58-5-A.1, 58-5-A.2, 58-5-A.3, 58-5-A.4, 58-5.2, 58-5.3, 58-11.9-A, 58-11.9-B, 58-12.8, and 58-12.15.

Recommendation: Said petition be modified and approved.

3. Timothy A. Fink, Town of Lafayette – filed a petition on the 4th day of February, 2004, to rezone from A-1 Prime Agricultural Land District to B-2 General Business District, C-1 Lowland Resource Conservation District, and 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 has not been historically farmed.

4. Charles Malsch, Town of Bloomfield – filed a petition on the 17th day of March, 2004, to rezone from R-2 Single-Family Residence District (Sewered) to B-2 General Business District.

Recommendation: Said petition be approved.

5. Thomas Jacobs and Jesse Jacobs (Weber Builders, Inc. (Chris Weber), App.), Town of Bloomfield – filed a petition on the 29th day of March, 2004, to rezone from M-3 Mineral Extraction District to B-2 General Business District.

Recommendation: Said petition be approved.

6. Brent Rouse, Town of Geneva – filed a petition on the 31st day of March, 2004, to rezone from R-1 Single-Family Residence District (Unsewered) to C-2 Upland Resource Conservation District.

Recommendation: Said petition be approved.

7. Ronald D. and Kathryn M. Mompier, Town of East Troy – filed a petition on the 22nd day of March, 2004, to rezone from B-1 Local Business District to A-2 Agricultural Land District.

Recommendation: Said petition be approved.

8. Mike Good (Jeff Auberger, App.), Town of Troy – filed a petition on the 7th day of April, 2004, to rezone from A-2 Agricultural Land District to C-2 Upland Resource Conservation District.

Recommendation: Said petition be approved.

ORDINANCE AMENDING
WALWORTH COUNTY ZONING ORDINANCE

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

WHEREAS, the petitions have been referred to the Walworth County 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. County Zoning Agency, Walworth County – to amend the Walworth County Code of Ordinances – Chapter 74 (Zoning), Walworth County, Wisconsin – Text Amendment to Walworth County Code of Ordinances, Chapter 74 (Zoning), Sections 74-28, 74-29, 74-49, 74-50, 74-51, 74-52, 74-54, 74-58, 74-59, 74-63, 74-131 and Chapter 74 (Shoreland Zoning), Sections 74-153, 74-154, 74-176, 74-177, 74-178, 74-179, 74-181, 74-185, 74-186, 74-190, 74-263.

The full text of the amendments are on file in the County Clerk's Office, Room 101, Walworth County Courthouse, 100 West Walworth Street, Elkhorn, WI and at the Land Use & Resource Management Office, W3929 County Road NN, Elkhorn, WI.

2. County Zoning Agency, Walworth County – filed a petition on the 7th day of April, 2004, to amend the Walworth County Code of Ordinances – Text Amendment to Walworth County Code of Ordinances, Chapter 58 (Subdivisions), Sections 58-1.1, 58-2.3, 58-2.4, 58-4.1, 58-4.11, 58-5-A, 58-5-A.1, 58-5-A.2, 58-5-A.3, 58-5-A.4, 58-5.2, 58-5.3, 58-11.9-A, 58-11.9-B, 58-12.8, and 58-12.15.

The full text of the amendments are on file in the County Clerk's Office, Room 101, Walworth County Courthouse, 100 West Walworth Street, Elkhorn, WI and at the Land Use & Resource Management Office, W3929 County Road NN, Elkhorn, WI.

3. Timothy A. Fink, Town of Lafayette – to amend said zoning maps from A-1 Prime Agricultural Land District to B-2 General Business District, C-1 Lowland Resource Conservation District, and C-4 Lowland Resource Conservation District (Shoreland) on the following described lands:

Part of Tax Parcel #KA326900002

Lot 2 of Certified Survey No. 3269 as recorded in Vol 18 of C.S. on Page 171 WCR located in NW ¼ NE Sec 18, T3N, R17E, 198771 Sq. Ft. Omits K LF18-2. Excepting therefrom area zoned B-2.

The property has not been historically farmed.

4. Charles Malsch, Town of Bloomfield – to amend said zoning maps from R-2 Single-Family Residence District (Sewered) to B-2 General Business District on the following described lands:

Part of Tax Parcel #MPL 00231

That portion of Tax Parcel #MPL 00231 not currently zoned B-2.

5. Thomas Jacobs and Jesse Jacobs (Weber Builders, Inc. (Chris Weber), App.), Town of Bloomfield – to amend said zoning maps from M-3 Mineral Extraction District to B-2 General Business District on the following described lands:

Part of Tax Parcel #MJAC2 00001

A parcel of land located in the Northeast ¼ and the Southeast ¼ of the Southeast ¼ of Section 7, Town 1 North, Range 18 East, Town of Bloomfield, Walworth County, Wisconsin. More particularly described as follows:

Commencing at the Northeast corner of the Southeast ¼ of said Section 7, thence S 02°12'03" E 1295.26 feet; thence N 90°00'00" W 467.39 feet; thence S 79°40'43" W 7.12 feet to the Point of Beginning; thence S 79°40'43" W 493.18 feet; thence S 21°17'111" W 183.71 feet; thence N 47°36'27" W 299.07 feet; thence N 89°50'09" E 193.80 feet; thence N 29°15'09" E 514.87 feet; thence S 39°36'30" E 65.84

feet; thence S 50°23'30" W 3.18 feet; thence S 37°29'24" E 374.56 feet; thence N 49°25'58" E 17.57 feet; thence 70.79 feet along the arc of a curve to the left with a radius of 3786.27 feet and whose chord bears S 41°06'40" E a distance of 70.79 feet to the Point of Beginning. Said parcel contains 158858 square feet more or less.

6. Brent Rouse, Town of Geneva – 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:

Tax Parcel #J G 3400001G

7. Ronald D. and Kathryn M. Mompier, Town of East Troy – to amend said zoning maps from B-1 Local Business District to A-2 Agricultural Land District on the following described lands:

Part of Tax Parcel #PA137900002

That part of Tax Parcel #PA137900002 currently zoned B-1.

8. Mike Good (Jeff Auberger, App.), Town of Troy – to amend said zoning maps from A-2 Agricultural Land District to C-2 Upland Resource Conservation District on the following described lands:

Part of Tax Parcel #L T 1900010

That portion of Tax Parcel #L T 1900010 currently zoned A-2.

ATTEST this 13th day of July 2004.
Ann Lohrmann
County Board Chairperson
ATTEST this 13th day of July 2004.
Kimberly S. Bushey
County Clerk

Executive Committee

1. Resolution No. 18-07/04 – Designating Walworth County Sheriff's Department as Walworth County Wireless 9-1-1 Answering Point

On motion by Supervisor Goebel, seconded by Supervisor Ketchpaw, Resolution No. 18-07/04 was approved.

Resolution No. 18-07/04
DESIGNATING WALWORTH COUNTY SHERIFF'S DEPARTMENT AS WALWORTH COUNTY WIRELESS 9-1-1 ANSWERING POINT

Moved/Sponsored by: Executive Committee

WHEREAS, the location of any person calling for assistance using a wireless telephone is vital information; and,

WHEREAS, wireless telephones will be capable of providing this information to properly equipped Public Safety Answering Points (PSAPs); and,

WHEREAS, the State of Wisconsin has adopted legislation providing for a single 9-1-1 PSAP in each county to receive the wireless 9-1-1 calls; and,

WHEREAS, the Walworth County Sheriff's Department Communications Center will have such equipment and be fully capable of receiving wireless calls and identifying the caller's actual location.

NOW, THEREFORE, BE IT RESOLVED that the Walworth County Board of Supervisors does hereby designate the Walworth County Sheriff's Department Communications Center as the Wireless 9-1-1 PSAP for Walworth County in accordance with Wisconsin Statutes 146.70(3)(m).

BE IT FURTHER RESOLVED that the Walworth County Sheriff's Department Communications Center is authorized to apply for grants associated with providing wireless 9-1-1 services as may be permitted by state statute or administrative rule.

Ann Lohrmann County Board Chairperson	Kimberly S. Bushey County Clerk

Action Required: Majority ___X____ Two-thirds _____ Other _____

County Board Meeting Date: July 13, 2004

Policy and Fiscal Note is attached.
Reviewed and approved pursuant to Section 2-91 of the Walworth County Code of Ordinances:

David A. Bretl County Administrator/ Corporation Counsel	7/1/04 Date	N. Andersen Finance Director	7/1/04 Date

If unsigned, exceptions shall be so noted by the County Administrator.

Policy and Fiscal Note
Resolution No. 18- 07/04

I. Title: Designating Walworth County Sheriff's Department As Walworth County Wireless 9-1-1 Answering Point

II. Purpose and Policy Impact Statement: The State of Wisconsin has enacted legislation which allows one wireless 9-1-1 Public Safety Answering Point (PSAP) per county to receive funding through a wireless telephone surcharge. The designated PSAP will be eligible for funding. The county board is required to pass a resolution designating one PSAP within Walworth County to receive wireless 9-1-1 calls. This county board action will allow the Walworth County Sheriff's Department to apply for state funding in the form of reimbursement for funds expended to purchase wireless 9-1-1 equipment. The equipment will be used for the purpose of locating cellular telephone users. Currently the Walworth County Sheriff's Department answers all cellular 9-1-1 calls for Walworth County. No other PSAP in Walworth County (Whitewater, Delavan and Lake Geneva) had indicated a desire to become the county-designated wireless 9-1-1 PSAP.

III. Budget and Fiscal Impact: The equipment necessary to provide basic wireless 9-1-1 service is already in place at the Sheriff's Department. The Communications Center is currently in the process of upgrading this equipment. The upgrade will allow the Sheriff's Department to receive

location information of cell 9-1-1 calls. The upgrade is a 2004 project with two funding sources, the general tax levy along with anticipated State Emergency Management funds. Wireless 9-1-1 location technology should be operational at the Sheriff's Department by fall, 2005. The circuit lease cost is projected by SBC at $96.73 per circuit per month. Walworth County will need to have two (2) circuits for an annual cost of $2,321.52. A tariff fee from SBC was amended on May 21, 2004, and approved by the Public Service Commission on May 24, 2004, at a rate of $11,652.22 (one-time charge) and an anticipated yearly recurring charge of $14,256.24. The yearly recurring costs are based on the county population. This charge will be an ongoing annual cost. The one-time charge will be covered by the state grant, as well as any recurring charges that Walworth County incurs during the three (3) years of the surcharge collection. After that time, the surcharge legislation will sunset, and recurring annual costs of $14,784.00 would be the responsibility of the Sheriff's Department if no action is taken at the state level to extend the surcharge legislation.

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

Committee: Executive Meeting Date: June 17, 2004

Vote: 6 - 0

County Board Meeting Date: July 13, 2004

Policy and fiscal note has been reviewed and approved as an accurate statement of the probable policy and fiscal impacts associated with passage of the attached resolution.

David A. Bretl County Administrator/ Corporation Counsel	7/1/04 Date	N. Andersen Finance Director	7/1/04 Date

Finance Committee

1. Ordinance No. 267-07/04 – Creating Section 30-171 in Article IV Chapter 30 of the Walworth County Code of Ordinance Relating to Risk Management Internal Service Fund
2. Ordinance No. 269-07/04 – Amending Sections 30-170, 30-31 and 30-34 of the Walworth County Code of Ordinances Relating to Budget
3. Resolution No. 17-07/04 – To Write Off 2001 Personal Property Taxes Uncollectible in 2002
4. Resolution No. 19-07/04 – Amending 2004 Budget of the Children with Disabilities Education Board to Approve Staff Increases
5. Resolution No. 25-07/04 – Approving the Transfer of Funds from the 2004 Contingency Fund for the Purpose of Replacing the Chiller at the County Courthouse
6. Resolution No. 26-07/04 – Accepting a $10,000 Donation to the Walworth County Sheriff from Richmond Cemetery Association

On motion by Supervisor Ketchpaw, seconded by Supervisor Russell, items #1, Ordinance No. 267-07/04, #2, Ordinance No. 269-07/04, #4, Resolution No. 19-07/04, and #6, Resolution No. 26-07/04 were approved by voice vote.

ORDINANCE NO. 267–07/04

CREATING SECTION 30-171 IN ARTICLE IV CHAPTER 30 OF THE WALWORTH COUNTY CODE OF ORDINANCES RELATING TO RISK MANAGEMENT INTERNAL SERVICE FUND

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

PART I: That Section 30-171 in Article IV of Chapter 30 of the Walworth County Code of Ordinances is created to read as follows:

"Sec. 30-171. Risk Management Internal Service Fund.

(a) An internal service fund shall be established for the following self-funded insurance plans:

(1) General Liability Insurance

(2) Automobile Liability Insurance

(3) Public Official's Errors and Omission Insurance

(4) Excess Worker's Compensation Insurance

(5) Nursing Home General and Professional Liability Insurance

(b) Fund reserves shall be set with consideration given to incurred but unpaid claims, excess claims liability premiums, market inflation and rate stabilization. Funds shall not be transferred out of internal service funds under this section for other general purposes.

(c) The County Administrator shall, in consultation with the Finance Director, establish rates to be applied to the plans identified under sub. (a). Rates shall be set to cover claims expenses, administrative expense and any required adjustment to reserves.

(d) Fees for professional services associated with the plans identified under sub. (a), including but not limited to accounting, legal and actuarial services shall be funded through the risk management internal service fund.

(e) Interest on cash reserves shall be credited to the risk management internal service fund effective January 1, 2004."

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 13th day of July, 2004.

Ann Lohrmann	7/19/04	Kimberly S. Bushey	7/19/04
County Board Chairperson	Date	County Clerk	Date

County Board Meeting Date: July 13, 2004

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

Policy and Fiscal Note is attached.
Reviewed and approved pursuant to Section 2-91 of the Walworth County Code of Ordinances:

David A. Bretl County Administrator/ Corporation Counsel	6/30/04 Date	N. Andersen Finance Director	7/1/04 Date

If unsigned, exceptions shall be so noted by the County Administrator.

Ordinance No. 267-07/04
Fiscal Note and Policy Impact Statement

I. Title: Creating Section 30-171 in Article IV Chapter 30 of the Walworth County Code of Ordinances relating to Risk Management Internal Service Fund.

II. Purpose and Policy Impact Statement: This ordinance establishes an internal service fund for recording activity related to the county's self funded liability insurance and defines basic guidelines.

III. Budget and Fiscal Impact: This ordinance formally establishes a separate non-lapsing fund for recording the activity related to liability coverage. The County Board previously designated $4 million to allow the county the option of self-funding its liability insurance. This designation was recorded within the county's General Fund while the county evaluated this option. The county formally adopted the self-insurance option during the 2004 for 2005 budget process and the program became effective on January 1, 2004. Therefore, it is now necessary to establish a separate and distinct fund to track future activity and establish fund guidelines. Rates will be established on an annual basis and will impact the annual budget, however, these rate will be subject to county board review and approval during the normal budget process.

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

Committee: Finance Committee Date: June 17, 2004

Vote: 7-0

County Board Meeting Date: July 13, 2004

Policy and fiscal note has been reviewed and approved as an accurate statement of the probable policy and fiscal impacts associated with passage of the attached resolution.

David A. Bretl County Administrator/ Corporation Counsel	6/30/04 Date	N. Andersen Finance Director	7/1/04 Date

ORDINANCE NO. 269 – 07/04

AMENDING SECTIONS 30-170, 30-31 AND 30-34 OF THE WALWORTH COUNTY CODE OF ORDINANCES RELATING TO BUDGET

THE WALWORTH COUNTY BOARD OF SUPERVISORS DOES ORDAIN AS FOLLOWS:

PART I: That Section 30-170 of the Walworth County Code of Ordinances is hereby amended to read as follows (additions are shown by underline, deletions by strike-through):

"Sec. 30-170. Employee benefit internal service funds.
(a) Internal service funds shall be established for the following self-funded employee benefit plans:

1. Group health insurance plan, including health insurance benefits provided or to be provided to retired employees pursuant to ordinance or collective bargaining agreement such that this requirement is fully funded on or before December 31, 2014;

2. Group dental insurance plan;

3. Workers' compensation plan.

(b) Fund reserves shall be set with consideration given to incurred but unpaid claims, excess claims liability, market inflation and rate stabilization. Premium rates shall be adjusted as necessary to meet budget goals and to increase or decrease fund reserves. Funds shall not be transferred out of internal service funds under this section for other general purposes.

(c) The county administrator shall, in consultation with the finance director and human resources director, propose rates to be applied to the plans identified under subsection (a). Rates shall be set to cover claims expenses, administrative expenses and any required adjustments to fund reserves. Final rates for the next calendar year shall be established by the adopted budget.

(d) Interest on cash reserves shall be credited to the appropriate employee benefit internal service fund.

(e) Funds maintained or collected for retiree health benefits pursuant to (a)1. shall be used to provide said benefit and for administrative costs associated therewith and for no other purposes."

PART II: That Section 30-31 of the Walworth County Code of Ordinances is hereby amended to read as follows (additions are shown by underline, deletions by strike-through):

"Sec. 30-31. Budgetary process; truth in budgeting.
(a) The budget process to be utilized by the county and all its departments shall be pursuant to Wis. Stats. § 65.90, § 59.18, the Code of Ordinances and such administrative procedures as may be approved by the ~~administrative coordinator~~ county administrator, which are not inconsistent with state statutes or this Code.

(b) Employees, elected officials and supervisors will use their best efforts to identify and disclose the actual expenses and revenues associated with the purchase of any item or service, the provision of any program or creation or continuation of any position when creating any budget document required under this chapter or approving any resolution or ordinance."

PART III: That Section 30-34 of the Walworth County Code of Ordinances is hereby amended to read as follows (additions are shown by underline, deletions by strike-through):

"Sec. 30-34. Budget compliance.

(a) No payment may be authorized or made and no obligations may be incurred against the county unless sufficient appropriations have been made for payment. No position may be filled until a sufficient appropriation exists to pay all known costs associated with that position, including but not limited to current wages and retirement benefits and contributions required to adequately fund all internal benefit service funds established in sec. 30-170.

(b) The finance director, shall on a monthly basis, provide variance reports to the department heads, the finance committee and the administrator, which report shall detail by line item the variance between anticipated revenues and expenditures and actual amounts. Within 30 days or receipt of any unfavorable financial report, the administrator shall investigate the report and furnish the finance committee with the results of said investigation, which shall include a recommendation to correct the deficiency. Unfavorable positions include but are not limited to anticipated revenue shortfalls, over-expenditures and negative cash positions."

PART IV: The county administrator will establish the rate to be budgeted to adequately fund the retiree health benefit set forth in sec. 30-170(a), which rate shall be in effect from the date of passage of this ordinance until December 31, 2004. Thereafter, the rate shall be established in accordance with the procedure set forth in sec. 30-170(c).

PART V: Except as otherwise provided herein, this ordinance shall be effective upon passage and publication.

PASSED and ADOPTED by the Walworth County Board of Supervisors this 13th day of July, 2004.

Ann Lohrmann
County Board Chairperson

Kimberly S. Bushey
Attest: County Clerk

County Board Meeting Date: July 13, 2004

Action Required: _X_ Majority Vote _____ 2/3 Vote _____ Other

Policy and Fiscal Note is attached.
Reviewed and approved pursuant to Section 2-91 of the Walworth County Code of Ordinances:

David A. Bretl (sh) County Administrator/ Corporation Counsel	Date	Nicole Andersen (ts) Finance Director	7/6/04 Date

If unsigned, exceptions shall be so noted by the County Administrator.

Ordinance No. 269 - 07/04
Fiscal Note and Policy Impact Statement

I. Title: Ordinance No.269 – 07/04 Amending Sections 30-170, 30-31 And 30-34 of the Walworth County Code Of Ordinances Relating To Budget

II. Purpose and Policy Impact Statement: The purpose of this ordinance is to address the county's unfunded health insurance liability. Pursuant to collective bargaining agreements and County Code, the County pays the following retiree health benefits:

1. All employees. Upon retirement, 60% of unused sick leave can be converted into credits to purchase health insurance. There is no limit on the amount of sick leave that can be accrued.
2. Sworn law enforcement. The County pays 50% of the premium for a single or family plan upon reaching normal retirement age.
3. Teachers. Upon retirement, after twenty (20) years of service, the County provides a credit for five (5) years, equal to 50% of a single premium.

For some time we have not been paying for the true cost of labor. While we have been paying current costs, such as salaries, health and dental insurance premiums, and contributing towards the employees' retirement, the county has paid nothing towards the cost of retiree health insurance for current employees. Rather, we have been paying for retiree health insurance as we go. When health insurance premiums were relatively low and there weren't many retirees receiving the benefit, budgeting for this expense was not that big of a problem.

Because the cost of health insurance has been increasing so rapidly, and because for a period of time we had added staff, more retirees will be eligible to receive the benefit of employer-paid premiums for health insurance. The combination of high insurance rates and more retirees qualifying for the benefit has contributed to create a "perfect storm". Consider the following example with respect to the special school budget.

"Pay as we go" approach for retiree health coverage – Children with Disabilities Education Board	
Year	Projected Cost
2004	$29,928
2007	$70,254
2012	$200,409
2023	$500,925
2037	$716,074

The above-stated figures assume that current employees retire at age 57 and the cost of health insurance increases at a rate of 7% per year. Making the same assumptions with respect to the special school, the county will pay out over $13 million between 2004 and 2044, the date when the last of our current employees will receive their last year of insurance coverage. Preliminary estimates for the sheriff's office are comparable.

The purpose of this ordinance is to create a "locked-box" account. Deposits can be made into this account with the goal of fully funding this liability within a ten-year period.. The ordinance would permit withdrawals from the "locked-box" only for the purpose of paying retiree health insurance.

The ordinance would also require that an annual contribution be made to the locked-box for any employee hired after its effective date. The amount of that contribution would be verified by the actuary, but it would be sufficient to ensure that when that employee retires, the county will have "banked" a sum sufficient to pay for the employee's health insurance premiums on retirement. You may think that this contribution would be insignificant for a newly hired employee. Consider that under our assumptions, however, a teacher retiring in 2039 will receive a $391,000 benefit during the years 2039-2044. An oversimplified calculation of the annual contribution to the locked-box would be $391,000 ÷ 35 years. The actual rate would likely be less, reduced by interest earned by the county on the contribution and the actuarial determination of the likelihood of that employee working until retirement.

With respect to existing employees, the ordinance would require the following:

a. Pay their remaining obligation over the term of their employment by means of actuarially determined annual payments.

b. Amortize past "missed" payments over a ten-year period. A source of funds to accomplish these payments of "surcharges" would need to be determined.

The following hypothetical example illustrates the approach. Note that this calculation is for illustration purposes only. The actual calculations will be determined by an actuary.

- Teacher 'A' was hired in 1992 and will retire in 18 years. Ideally, we would have been contributing to the locked-box account for the past 12 years. We will make up for the last 12 years of missed payments over the course of the next 10 years.
- In addition, we will budget on an ongoing basis a sum sufficient to ensure that the liability is fully funded upon retirement.
- Assume the cost of Teacher A's total benefit for the years 2022-2026 is $135,498. For the year 2005, in addition to budgeting for current salary, retirement, etc., a sum would be budgeted by the school for retiree health insurance. That charge might be calculated as follows:

$135,498 ÷ 30 years = $4,516/year

In addition, we would need to make up for 12 years of past payments. Our plan would be to make up those payments within a ten-year period. ("Amortize" the unfunded liability over a ten-year period.) That calculation may look as follows:

$135,498 X 12 = $5,419.20/year
30 years 10

Using this example at the end of ten years, we will be "current" for the last 12 years of "missed" payments. In addition, we would have been "banking" the liability each year from 2005 until retirement. At retirement, this teacher's benefit would be fully funded.

There are three advantages to fully funding retiree health insurance:

1. Truth-in-budgeting. To not consider the cost of retiree health insurance is to not pay the true cost of labor. Additionally, the County may be losing out on reimbursement, in some cases, where state or federal funds offset the cost of labor.
2. Sustainability. Unless we put funds away now to pay these future costs, the "pay-as-we-go" system will cause a serious strain on the budget in future years.
3. Accounting rules. GASB rules currently require that this liability be calculated and disclosed. It is likely that future accounting rules will move in the direction of requiring that these liabilities be funded. This ordinance will give the County a head start in this process.

III. Is this a budgeted item and what is its fiscal impact: This ordinance will require departments to include sufficient funds in their budgets to fund the future cost of retiree health insurance. Because positions will now include provisions to fully fund retiree health coverage, more money will need to be budgeted to cover the cost of labor. Due to the enhanced benefit for teachers and deputies, the CDEB and sheriff's budgets will reflect a greater increase in spending. Since the

ordinance will be in effect for 2004, any vacancies which occur after the effective date of this ordinance will need to be refilled at the higher rate.

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

Committee: Finance Date: June 17, 2004

Vote: 7 - 0

County Board Meeting Date: July 13, 2004

Policy and fiscal note has been reviewed and approved as an accurate statement of the probable policy and fiscal impacts associated with passage of the attached resolution.

David A. Bretl County Administrator/ Corporation Counsel	7/5/04 Date	Nicole Andersen (ts) Finance Director	7/6/04 Date

Resolution No. 19-07/04
Amending 2004 Budget of the Children With Disabilities Education Board
To Approve Staff Increases

Moved/Sponsored by: Finance Committee

WHEREAS, the steady increase in children, ages 3-21, who qualify for special education services requires the addition of 4.86 FTE positions; and,

WHEREAS, existing programs in the East Troy, Elkhorn, Lake Geneva, and Williams Bay school districts are operating at or beyond full capacity outlined in D.P.I. guidelines; and,

WHEREAS, an increase in IDEA Entitlements for 2004-05 have been confirmed by the Department of Public Instruction to offset the total costs of the additional positions; and,

WHEREAS, the WCCDEB currently receives 30% reimbursement through state categorical aid for staffing salaries and benefit; 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 would not require an increase in appropriations made through the Walworth County tax levy.

NOW, THEREFORE, BE IT RESOLVED that the Walworth County Board of Supervisors amend the 2004 budget to increase 4.86 FTE positions, creating 3.36 FTE in special education aide positions, a .50 FTE physical therapist position, a .50 FTE early childhood position, and a .50 FTE hearing impaired interpreter position.

BE IT FURTHER RESOLVED that the sum of $220,210 shall be appropriated to cover the increased cost of salary and fringe benefits for the 2004-05 school year.

BE IT FURTHER RESOLVED that the cost of the new 4.86 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.

FINALLY, BE IT FURTHER RESOLVED that if this funding is decreased or eliminated, the appropriate positions will also be decreased or eliminated.

Ann Lohrmann County Board Chairperson	Kimberly S. Bushey County Clerk

County Board Meeting Date: July 13, 2004

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

Policy and Fiscal Note is attached.
Reviewed and approved pursuant to Section 2-91 of the Walworth County Code of Ordinances

David A. Bretl County Administrator/ Corporation Counsel	6/30/04 Date	Nicki Andersen (pw) Finance Director	7/2/04 Date

If unsigned, exceptions shall be so noted by the County Administrator.

Policy and Fiscal Note
Resolution No. 19-07/04

I. Title: Amending 2004 Budget of the Children With Disabilities Education Board to Approve Staffing Increases

II. Purpose and Policy Impact Statement: A needs assessment has been conducted to determine program/staffing recommendations for the 2004-05 school year. Currently, it is anticipated that there will be seven (7) programs which are at the maximum or over-enrollment figures as outlined by the Department of Public Instruction (DPI) in the East Troy, Elkhorn, Lake Geneva, and Williams Bay school districts. These programs are operated by the Walworth County CDEB.

The estimated IDEA Preschool and Flow Through Entitlements for the 2004-05 school year have been released by the Department of Public Instruction and it has been confirmed (due to enrollment increases) that the WCCDEB will receive an increase in full reimbursement dollars of $300,000. Recommendations for financing the staff increases would be to utilize these federal dollars to solely fund the 4.86 FTE positions. If and when those federal dollars no longer are available, these positions would be eliminated from the WCCDEB budget.

III. Budget and Fiscal Impact: The 2004 budget does not include the positions at this time, and it is expected these positions carry over to the 2005 budget as well. All of the positions would be fully funded by the federal flow through dollars and therefore would not require a county appropriation.

In order to correct the current and anticipated over-enrollment and student needs issue, the following additional positions are needed for the 2004-05 school year:

Special Education Aides	1.00 FTE (full time position) 1.00 FTE (full time position) .57 FTE (part-time position) .79 FTE (part-time position)
Support Staff	.50 FTE (physical therapist) .50 FTE (hearing impaired interpreter)
Teacher	.50 FTE (early childhood teacher)
TOTAL	4.86 FTE

Position	FTE	Salary/Benefit Cost
Special Education Aides	1.00 1.00 .57 .79	$ 38,243 $ 38,243 $ 20,687 $ 28,573
Support Staff	.50 (physical therapist) .50 (interpreter)	$ 31,003 $ 22,123
Teacher	.50	$ 26,338
Estimated Impact of Retiree Insurance Benefits		$ 15,000
TOTAL	4.86 FTE	$ 220,210

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

Committee: Finance Committee Meeting Date: June 17, 2004

Vote: 7-0

County Board Meeting Date: July 13, 2004

Policy and fiscal note has been reviewed and approved as an accurate statement of the probable policy and fiscal impacts associated with passage of the attached resolution

David A. Bretl County Administrator/ Corporation Counsel	6/30/04 Date	Nicki Andersen (pw) Finance Director	7/2/04 Date

Resolution No. 26-07/04

Accepting a $10,000 Donation to the Walworth County Sheriff from the Richmond Cemetery Association

Moved/Sponsored by: Finance Committee

WHEREAS, Richmond Cemetery Association has donated $10,000 to the Walworth County Sheriff for the purpose of purchasing Taser equipment, a less-lethal weapon.

NOW, THEREFORE, BE IT RESOLVED that the Walworth County Board of Supervisors does hereby accept a $10,000 donation from Richmond Cemetery Association to be used for purchasing Taser equipment, a less-lethal weapon.

BE IT FURTHER RESOLVED that the Walworth County Board of Supervisors commends Richmond Cemetery Association for is generosity and commitment to pubic safety.

Ann Lohrmann County Board Chairperson	Kimberly S. Bushey County Clerk

County Board Meeting Date: May 11, 2004

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

Policy and Fiscal Note is attached.
Reviewed and approved pursuant to Section 2-91 of the Walworth County Code of Ordinances

David A. Bretl County Administrator/ Corporation Counsel	7/5/04 Date	Nicole Andersen (ts) Finance Director	7/6/04 Date

If unsigned, exceptions shall be so noted by the County Administrator.

Policy and Fiscal Note
Resolution No. 26-07/04

I. Title: Accepting a $10,000 Donation to the Walworth County Sheriff from Richmond Cemetery Association.

II. Purpose and Policy Impact Statement: The purpose of this resolution is to accept a $10,000 donation from Richmond Cemetery Association to be used for the purchase of Taser equipment, a less-lethal weapon.

III. Budget and Fiscal Impact: Adoption of this resolution will increase the 2004 equipment expenditure account 001-1512-7104 by $10,000, and that amount will be offset by the donation of revenue account 001-1512-4151 in the amount of $10,000.

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

Committee: Finance Meeting Date: July 13, 2004

Vote:

County Board Meeting Date: July 13, 2004

Policy and fiscal note has been reviewed and approved as an accurate statement of the probable policy and fiscal impacts associated with passage of the attached resolution

David A. Bretl County Administrator/ Corporation Counsel	7/5/04 Date	Nicole Andersen (ts) Finance Director	7/6/04 Date

Supervisor Felten offered a motion, seconded by Supervisor Schaefer, to approve Resolution No. 17-07/04. Discussion ensued. Supervisor Russell said even though we are required by law to write these taxes off at a certain point in time, we do try to collect them after they are written off. Supervisor Burwell

said that she would like to see a report on what we do collect after they are written off. Treasurer DuBois said that a few years ago the Finance Committee directed the corporation counsel to write letters to try to collect the taxes if the amount exceeded $200. This year DuBois said she sent letters if the amount exceeded $100 and she has written eight letters. DuBois said she has collected from one business this year. Supervisor Grant offered a motion for unanimous consent, seconded by Supervisor Russell. Resolution No. 17-07/04 was approved. Supervisor Polyock requested that his vote be recorded as "No."

Resolution No. 17-07/04
To Write Off 2001 Personal Property Taxes Uncollectible in 2002

Moved/Sponsored by: Finance Committee

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

WHEREAS, Section 74.55(1), Wisconsin Statutes, addresses recovery of delinquent personal property taxes by the towns, villages and cities; and,

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

NOW, THEREFORE, BE IT RESOLVED that the Walworth County Board of Supervisors authorize the write-off of uncollectible personal property taxes for the 2001 tax year as listed in Attachment A.

BE IT FURTHER RESOLVED, that this write-off in the amount of $10,469.24 was included in the 2004 budget; and

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

Ann Lohrmann County Board Chairperson	Kimberly S. Bushey County Clerk

County Board Meeting Date: July 13, 2004

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

Policy and Fiscal Note is attached.
Reviewed and approved pursuant to Section 2-91 of the Walworth County Code of Ordinances:

David A. Bretl County Administrator/ Corporation Counsel	6/21/04 Date	N. Andersen Finance Director	6/29/04 Date

If unsigned, exceptions shall be so noted by the County Administrator.

Policy and Fiscal Note
Resolution No. 17-07/04

I. Title: To Write Off 2001 Personal Property Taxes Uncollectible in 2002

II. Purpose and Policy Impact Statement: The purpose of the resolution is to write off the uncollectible personal property taxes deemed uncollectible by the local municipality. The Towns, Villages and Cities are responsible for the collection of personal property taxes in accordance with Wisconsin Statutes.

The County will continue to pursue collection of the County's share according to county policy.

III. Budget and Fiscal Impact: This write off was included in the 2004 budget in General Property Taxes, account number 001-1901-1111 and will be credited to Delinquent Personal Property Taxes receivable, account number 001-0000-0161.

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

Committee: Finance Meeting Date: June 17, 2004

Vote: 6 - 0

County Board Meeting Date: July 13, 2004

Policy and fiscal note has been reviewed and approved as an accurate statement of the probable policy and fiscal impacts associated with passage of the attached resolution

David A. Bretl County Administrator/ Corporation Counsel	6/21/04 Date	N. Andersen Finance Director	6/29/04 Date

Supervisor Waelti offered a motion, seconded by Supervisor Ketchpaw, to approve item #5, Resolution 25-07/04. Dave Bretl gave an overview of the problem with the courthouse chiller. He said that the amount of the transfer from the contingency fund would be $32,000. On motion by Supervisor Burwell, seconded by Supervisor Ketchpaw, Resolution No. 25-07/04 was approved by unanimous consent.

Resolution No. 25-07/04
Approving the Transfer of Funds from the 2004 Contingency Fund for the Purpose of Providing a Temporary Chiller at the County Courthouse

Moved/Sponsored by: Public Works

WHEREAS, the original chiller, a component of the air conditioning unit at the Walworth County courthouse ("Chiller") has failed; and,

WHEREAS, the Chiller must be replaced in order to maintain a comfortable temperature in the courthouse offices; and,

WHEREAS, the Chiller was built in 1959 and replacing it is a significant project which may take eight or more weeks to complete, and;

WHEREAS, the public works committee recommends obtaining a temporary chiller while the planning, bidding and installation process is completed.

NOW, THEREFORE, BE IT RESOLVED by the Walworth County Board of Supervisors that a sum not to exceed $32,000 be and the same is hereby transferred from the 2004 contingency fund to the

WALWORTH COUNTY
ANALYSIS OF UNCOLLECTIBLE PERSONAL PROPERTY TAX
AS OF 6/03/04

	Payment	Recovery	State Recovery	Balance
Tax of 2001, Uncollectible 2002				
Town of Bloomfield - Pd 3/7/03 ck #657308				
Bob's Repair Shop	49.86		(1.84)	48.02
JCD Crating Services	108.20		(3.98)	104.22
Mikrut Landscape & Design	110.01		(4.05)	105.96
Pell Lake Foods	14.01		(0.52)	13.49
Town of Darien - Pd 4/10/03 Ck #659655				
CIT Group Inc	13.36		(0.49)	12.87
Imperial Business Credit	9.82		(0.36)	9.46
Merwyn Klemn - 4 Corners Motel	10.90		(0.40)	10.50
Town of Delavan - Pd 4/10/03 Ck #659654				
Elegant Surroundings	10.02		(0.37)	9.65
Exotica V	35.07		(1.29)	33.78
Hadal Chiropractic	125.28		(4.60)	120.68
Lakes Area Recreation	151.96		(5.58)	146.38
Mickey T's	12.67		(0.47)	12.20
Town of East Troy - Pd 3/7/03 Ck #657299				
Stearns Financial	58.52		(2.15)	56.37
Town of Geneva - Pd 4/10/03 Ck #659658				
Johnson's Motel	11.57	(11.15)	(0.42)	0.00
The Wood Shop	31.83		(1.17)	30.66
Town of Lyons - Pd 3/7/03 Ck #657296				
Great Lakes Marketing	6.98		(0.26)	6.72
Michaels TV	22.07		(0.69)	21.38
R & B Auto	184.59		(5.59)	179.00
Roy Schimanski-Roy's Engine Machining	131.67		(3.99)	127.68
Suzannes Hair Salon	38.71	(37.28)	(1.43)	0.00
Village of East Troy - Pd 3/7/03 Ck #657301				
Baine Books	2.38		(0.09)	2.29
Chile Company	7.72		(0.29)	7.43
Family Kitchen Restaurant	38.05		(1.46)	36.59
Kehl's Auto Repair	5.35		(0.21)	5.14
M2 Technologies	4.76		(0.18)	4.58
MJ Towing	7.14		(0.27)	6.87
Rosatti Pizza	606.43		(23.27)	583.16
Thomas Janitorial Service	2.38		(0.09)	2.29
Village of Fontana - Pd 3/7/03 Ck #657297				
Alexander & Associates	34.74		(1.33)	33.41
Bresman Communications Co.	736.07		(28.25)	707.82
Fontana Video (Frank & Tracy Santagata)	172.66		(6.63)	166.03
Rossmiller Music & Vending	267.66		(10.27)	257.39
Sierracities.Com, Inc	89.39		(3.43)	85.96
Southern Lakes Real Estate	17.37		(0.67)	16.70
T & J Builders	57.72		(2.21)	55.51
TD Fontana, Ltd	236.50		(9.07)	227.43
Village of Genoa City - Pd 4/10/03 Ck #659653				
Lanier Worldwide, Inc.	10.82		(0.41)	10.41
Lorenzi Construction	25.77		(0.98)	24.79
Pepsi Cola	13.41		(0.52)	12.89

	Payment	Recovery	State Recovery	Balance
Spectrum Knitting	232.01		(8.90)	223.11
Stearns Bank	43.83		(1.68)	42.15
Subway	43.83		(1.68)	42.15
Village of Sharon - Pd 3/7/03 Ck # 657306				
Sharon Tap & Bowl	83.32		(3.20)	80.12
City of Delavan - Pd 4/10/03 Ck # 659657				
American AG Tec Inter	36.02		(1.38)	34.64
Beall Jeweler's	45.03		(1.73)	43.30
Coin Shop	2.50		(0.09)	2.41
Culligan Water Conditioning	17.51		(0.67)	16.84
Dace Appliance Ser	8.00		(0.30)	7.70
Falzone's Restaurant	35.02		(1.35)	33.67
Kmart Corporation #3740	3,512.68		(134.77)	3,377.91
Paul Revere's Pizza	100.05		(3.84)	96.21
Rickie Rods Hot Rod Shop	30.01		(1.15)	28.86
TSR Wireless LLC	23.51		(0.90)	22.61
City of Elkhorn - Pd 3/7/03 Ck #657303				
ETD Manufacturing (Charles Anstedt)	48.22	(46.37)	(1.85)	0.00
Viking Lithographics	57.67	(55.46)	(2.21)	0.00
City of Lake Geneva - Pd 4/16/03 Ck #659973				
Ambassador Motel	195.91	(188.40)	(7.51)	(0.00)
Annie's Ice Cream	166.23		(6.38)	159.85
Bungalow Antiques	6.48	(6.23)	(0.25)	0.00
Diehl-Tech Investments LLC	57.75		(2.22)	55.53
Hairloft LTD	44.11	(42.41)	(1.70)	0.00
Hoyt Engineering	57.75	(55.53)	(2.22)	0.00
Jilly's	159.22		(6.11)	153.11
Lavendar Room	17.27		(0.66)	16.61
Lemon Drop Shoppe	24.30	(23.36)	(0.94)	0.00
Mellon-First United Leasing	5.40		(0.21)	5.19
National Properties	188.91		(7.25)	181.66
Nish Roofing & Siding	29.68	(28.54)	(1.14)	0.00
Riviera Snack Shop	17.81		(0.68)	17.13
Sacred Sisters	18.88		(0.72)	18.16
Trainland of Lake Geneva	14.57		(0.56)	14.01
Michelle Tully	17.27		(0.66)	16.61
Walworth County Surveying	102.55		(3.94)	98.61
Wild Rubies	17.81		(0.68)	17.13
City of Whitewater - pd 4/10/03 Ck #659664				
Applied Computer Services	21.54		(0.93)	20.61
Breadwagon Bakery	34.88		(1.50)	33.38
Bullseye, Inc.	276.35		(11.89)	264.46
Cieminski Foods, Mark Cieminski	563.73		(24.25)	539.48
CJ's Cleaning Service	5.60		(0.24)	5.36
Gardner Sales, Inc.	577.09		(24.83)	552.26
LaChicanita Taqueria	26.92		(1.16)	25.76
Mack Woodworks	305.78		(13.16)	292.62
Newcourt Fomm Financial Corp	43.49		(1.87)	41.62
O'Malley's Irish Pub	267.01		(11.49)	255.52
O'Tate's All Car Cleaning	1.30		(0.06)	1.24
Past & Present Distributors, Dean Giese	155.04		(6.67)	148.37
Primestar, Inc.	18.95		(0.82)	18.13
Rodriquez Mexican Restaurant	40.91		(1.76)	39.15
Success Squared	27.14		(1.17)	25.97
VFS Residual Holding	109.01		(4.69)	104.32
Totals	**11,409.27**		**(445.30)**	**10,469.24**

appropriate operating budget account for the purpose of paying costs associated with renting a temporary chiller for a period of three months.

Ann Lohrmann County Board Chairperson	Kimberly S. Bushey County Clerk

Action Required: Majority _____ Two-thirds ___X____ Other _____

County Board Meeting Date: July 13, 2004

Policy and Fiscal Note is attached.
Reviewed and approved pursuant to Section 2-91 of the Walworth County Code of Ordinances

David A. Bretl County Administrator/ Corporation Counsel	7/2/04 Date	Nicole Andersen (ts) Finance Director	7/6/04 Date

If unsigned, exceptions shall be so noted by the County Administrator.

Policy and Fiscal Note
Resolution No. 25- 07/04

I. Title: Approving the Transfer of Funds from the 2004 Contingency Fund for the Purpose of Providing a Temporary Chiller at the County Courthouse

II. Purpose and Policy Impact Statement: The purpose of this request is to provide funds in the amount of $32,000 to provide a temporary chiller on the air conditioning unit at the county courthouse.

III. Budget and Fiscal Impact: This request is not a budgeted item and the amount of $32,000 would need to be transferred from the contingency fund to cover the costs associated with providing a temporary chiller. The contingency budget for 2004 is $355,000. Transfers made to date from this fund total $16,554 leaving a balance of $338,446 available to fund this project.

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

Committee: Public Works Meeting Date: July 2, 2004

Vote: 4 - 0

Committee: Finance (It is anticipated that the finance committee will vote on this resolution at a special meeting scheduled for July 13, 2004.)

County Board Meeting Date: July 13, 2004

Policy and fiscal note has been reviewed and approved as an accurate statement of the probable policy and fiscal impacts associated with passage of the attached resolution

David A. Bretl /sh/ County Administrator/ Corporation Counsel	Date	Nicole Andersen (ts) Finance Director	7/6/04 Date

Supervisor Guido made a motion to reconsider item #4. The motion failed for lack of a second.

Human Resources Committee

1. Resolution No. 20-07/04 – Approving a Plan of Reorganization of the Human Resources Function, Approving Budget Amendments and Employment Contracts Necessary to Implement that Plan

A motion was offered by Supervisor Burwell, seconded by Supervisor Downing, to approve Resolution No. 20-07/04. Supervisor Burwell offered a motion, seconded by Supervisor Felten, that the Plan be amended to increase purchased services for outside counsel by $30,000 rather than $40,000 and the finance department purchased services be increased by only $10,000 rather than $20,000 as originally contained in the Plan.

Bretl explained the changes that were recommended to the plan for the reorganization of the Human Resources Department. The Human Resources payroll function would be moved from the Human Resources Department to the Finance Department. The balance of the Human Resources function would be performed by an Employee Relations Department headed by Mari Nahn, the Deputy Corporation Counsel. Supervisor Burwell's amendment to make reductions in purchased services and effect a cost savings of about $9,000 in 2005 versus the 2004 budget was endorsed by the Human Resources Committee and the Finance Committee. The approval of the reorganization plan requires a 2/3 vote and the amendments require a majority vote. Amendment No. 1 to Resolution 20-07/04 was approved by voice vote.

Supervisor Burwell offered a motion, seconded by Supervisor Downing, to approve Amendment No. 2 to Resolution 20-07/04 as follows: That page 2, lines 23 and 24 of the resolution be amended to eliminate the references to "deputy administrator" and designate Nahn as "deputy corporation counsel/department head of Employee Relations;" and, that page 2, lines 27 – 30 be deleted and instead read as follows: "Be it Further Resolved that sufficient funds be reserved in accordance with the Plan, and that the Human Resources Committee study the appropriate classification of the finance director and make a recommendation to the full board as to whether to pursue designating the finance director as a deputy administrator/finance and the deputy corporation counsel as deputy administrator/employee relations and recommend appropriate compensation for the positions." Discussion ensued.

Bretl distributed a copy of a report from Marianne Oyaas, Oyaas & Associates, and excerpts from the 2004 Non-Union Management & Professional Pay Plan to the Supervisors. Bretl said under the Plan as originally written and proposed to the Human Resources Committee, the positions of Deputy Corporation and the Finance Director would be upgraded; that would be Mari Nahn, Deputy Corporation Counsel and Nicki Andersen, Finance Director. The proposed pay plan was to create both of those positions at an M25 level. Mari Nahn currently serves in the M18 pay range and Nicki Andersen in the M21 pay range. Bretl said that he thought both of those positions should fall within the M25 pay range, both would sign employment contracts, with Mari Nahn at a step C of M25 and Nicki Andersen at a step E of M25, be eligible for a step increase on January 1, and thereafter be under the pay plan. Bretl said that he had requested the report from Marianne Oyaas who is a consultant familiar with pay plans like Walworth County's. Ms. Oyaas looked at the new duties that would be given to both Nahn and Andersen and concluded that under our pay plan the Finance Director/Deputy Administrator would fall in M23 range and that the Deputy Administrator/Employee Relations position would fall in the M25 range. Bretl said that the Human Resources Committee's Amendment No. 2 to Resolution No. 20-07/04 would eliminate the references to Deputy Administrator and designate Nahn as Deputy Corporation Counsel/Department Head of Employee Relations and would hold off doing anything with the Nicki Andersen situation but would reserve a sufficient amount of money if upgrades were warranted, after a study by the Human

Resources Committee. The Finance Committee voted to proceed with the first plan with both in the M25 category. Bretl said he feels comfortable with the original plan as proposed.

Supervisor Polyock asked what the net savings would be in 2005. Bretl said that there would be a savings of $9,000 in the 2005 budget over 2004 if Amendment No.1 and No. 3 were approved.

Bretl explained that if having both employees under an employment contract is important to the Supervisors, then the Board would vote no to Amendment No. 2 and keep both people under the contracts. Supervisors Burwell and Downing withdrew the motion to approve Amendment No. 2.

On motion by Supervisor Burwell, seconded by Supervisor Russell, Amendment No. 3 to Resolution No. 20-07/04 was approved.

Supervisor Burwell offered a motion for unanimous consent, seconded by Supervisor Grant. Supervisor Polyock vote no and a roll call vote was conducted. Total vote: 25; Ayes: 20 – Burwell, Downing, Felten, Goebel, Grant, Guido, Hawkins, Ketchpaw, Kuhnke, Lein, Lightfield, Muzatko, Parker, Russell, Schaefer, Stacey, Waelti, Wagie-Troemel, Weber, Lohrmann; Noes: - 1- Polyock; Absent: 4 – Arnold, Hilbelink, Morrison, Van Dreser. Resolution No. 20-07/04 as amended by Amendment No. 1 and Amendment No. 3 was approved.

Resolution No. 20-07/04
AMENDED
Approving a Plan of Reorganization of the Human Resources Function and Approving Budget Amendments and Employment Contracts Necessary to Implement that Plan

Moved/sponsored by: Human Resources Committee

WHEREAS, as part of the 2004 annual budget the County Board directed a reorganization of certain administrative functions; and

WHEREAS, that action did not identify specific budget reductions but mandated that specific reductions in the area of administration be identified and made in the 2004 budget in the amount of $20,319; and

WHEREAS, in early 2004, the human resources director announced her plan to retire and to facilitate a smooth transition, the county entered into an agreement with her in February 2004; and

WHEREAS, in conjunction with funding that retirement agreement, cost savings were identified in various budget areas to implement said agreement and to achieve a budget savings of $20,319 in accordance with the adopted budget; and

WHEREAS, the human resources committee carefully reviewed county operations and endorsed a reorganization plan to transfer payroll operations to the finance department and the balance of the human resources department to a newly created employee relations department to be supervised by the deputy corporation counsel; and

WHEREAS to facilitate a smooth transition, the finance department has been performing payroll functions since June 21, 2004.

NOW, THEREFORE, BE IT RESOLVED that responsibility for payroll functions be assigned to the finance department in accordance with the attached Plan of Reorganization ("Plan").

BE IT FURTHER RESOLVED that there is hereby created an employee relations department and that the balance of functions performed by the current human resources department be and the same are hereby transferred to the employee relations department in accordance with the Plan.

BE IT FURTHER RESOLVED by the Walworth County Board of Supervisors that the sum of $91,029 be transferred from the human resources department budget to the finance department budget to permit the finance department to carry out the payroll function in 2004.

BE IT FURTHER RESOLVED a revenue budget of $750 contained in the 2004 budget, related to the reimbursement of filing fees, be transferred from the human resources department budget to the finance department budget.

BE IT FURTHER RESOLVED that in conjunction with the transfer of the account clerk III position from the sheriff's office to the finance department, effective September 1, 2004 the associated payroll and benefit budget of $18,360 associated with that position be transferred to the finance department.

BE IT FURTHER RESOLVED that a budget be established for the employee relations department within the administration budget; and that the finance director be directed to establish such accounts and make any necessary budget transfers from the former human resources budget to the employee relations budget.

BE IT FURTHER RESOLVED that, due to staff vacancies, funds available in the 2004 corporation counsel and finance budgets fund the remainder of the estimated 2004 payroll and benefit costs associated with the reorganization plan and the finance director is authorized to reallocate these funds to the appropriate payroll and benefit accounts as determined by the final job costing; and

BE IT FURTHER RESOLVED that $27,000 be transferred from county board legal services to corporation counsel legal services to supplement the legal services budget to allow for the outsourcing of specialized legal services due to the elimination of the assistant corporation counsel position; and

BE IT FURTHER RESOLVED that a standard employment contract be approved by and between Walworth County and Mari Nahn, which contract shall designate Nahn as Deputy Administrator-Employee Relations and place Nahn in the management pay plan at range 25, step 'C'.

BE IT FURTHER RESOLVED that a standard employment contract be approved by and between Walworth County and Nicole Andersen, which contract shall designate Andersen as Deputy Administrator-Finance and place Andersen in the management pay plan at range 25, step 'E'.

BE IT FURTHER RESOLVED that the human resources committee review the entire management pay plan and report any recommended changes to the full board within six (6) months.

Ann Lohrmann
County Board Chairperson

Kimberly S. Bushey
County Clerk

Action Required: Majority _____ Two-thirds ___X___ Other _____

County Board Meeting Date: July 13, 2004

Policy and Fiscal Note is attached.
Reviewed and approved pursuant to Section 2-91 of the Walworth County Code of Ordinances

David A. Bretl County Administrator/ Corporation Counsel	7/9/04 Date	N. Andersen Finance Director	7/9/04 Date

If unsigned, exceptions shall be so noted by the County Administrator.

Policy and Fiscal Note
Resolution No. 20- 07/04

I. Title: Approving a Plan of Reorganization of the Human Resources Function and Approving Budget Amendments and Employment Contracts Necessary to Implement that Plan

II. Purpose and Policy Impact Statement.

The purpose of this resolution is to effect a reorganization of the human resources function by transferring payroll responsibilities to the finance department, eliminating the current human resources department and creating a department of employee relations. Additionally, a current department head, Nicole Andersen, would be given an employment contract, creating the position of Deputy County Administrator-Finance and changing her employment status from "for cause" to "at will." Based upon the additional duties, Andersen's pay would be increased from M-21, step 'G' to M-25, step 'E' for an increase of $7,883 per year. Mari Nahn would be placed under an employment contract, creating the position of Deputy County Administrator-Employee Relations and changing her employment status from "for cause" to "at will." Nahn's pay would be increased from M-18, step 'G' to M-25, step 'C' for an increase of $10,961. Both would be eligible for step increases on January 1, 2005. The position of Human Resources Director would be eliminated.

III. Budget and Fiscal Impact.

Implementation of the reorganization plan could be accomplished within the existing 2004 budget. Budget details are contained in the attached Plan. The Plan, as currently written, would ~~add to the 2005 budget by approximately $10,591~~ result in a cost savings of approximately $9,000 in 2005 versus the 2004 budget. It is anticipated that an amendment to this resolution will be offered to effect a budget savings in 2005.

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

Committee: Human Resources Meeting Date: June 24, 2004

Vote: 4 - 0

County Board Meeting Date: July 13, 2004

Policy and fiscal note has been reviewed and approved as an accurate statement of the probable policy and fiscal impacts associated with passage of the attached resolution

David A. Bretl County Administrator/ Corporation Counsel	7/9/04 Date	N. Andersen Finance Director	7/9/04 Date

REORGANIZATION PLAN
AMENDED

Action	Purpose	Estimated Annual Budget Impact
A. Payroll Approach		
1. Transfer Acct. Clerk III from the Sheriff's office to finance department. Position would be titled "Finance Technician". Estimated step and range is AS-07/E.	1. These changes will permit finance department to prepare payroll. See Appendix A for benefits associated with finance supervision of payroll.	1.The cost of moving the position from the Sheriff's office is $1,400.
B. Risk Management Approach		
1. Eliminate corporation counsel II position.	1. We have had difficulty recruiting a well-qualified attorney, with a background in risk-management.	1. Eliminating the in-house attorney position will save $101,298 annually.
2. Create a risk specialist.	2. By creating a lower-level professional position, we propose to maximize our use of County Mutual risk management resources while providing back-up for the corporation counsel office.	2. Subject to job costing, creating the training specialist will add an estimated $64,500 to the budget, assuming it is filled at the M-6 level.
3. Transfer $27,000 from the county board purchased services budget to be used to purchase legal services.	3. Transferring purchased service money will restore county board purchased service balance to approximately the 2002 level and will provide back-up to corporation counsel office.	3. Budget neutral.
4. Increase purchased services for outside counsel by ~~$40,000~~ 30,000.	4. Together with the transfer set forth in #3, this transfer will allow purchase of services in lieu of creating a corporation counsel position. It will provide back-up for existing "in-house" positions.	4. Increases budget by ~~$40,000~~ 30,000.
5. Increase finance department purchased services by ~~$20,000~~ 10,000 to advise the county concerning insurance, risk	5. The health insurance fund has increased from a comparatively small fund to a $14M annual enterprise.	5. Increases budget by ~~$20,000~~ 10,000.

Action	Purpose	Estimated Annual Budget Impact
management and insurance funds.	Other risk management and insurance funds, including the retiree health insurance issue, show similar growth. In addition to our insurance consultant, these funds merit professional accounting and actuarial oversight.	
6. Eliminate confidential secretary and create an additional legal secretary position.	6. In September, the corporation counsel office will move to the new justice center. By creating a legal secretary position, we can leverage the utility of this position. The individual would be available to back-up the current legal secretary, as well as perform secretarial tasks related to human resources.	6. Budget neutral.
C. Employee Relations Approach		
1. Create 3 employment specialists as follows: • Compensation and Benefits Specialist to Employment Relations Specialist II at M-10/Step D. • New Employment Relations Specialist II created at M-10/Step B. • Present Administrative Support Supervisor to Employment Relations Specialist I at M-6/ Step A.	1. Two of the specialist positions already exist. The third position would be created and it is proposed that the former deputy human resources director be provided this opportunity.	1. Subject to final costing, the two incumbents would be cost-neutral. The cost of adding the new Employment Relations Specialist position would be $75,000.
2. Transfer the remaining human resources positions to the administration budget under supervision of the deputy corporation counsel consisting of:	2. Titles would also be changed.	2. The balance of the transfers would be cost-neutral.

Action	Purpose	Estimated Annual Budget Impact
• HR Assistant • HR Assistant • HR Assistant • HR Payroll Technician	• Recruitment Technician • Leave Technician II • Compensation and Benefits Technician I	

D. Leadership Approach		
1. Eliminate position of HR Director.	1. The position would be eliminated subject to terms of the February agreement.	1. Annual savings of $124,366.
2. Task both finance director and deputy corporation counsel with broader responsibilities to head projects that may currently be outside of the scope of their job descriptions.	2. This would likely permit the county to make more progress on a broader range of issues. Positions would lose "for cause" status and would be subject to employment contracts.	2. Create a deputy administrator positions. Finance Director to be upgraded from M-21/G to M-25/E. Deputy Corporation Counsel to be upgraded from M-18/G to M-25/C. Total cost of upgrades is $29,567 in the 2005 budget year.
E. Miscellaneous		
1. Cost position of Finance Senior Accountant (Igl).	1. This would determine whether an upgrade is merited for additional work.	1. Cost of upgrading from M-08/C to M-09/C is $2,188.
2. Change title of Financial Analyst (Lamping) to Senior Accountant.	2. This change would make this position consistent with others in the department.	2. Budget neutral.
3. Reclassify Account Clerk III positions (2) to Finance Technician.	3. This move will make positions consistent with others in the department and permit these individuals to work on payroll.	3. Approximately $3,600 total addition to budget.

APPENDIX A

PAYROLL

The plan proposes splitting the current payroll function from human resources and transferring it to the finance department, under the direction of finance director, Nicole Andersen. The transfer would be effective June 21, 2004. Initially, three employees would be transferred from the human resources

department. A proposal to transfer one employee from the Sheriff's department to administer would be subject to county board approval. The payroll coordinator and the payroll technician will physically relocate to the finance department as close to the effective date as possible. The remaining positions would relocate to the finance department in September, or as soon as possible thereafter, as space can be made available in the remodeled courthouse. I believe that the four employees can adequately perform the payroll function, as well as perform other financial duties. The human resources employees who are proposed to move to finance are Linda Gregurich, Trina Adams, and Dian Strunk; the fourth payroll-related employee is Dawn Hall, currently located in the Sheriff's department. Ms. Adams is currently at pay range AS 07, step F. Ms. Strunk is at pay range AS 04, step F; Ms. Gregurich is at pay range AS 12, step G; Ms. Hall is at pay range CH 08, step R. Subject to job evaluation and board approval, I recommend that Ms. Hall's position be reclassified to an AS 07, as it will be equivalent to Ms. Adams' position. Payroll staff will be supervised by Jessica Igl, who is currently at pay range step M 08. I propose that Igl's position be reviewed to determine whether a reclassification to M 09 is in order, given this increase in scope and responsibilities. I would also propose reclassifying two Account Clerk II positions in the accounts payable department so that they could work on payroll. They are currently in pay range CH 08, and would change to pay range AS 07 with the title Finance Technician. They would report to Andy Lamping. It is anticipated that these changes will have the following significant benefits:

1. Assigning all payroll staff to the finance department and physically locating them in the same office will allow for cross-training for each of the county payrolls. The county will be less reliant on one or two people for payroll responsibilities. The new timekeeping system will allow for the electronic transmission of payroll data, thereby allowing payroll staff to be centrally located and supervised.

2. Centrally locating the payroll staff will also allow accounts payable staff to periodically assist the payroll staff in distributing high-volume correspondence; for example, W-2 forms. Changing the accounts payable positions would also help in this area.

3. Payroll cycles are currently quite date-specific, with payroll being run in the beginning of the week. Occasionally, holidays and other short work weeks result in the necessity for overtime. The finance department will be able to better utilize payroll personnel throughout the payroll process if staff are centrally located, thereby minimizing the potential for overtime. The new timekeeping system may also reduce the time-sensitive nature of this cycle.

4. Ms. Strunk has previous experience with accounts payable and the general ledger system, as well as public works payroll. The public works department is in the process of creating a database that will fully utilize the state CHEMS system. Ms. Strunk's position would be utilized to help support additional payroll/equipment entry that will be required for the new system, as well as provide assistance in the distribution of all accounts payable and payroll checks, entry of journal entry batches and file maintenance.

APPENDIX B

EMPLOYEE RELATIONS

The remainder of the functions currently performed by the human resources department will be performed by a newly created employee relations department and supervised by deputy corporation counsel. The functions performed by the new department will follow employees from "cradle to grave", i.e. recruitment, orientation, benefit enrollment, performance, position changes, discipline, and retirement. In addition, the new department will continue to have responsibility for collective bargaining agreement negotiation and administration, insurance plan renewals, changes and budgeting, workers' compensation,

organizational development, and salary administration. The new department will be housed with the corporation counsel's office at the new judicial center.

I propose to structure the new employee relations department by creating three employee relations specialist positions. All three positions will report directly to the deputy corporation counsel/director of employee relations. Each specialist will be assigned to two county departments: one to the Sheriff's department and courthouse employees, one to the health and human services and the Lakeland Health Care Center, and one to the highway department and Lakeland School. The first specialist position would need to be created and approved by the county board. The second specialist position would be offered to Suzi Hagstrom, and the third to Sarah Anderson. Each specialist will hold "office hours" on a regularly scheduled basis in each department, attend all department staff meetings (if desired by the department) and work with all employee benefits, discipline, performance and grievance issues involving their assigned department. Each specialist will be expected to deliver training on topics including employee education on benefits choices and plan changes, organizational development, wellness, sexual harassment, and any new topics developed by the department. In addition, one of these positions will be responsible for the annual negotiation of and budget for the county's benefit plans. The first specialist position will be at pay range M-10 at step B; the second will be more of an entry-level position and will be at range M-6, step A. and the one with additional responsibilities will be at pay range M-10 at step D. The current recruitment, orientation and leave management functions will continue to be performed by the administrative personnel currently assigned: Sherry Iverson (Recruitment Technician) for recruitment, orientation and EEO reporting; Jo Matezevich (Leave Technician) for leave management, workers' compensation and OSHA reporting; and Lisa Pohl (Compensation and Benefits Technician) for benefits plan enrollments, pay grade changes and other pay-related issues. These positions are currently range AS-10, step G; AS-10, step G, and AS-7, step F, respectively.

I propose to eliminate the current confidential secretary position and create a new legal secretary position. The new position is in pay range AS-07, step E. This position will assist Chery Mohr, the current legal secretary. This position will support the director in terms of briefs and grievance responses, motions and other legal matters, as well as other confidential correspondence and employee matters. The former human resources department employees would move to the new judicial center at the same time that the corporation counsel's office moves into the new judicial center.

This reorganization will have the following benefits:

1. Each specialist will become familiar with the issues facing each of the county departments, and response time and strategies for dealing with these issues will improve. Departmental input on proposed changes will flow back to the employee relations department before changes are made, to minimize employee resistance and address practical obstacles to implementation.

2. Each specialist will become cross-trained in benefits, organizational development and other county-wide employee relations issues.

3. There will be more front desk coverage, thus improving the service level for prospective and current employees.

4. Communication regarding benefits will occur more rapidly to all departments through the specialists, so that changes can be implemented with a minimum of employee mistrust or misunderstanding and thus, a minimum of legal claims or grievances.

5. There will be increased consistency in discipline and decision-making, as the specialists will share experience with each other. Current code reserves certain discipline and classification

decisions to the director. With the input of the specialists, these decisions will become more standard across all departments and there will be fewer claims challenging the process.

6. The location of the employee relations department in close proximity to the largest departments, and the holding of "office hours" in each department, will make the specialists more accessible to employees and supervisors for questions and concerns and result in improved service.

Closed Session

On motion by Supervisor Guido, seconded by Supervisor Polyock, the Board convened in closed session pursuant to Wis. Stats. § 19.85 (1) (g) for the purpose of conferring with legal counsel for the governing body who is rendering oral advice concerning strategy to be adopted with respect to litigation which it is or is likely to become involved. A roll call vote was conducted. Total vote: 25; Ayes: 21 – Burwell, Downing, Felten, Goebel, Grant, Guido, Hawkins, Ketchpaw, Kuhnke, Lein, Lightfield, Muzatko, Parker, Polyock, Russell, Schaefer, Stacey, Waelti, Wagie-Troemel, Weber, Lohrmann; Noes: - 0; Absent: 4 – Arnold, Hilbelink, Morrison, Van Dreser.

6. Resolution No. 23-07/04 – Approving a Settlement By and Between Walworth County and Andrea Lazzeroni

On motion by Supervisor Grant, seconded by Supervisor Ketchpaw, the Board reconvened in open session to take action on Resolution No. 23-07/04.

Supervisor Ketchpaw offered a motion, seconded by Supervisor Muzatko, to approve Resolution No. 23-07/04. Supervisor Grant offered a motion for unanimous consent, seconded by Supervisor Ketchpaw. Supervisor Polyock voted "No." A roll vote was conducted. Total vote: 25; Ayes: 19 – Burwell, Downing, Felten, Goebel, Grant, Guido, Hawkins, Ketchpaw, Kuhnke, Lightfield, Muzatko, Parker, Russell, Schaefer, Stacey, Waelti, Wagie-Troemel, Weber, Lohrmann; Noes: - 1- Polyock; Absent: 4 – Arnold, Hilbelink, Morrison, Van Dreser; Temporarily absent: 1 - Lein. Supervisor Lein returned right after the vote and his vote was recorded as "Aye." Total Ayes: 20. Resolution No. 23-07/04 was approved by roll call vote.

Resolution No. 23-07/04
Approving a Settlement Agreement by and Between
Walworth County and Andrea Lazzeroni

Moved/Sponsored by: Human Resources Committee

WHEREAS, Andrea Lazzeroni ("Lazzeroni") filed a claim against Walworth County alleging employment discrimination; and,

WHEREAS, the human resources committee has reviewed the matter and recommends settlement of the claim.

NOW, THEREFORE, BE IT RESOLVED by Walworth County Board of Supervisors that an agreement by and between Lazzeroni and Walworth County in settlement of her discrimination claim against the Walworth County Human Resources Department ("Agreement") is hereby approved.

BE IT FURTHER RESOLVED that the sum of $33,303 shall be transferred from the contingency fund to the human resources work center to fund the cost of this Agreement.

BE IT FURTHER RESOLVED that the proper county officials be and hereby are authorized and directed to execute the Agreement, obtain a release, and take such other action as may be appropriate to effectuate the intent of this resolution.

Ann Lohrmann County Board Chairperson	Kimberly S. Bushey County Clerk

County Board Meeting Date: July 13, 2004

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

Policy and Fiscal Note is attached.
Reviewed and approved pursuant to Section 2-91 of the Walworth County Code of Ordinances

David A. Bretl County Administrator/ Corporation Counsel	7/2/04 Date	Nicole Andersen (ts) Finance Director	7/6/04 Date

If unsigned, exceptions shall be so noted by the County Administrator.

Policy and Fiscal Note
Resolution No. 23-07/04

I. Title: Approving a Settlement Agreement by and Between Walworth County and Andrea Lazzeroni

II. Purpose and Policy Impact Statement: The purpose of this resolution is to authorize the payment of back wages and attorney fees to Andrea Lazzeroni to settle a claim of age discrimination.

III. Budget and Fiscal Impact: The contingency budget for 2004 is $355,000. Transfers made to date from this fund total $16,554, leaving a balance of $338,446 available to fund this agreement.

Back wages	18,000.00	001-1028-5611
Wisconsin retirement	1,926.00	001-1028-5814
FICA/FMI	1,377.00	001-1028-5815
Claim settlement costs	12,000.00	001-1028-8701
Total	33,303.00	

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

Committee: Human Resources Meeting Date: June 8, 2004

Vote: 4 - 0

County Board Meeting Date: July 13, 2004

Policy and fiscal note has been reviewed and approved as an accurate statement of the probable policy and fiscal impacts associated with passage of the attached resolution.

David A. Bretl/sh/ County Administrator/ Corporation Counsel	Date	Nicole Andersen (ts) Finance Director	7/6/04 Date

Land Conservation Committee

1. Ordinance No. 268-07/04 – Repealing and Recreating Section 42-1 of the Walworth County Code of Ordinances and Creating Sections 42-2, 42-3, and 42-4 Thereof Relative to County Parks and Trails
2. Resolution No. 21-07/04 – Supporting the Amendment to the Regional Water Quality Management Plan for the Sanitary Sewer Service Area for the Walworth County Metropolitan Sewerage District
3. Resolution No. 22-07/04 – Thanking Pat's Sanitary Service for the White River Trail Development Donation

Supervisor Lightfield offered a motion, seconded by Supervisor Ketchpaw to approve item #1, Ordinance No. 268-07/04. Supervisor Lightfield recognized Bill Jacques. Bill Jacques, N6009 Bowers Road, Elkhorn, addressed the Board. Mr. Jacques said he would like to amend the ordinance by changing the park hours so that the parks are open during day light hours only.

Ordinance No. 268-07/04 was approved by voice vote.

ORDINANCE NO. 268 – 07/04
AMENDED – (SCRIVENER'S ERROR)

REPEALING AND RECREATING SECTION 42-1 OF THE WALWORTH COUNTY CODE OF ORDINANCES AND CREATING SECTIONS 42-2, 42-3, AND 42-4 THEREOF RELATIVE TO COUNTY PARKS AND TRAILS

THE WALWORTH COUNTY BOARD OF SUPERVISORS DOES ORDAIN AS FOLLOWS:

PART I: That section 42-1 of the Walworth County Code of Ordinances is hereby repealed and recreated to read as follows:

"Sec. 42-1 Rules for Walworth County Parks and Trails.

(a) The following rules shall apply to the use of county-owned parks and trails, including the White River State Recreation Trail:

(1) Parks and trails shall be open from 6:00 A.M. to 10:00 P.M. daily. No person shall use a park or trail outside those hours except by special permit or as authorized in Sec. ~~42.2(d)(1)~~ 42.1(b)(1). (Scrivener's error)
(2) Users shall remove their own litter, recyclables and trash, except where they may be placed in receptacles provided for that purpose.
(3) Pets must be properly controlled on a leash no more than eight feet in length. Pet owners shall be responsible for picking up their animal's waste.
(4) No person may offer for sale any item of any kind unless authorized by a written permit issued by the county.
(5) The discharge of any firearm, including a paint ball gun, is prohibited.
(6) Possession or discharge of fireworks is prohibited.
(7) Camping is prohibited except within designated camping areas.
(8) Hunting and trapping are prohibited.

(9) Fires are prohibited, except in designated fireplaces, fire rings and cooking grills. No fire may be left unattended, or any matches, cigarettes, cigar or pipe ashes disposed of, without being extinguished.
(10) Swimming and wading are prohibited, except in designated swimming areas during designated hours and when a lifeguard is present.
(11) No person may launch a boat or canoe of any kind.
(12) All natural and archeological features, wild animals and plants are protected and shall not be disturbed, except for the removal of invasive plant species by county employees or volunteers acting with county permission.
(13) No person may plant or cultivate any crop unless first authorized by the county.
(14) Motorized vehicles may be operated only in parking lots and roads. This prohibition shall not apply to:

(a) Persons using any low-powered, mechanically-propelled vehicle designated specifically for use by persons with physical disabilities.
(b) persons authorized by the county to maintain parks and trails.

(15) Bicycles are not permitted on park trails or paths, except as authorized in (b).
(16) Horses are not permitted on park trails or paths, except as authorized in (b).
(17) Possession, use, sale or consumption of alcohol is prohibited.
(18) Written materials pertaining to park or trail issues may be posted only in officially designated areas.
(19) No person may disobey an official sign posted in a park or on a trail.

(b) In addition to the rules contained in (a), the following rules shall apply to use of the White River State Recreation Trail:

(1) The trail shall be open 24 hours per day for snowmobiles when snowmobile trails, generally, are declared open by the Walworth County Snowmobile Alliance.
(2) Hiking and bicycling are permitted uses. Horseback riding shall be permitted only on that portion of the trail designated for that purpose.
(3) All users, except pedestrians and persons using any manually or low-powered mechanically-propelled vehicle designed specifically for use by persons with physical disabilities, shall possess a valid state trail permit."

PART II: That section 42-2 of the Walworth County Code of Ordinances is hereby created to read as follows:

"Sec. 42-2 Permits.

(a) Permits may be granted by the county for the following uses:

(1) Overnight and special events use of park facilities in accordance with procedures approved by the land conservation committee.
(2) Sales, when such sales are first approved by the land conservation committee.

(b) Where a permit is granted for a special event, the permittee has preference for use of the facility reserved."

PART III: That section 42-3 of the Walworth County Code of Ordinances is hereby created to read as follows:

"Persons found guilty of violating this section shall forfeit not less than $30 nor more than $100 for a first offense, and not less than $50 nor more than $250 for a second and any subsequent violations of this section, plus costs of prosecution for each violation. Persons in default of payment of forfeiture and costs shall be imprisoned in the county jail until payment is made, but not in excess of 30 days."

BE IT 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 13th day of July, 2004.

Ann Lohrmann County Board Chairperson	Kimberly S. Bushey County Clerk

County Board Meeting Date: July 13, 2004

Action Required: __X__ Majority Vote _____ 2/3 Vote _____ Other

Policy and Fiscal Note is attached.
Reviewed and approved pursuant to Section 2-91 of the Walworth County Code of Ordinances:

David A. Bretl/sh/ County Administrator/ Corporation Counsel	7/6/04 Date	Nicole Andersen (ts) Finance Director	7/6/04 Date

If unsigned, exceptions shall be so noted by the County Administrator.

Ordinance No. 268 - 07/04
Fiscal Note and Policy Impact Statement

I. Title: Repealing And Recreating Section 42-1 of The Walworth County Code of Ordinances And Creating Sections 42-2, 42-3, and 42-4 Thereof Relative to County Parks and Trails

II. Purpose and Policy Impact Statement: The purpose of this ordinance is to create rules governing Walworth County parks and trails. The current ordinance which dates back to 1995, covers only Natureland Park. Since then, the county has acquired an additional park (Price Conservancy) and opened up the White River State Recreational Trail. This ordinance would establish a consistent set of rules for all county parks and trails.

III. Is this a budgeted item and what is its fiscal impact: Passage of this ordinance will have no significant fiscal impact on the 2004 county budget. The county may derive revenue from citations issued under the authority of this ordinance.

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

Committee: Land Conservation Date: June 14, 2004

Vote: 6 - 0

County Board Meeting Date: July 13, 2004

Policy and fiscal note has been reviewed and approved as an accurate statement of the probable policy and fiscal impacts associated with passage of the attached resolution.

David A. Bretl/sh/ County Administrator/ Corporation Counsel	7/6/04 Date	Nicole Andersen (ts) Finance Director	7/6/04 Date

On motion by Supervisor Lightfield, seconded by Supervisor Weber, item #2, Resolution No. 21-07/04 and items #3, Resolution No. 22-07/04 were approved by voice vote.

Resolution No. 21-07/04
Supporting the Amendment to the Regional Water Quality Management Plan for the Sanitary Sewer Service Area for the Walworth County Metropolitan Sewerage District

Moved/Sponsored by: Land Conservation Committee

WHEREAS, pursuant to Section 66.0309(10) of the Wisconsin Statutes, the Southeastern Wisconsin Regional Planning Commission (SEWRPC), at a meeting held on the 12th day of July 1979, duly adopted a regional water quality management plan as documented in the three-volume SEWRPC Planning Report No. 30, A Regional Water Quality Management Plan for Southeastern Wisconsin: 2000; and,

WHEREAS, at a meeting held on the 4th day of December 1991, SEWRPC duly adopted an amendment to the regional water quality management plan refining and detailing the Elkhorn sanitary sewer service area as documented in the SEWRPC Community Assistance Planning Report No. 56 (2nd Edition), Sanitary Sewer Service Areas for the Walworth County Metropolitan Sewerage District, Walworth County, Wisconsin, November 1991; and,

WHEREAS, by letter dated December 11, 2003 the Walworth County Metropolitan Sewerage District requested that SEWRPC amend the Elkhorn Sanitary sewer service area to include certain lands located outside of the currently adopted sewer service area; and,

WHEREAS, the proposed amendment to the regional water quality management plan is documented in a SEWRPC staff memorandum entitled, "Response to Request by the Walworth County Metropolitan Sewerage District to Amend the Elkhorn Sanitary Sewer Service Area"; and,

WHEREAS, the requested change to the regional water quality management plan, as documented in the above-mentioned staff memorandum, was the subject of a public hearing held jointly by the Walworth County Metropolitan Sewerage District and SEWRPC held on February 10, 2004; and,

WHEREAS, Section 66.0309(9) of the Wisconsin Statutes authorizes and empowers SEWRPC to amend, extend, or add to the master plan or carry any part or subject thereof into greater detail; and,

WHEREAS, the Walworth County Land Conservation Committee discussed this proposed amendment at their January 19, 2004 regular meeting and once again at their June 14, 2004 regular meeting; and,

WHEREAS, on January 19, 2004 the Land Conservation Committee suggested removing five acres of secondary environmental corridor from the proposed sewer expansion; and,

WHEREAS, SEWRPC removed the five acres of the secondary environmental corridor from the proposed expansion area; and

WHEREAS, on March 3, 2004 SEWRPC unanimously adopted the proposed amendment to the regional water quality management plan and the plan has been submitted to the Wisconsin Department of Natural Resources and the Wisconsin Department of Commerce.

NOW, THEREFORE, BE IT RESOLVED by the Walworth County Board of Supervisors that Walworth County supports the Amendment to the Regional Water Quality Management Plan for the Sanitary Sewer Service Area for the Walworth County Metropolitan Sewerage District.

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 SEWRPC.

Ann Lohrmann County Board Chairperson	Kimberly S. Bushey County Clerk

Action Required: Majority __X___ Two-thirds _____ Other _____

County Board Meeting Date: July 13, 2004

Policy and Fiscal Note is attached.
Reviewed and approved pursuant to Section 2-91 of the Walworth County Code of Ordinances:

David A. Bretl County Administrator/ Corporation Counsel	7/1/04 Date	Nicole Andersen (ts) Finance Director	7/6/04 Date

If unsigned, exceptions shall be so noted by the County Administrator.

Policy and Fiscal Note
Resolution No. 21 - 07/04

I. Title: Supporting the Amendment to the Regional Water Quality Management Plan for the Sanitary Sewer Service Area for the Walworth County Metropolitan Sewerage District

II. Purpose and Policy Impact Statement:

The purpose of this resolution is to support the amendment to the regional water quality management plan for the sanitary sewer service area for the Walworth County Metropolitan Sewage District

III. Budget and Fiscal Impact:

Passage of this resolution will have no fiscal impact on the 2004 county budget.

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

Committee: Land Conservation Meeting Date: June 14, 2004

Vote: 6 - 0

County Board Meeting Date: July 13, 2004

Policy and fiscal note has been reviewed and approved as an accurate statement of the probable policy and fiscal impacts associated with passage of the attached resolution

David A. Bretl County Administrator/ Corporation Counsel	7/1/04 Date	Nicole Andersen (ts) Finance Director	7/6/04 Date

Resolution No. 22-07/04
Thanking Pat's Sanitary Service for the White River Trail Development Donation

Moved/Sponsored by: Land Conservation Committee

WHEREAS, Walworth County continues to work on completing the White River Trail traveling between Elkhorn, Wisconsin, and Burlington, Wisconsin; and

WHEREAS, the White River Trail needed sanitary accommodations along the trail, and

WHEREAS, Pat's Sanitary Service of New Munster, Wisconsin, discovered that the White River Trail needed sanitary accommodations along the White River Trail; and

WHEREAS, Pat's Sanitary Service of New Munster, Wisconsin, generously donated two portable restrooms for use along the White River Trail; and

WHEREAS, Pat's Sanitary Service placed one of these restrooms in Lyons, Wisconsin, and the other restroom in Springfield, Wisconsin; and

WHEREAS, Pat's Sanitary Service also generously agreed to maintain these facilities at no charge to Walworth County; and

WHEREAS, Walworth County appreciates this generous donation.

NOW, THEREFORE, BE IT RESOLVED that the Walworth County Board of Supervisors express their sincere gratitude to Pat's Sanitary Service of New Munster for their generous donation to the White River Trail.

Ann Lohrmann County Board Chairperson	Kimberly S. Bushey County Clerk

County Board Meeting Date: July 13, 2004

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

Policy and Fiscal Note is attached.
Reviewed and approved pursuant to Section 2-91 of the Walworth County Code of Ordinances:

David A. Bretl County Administrator/ Corporation Counsel	7/2/04 Date	Nicole Andersen (ts) Finance Director	7/6/04 Date

If unsigned, exceptions shall be so noted by the County Administrator.

Policy and Fiscal Note
Resolution No. 22-07/04

I. Title: Thanking Pat's Sanitary Service for the White River Trail Development Donation

II. Purpose and Policy Impact Statement: The Walworth County Board wishes to express their sincere appreciation to Pat's Sanitary Service for their donation to the White River Trail.

III. Budget and Fiscal Impact: This is a donation. No additional funds are needed to accommodate the donation.

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

Committee: Land Conservation Committee Meeting Date: June 14, 2004

Vote: 6-0

County Board Meeting Date: July 13, 2004

Policy and fiscal note has been reviewed and approved as an accurate statement of the probable policy and fiscal impacts associated with passage of the attached resolution.

David A. Bretl County Administrator/ Corporation Counsel	7/2/04 Date	Nicole Andersen (ts) Finance Director	7/6/04 Date

Public Works

1. Resolution No. 24-07/04 – Approving the Acquisition of Certain Land for a Salt Storage Shed

Supervisor Polyock offered a motion, seconded by Supervisor Weber, to approve Resolution No. 24-07/04. Discussion ensued. Resolution No. 24-07/04 was approved by voice vote. Supervisors Kuhnke and Ketchpaw requested that their votes be recorded as "NO."

Resolution No. 24-07/04
Approving the Acquisition of Certain Land for a Salt Storage Shed

Moved/Sponsored by: Public Works Committee

WHEREAS, for many years the county leased space for salt storage in the Lake Geneva area; and

WHEREAS, the previous county highway committee ended that arrangement in 2002 due to environmental concerns, which were alleged to have occurred as a result of the operation; and

WHEREAS, the Public Works Committee has studied this matter and recommends the purchase of five (5) acres of land in the Town of Bloomfield for the purpose of constructing a salt and equipment storage facility; and

WHEREAS, there is funding available from the State of Wisconsin Department of Transportation to help offset the cost of construction of a new storage facility; and

WHEREAS, there may be an opportunity to partner with Bloomfield Township to share some costs associated with constructing a new facility; and

WHEREAS, the operations of the County Highway Department would be improved by having access to a salt storage facility in the vicinity of Lake Geneva; and

WHEREAS, construction of a new facility will allow county trucks responsible for salting in the southeastern portions of the county to re-load without the necessity of returning to Elkhorn, thereby saving time and money; and

WHEREAS, it may be necessary to determine the environmental suitability of any proposed salt storage site.

NOW, THEREFORE, BE IT RESOLVED that the Walworth County Board of Supervisors does hereby approve the purchase of certain land in the Town of Bloomfield Business Park for a purchase price not to exceed $30,000 per acre inclusive of all environmental assessment costs necessitated in determining the suitability of the site for salt and equipment storage and authorize proper county officials to execute all documents related to the purchase.

Ann Lohrmann County Board Chairperson	Kimberly S. Bushey County Clerk

County Board Meeting Date: June 8, 2004

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

Policy and Fiscal Note is attached.
Reviewed and approved pursuant to Section 2-91 of the Walworth County Code of Ordinances

David A. Bretl County Administrator/ Corporation Counsel	7/9/04 Date	N. Andersen Finance Director	7/9/04 Date

If unsigned, exceptions shall be so noted by the County Administrator.

Policy and Fiscal Note
Resolution No. 24-07/04

I. Title: Approving the Acquisition of Certain Land for a Salt Storage Shed

II. Purpose and Policy Impact Statement: The purpose of this resolution is to authorize the purchase of five (5) acres of land for the purpose of constructing a salt storage facility.

III. Budget and Fiscal Impact: The sum of $151,000 is contained in the budget, which is available for this purchase. Note that this only authorizes purchase of the land. Funds would need to be budgeted in the future for construction of the storage facility. Having a facility in the Lake Geneva area would result in an annual operational savings summarized by the Department of Public Works in the attached analysis.

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

Committee: Public Works Meeting Date: May 17, 2004

Vote: 7 - 0

County Board Meeting Date: July 13, 2004

Policy and fiscal note has been reviewed and approved as an accurate statement of the probable policy and fiscal impacts associated with passage of the attached resolution

David A. Bretl County Administrator/ Corporation Counsel	7/9/04 Date	N. Andersen Finance Director	7/9/04 Date

ATTACHMENT

SALT OPERATIONS COST ANALYSIS LAKE GENEVA AREA

The following is a cost analysis for the plowing and de-icing operations.

The area of study constitutes approx 168 lane miles of highway and is serviced by 7 trucks covering 6 sections, some of which are full sections and some are partial sections, all of which would load out of a Lake Geneva salt facility.

Additional distances costs: Fuel Charges
The additional round trip from Lake Geneva (at U.S. "12" and State Highway "50") is approximately 17.0 miles. For 7 trucks this totals 119 miles for each round of salt. Each truck averages 4 loads from Elkhorn. This was a total of 28 trips to Elkhorn, which totaled 476 additional miles for all vehicles. Using the average fuel consumption of 5 mpg per truck this required an additional 95.2 gallons of fuel at a cost of @$1.55 per gallon or $147.56.

Additional labor costs:
Travel time during storm events, load /scale time (includes waiting in line) and return to Lake Geneva averages approx 55 minutes per round. A normal load time at a satellite salt shed is 10 minutes. Therefore, an additional 45 minutes of time per truck, totals an additional 5.25 hours per round of trucks, or 21.00 hours. Using labor rates figured at regular rates not allowing for time and one-half @$34.37 per man-hour regular rate this added $721.77 for labor charges.

Additional equipment costs:

3 single axle trucks @$44.28	$132.84
1 tandem truck @$78.24	78.24
3 tri-axle trucks @$81.20	243.60
	$454.68
Average truck Charge	$ 64.95
Total Cost based on 21.00 hours	$1,363.95

Summary:
The additional costs incurred during the events listed above totaled $2,233.28. The loss of service during the time the trucks were getting additional salt was not calculated. An average of 20 storm events a season would add $44,665.60 to the cost of winter operations.

Reports of Special Committees

There were no Reports of Special Committees.

Chairperson's Report

There was no Chairperson's Report.

Adjournment

On motion by Supervisor Ketchpaw, seconded by Supervisor Schaefer, the meeting was adjourned at 7:45 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 July 13, 2004 meeting.

THE AUGUST 10, 2004 SESSION
OF THE
WALWORTH COUNTY BOARD OF SUPERVISORS

The Walworth County Board of Supervisors meeting was called to order by Chairperson Lohrmann at 6:00 p.m. in the County Board Room at the Walworth County Courthouse, 100 W. Walworth Street, Elkhorn, Wisconsin.

Pastor Gerald Petersen, Sugar Creek Lutheran Church, Elkhorn, delivered the invocation.

All Supervisors were present except Supervisor Hilbelink. A quorum was established.

Amendments, Withdrawals, and Approval of Agenda

On motion by Supervisor Goebel, seconded by Supervisor Ketchpaw, the agenda was amended by moving Executive Committee item #1, Ordinance 271-08/04, to immediately preceding the appointment to the County Zoning Agency.

On motion by Supervisor Schaefer, seconded by Supervisor Ketchpaw, the agenda was approved as amended.

Approval of the Minutes

On motion by Supervisor Muzatko, seconded by Supervisor Waelti, the minutes of the July 13, 2004 Committee of the Whole were approved. On motion by Supervisor Kuhnke, seconded by Supervisor Ketchpaw, the minutes of the July 13, 2004 meeting of the Walworth County Board of Supervisors were approved.

Comment Period by Members of the Public

Thomas Berger, P. O. Box 044635, Racine, WI, AFSCME Representative, addressed the Board to discuss the approaching labor negotiations. Mr. Berger said that he met with the Highway Department and the leadership of Walworth County a few weeks ago because of a challenge that has since been resolved, thanks to the members of 1925A, B, & C. Mr. Berger said that he hopes both sides can agree during the upcoming negotiations and come to a resolution of labor agreements that everyone can live with.

Karen Schinke, 7440 Fish Hatchery Road, Springfield, WI, addressed the supervisors to give them an update on the White River Trail. Ms. Schinke said that she has sold $3089 in trail passes at her store, the Pedal & Cup, and she said that trail passes sold at Jeannie's Little Store were approximately $1,000. Ms. Schinke said that the trail is being used; however, more signage is needed indicating that White River is a state trail and that a pass is required. She said signage should be placed along the trail and on the highways coming out of Burlington, Lake Geneva, and Elkhorn to let motorists know that a trail is here and that there are places to park. Ms. Schinke also said that Walworth County should contact the State of Wisconsin to verify that the trail appears on all of the Wisconsin tourism Internet sites.

Gail Kopp addressed the supervisors to discuss special education. Ms. Kopp said she has a child with a rare genetic disorder and multiple disabilities. Ms. Kopp said that 1½ years ago she came to address the Board to speak about school choice. She said she had spoken at the CDEB meeting to ask that her child be schooled in her home area. She said she was told that her child would be best served at Lakeland School as she is too disabled to go to a regular school and if her daughter went to a school close to her home, she would have to pay for it herself. Ms. Kopp said that through her attorney and other parents,

she has since found that information was not true. Ms. Kopp said her child is now in her neighborhood school, she is learning, she is learning how to deal with normal students, and they are learning that her daughter is different. She said she is very proud of the compassionate, understanding children in her school district. Ms. Kopp said she is asking that the school districts do their part in providing special education for the children who need it.

Special Order of Business

Kyle Adams, Fairest of the Fair, addressed the supervisors. Mr. Adams thanked the Board for the funding given to the Fair. He said that the funds go to the 4-H kids and they appreciate it very much. Mr. Adams gave an outline of the schedule of events at the Fair, which will be held September 1 through September 6. Mr. Adams again thanked everyone for the County's support of the Walworth County Fair.

Appointments/Elections

1. Board of Adjustment-Mary Ellen Oeding, Term to expire June 30, 2007
2. Economic Development Advisory Committee
- William Acuff representing the Town of Lafayette
- Dr. Robert Spitzer as local business representative
3. SEWRPC Regional Transportation System Plan Advisory Committee
   Shane Crawford, Public Works Director

On motion by Supervisor Grant, seconded by Supervisor Arnold, the above appointments were approved.

4. Ordinance No. 271-08/04 - Amending Chapter 2-131 of the Walworth County Code of Ordinances Pertaining to Appointment of Citizen Members to County Board Committees, Boards and Commissions

A motion was offered by Supervisor Waelti, seconded by Supervisor Goebel, to approve Ordinance No. 271-08/04. On motion by Supervisor Van Dreser, seconded by Supervisor Grant, Ordinance No. 271-08/04 was approved by unanimous consent.

ORDINANCE NO. 271–08/04

AMENDING SECTION 2-131 OF THE WALWORTH COUNTY CODE OF ORDINANCES RELATING TO EXECUTIVE COMMITTEE

THE WALWORTH COUNTY BOARD OF SUPERVISORS DOES ORDAIN AS FOLLOWS:

PART I: Section 2-131(a) of the Walworth County Code of Ordinances is hereby amended to read as follows (additions shown by underline; deletions shown by strike-through):

"Sec. 2-131. Executive committee.

(a) Purpose. In addition to any other duties specified in this Code, the executive committee shall have the following duties:

1. Assign members of the county board, as may be required, to attend meetings of organizations such as the seven county Southeastern District of the Wisconsin Counties Association.

2. Advise the county board regarding all resolutions and ordinances pertaining to:

a. Public safety;

b. County board organization rules of procedure.

3. Review recommendations of the standing committees to remove supervisors from committees, boards or commissions for three (3) consecutive unexcused absences.

4. Perform the following functions with respect to vacancies:

a. Recommend for confirmation the board chairperson's nominee to fill a vacated supervisory seat, subject to approval by the county board.

b. Nominate replacements when committee vacancies occur, subsequent to the biennial organizational meeting, subject ot confirmation by the county board.

c. Upon recommendation by committee, where committee rules so authorize, nominate citizen appointees to boards, committees and commissions, subject to confirmation by the county board.

d. With respect to nominations made under sub-sections b. and c., the county board shall consider the nomination of the committee but may appoint any qualified person who properly applied for the position, which list shall be certified by the committee and forwarded to the county board.

PART II: This Ordinance shall become effective upon passage.

PASSED and ADOPTED by the Walworth County Board of Supervisors this 10th day of August, 2004.

Ann Lohrmann County Board Chairperson	Kimberly S. Bushey Attest: County Clerk

County Board Meeting Date: August 10, 2004

Action Required: ____ Majority Vote __X___ 2/3 Vote _____ Other

Policy and Fiscal Note is attached.
Reviewed and approved pursuant to Section 2-91 of the Walworth County Code of Ordinances:

David A. Bretl County Administrator/ Corporation Counsel	7/30/04 Date	Nicki Andersen (ts) Finance Director	7/30/04 Date

Ordinance No. 271-08/04
Fiscal Note and Policy Impact Statement

I. Title: Amending Section 2-131 Of The Walworth County Code Of Ordinances Relating To Executive Committee

II. Purpose and Policy Impact Statement: The purpose of this ordinance is to allow the county board to consider the executive committee's nomination for committee vacancies, but appoint any qualified applicant who properly applied for the position.

III. Is this a budgeted item and what is its fiscal impact: Passage of this ordinance will have no fiscal impact on the 2004 county budget.

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

Committee: Executive Date: July 15, 2004

Vote: 7 - 0

County Board Meeting Date: August 10, 2004

Policy and fiscal note has been reviewed and approved as an accurate statement of the probable policy and fiscal impacts associated with passage of the attached resolution.

David A. Bretl County Administrator/ Corporation Counsel	7/31/04 Date	Nicki Andersen (ts) Finance Director	7/30/04 Date

5. County Zoning Agency –Citizen member appointment to County Zoning Agency. The Executive Committee has recommended G. Stewart Mathison to a term ending June 30, 2006 by a vote of 7-0. It is anticipated, however, that the board may nominate one or more other candidates from among those who applied for the position.

Supervisor Kuhnke offered a motion, seconded by Supervisor Guido, to nominate Greg Holden for the citizen appointment on the County Zoning Agency. On behalf of the Executive Committee, Supervisor Goebel nominated G. Stewart Mathison for the citizen appointment, seconded by Supervisor Grant. On motion by Supervisor Waelti, seconded by Supervisor Goebel, nominations were closed. Discussion ensued.

On motion by Supervisor Van Dreser, seconded by Supervisor Polyock, the question was called.

A roll call vote was conducted by alphabetically calling the roll of the Walworth County Board. Total vote: 25; Greg Holden received 14 votes – Arnold, Burwell, Felten, Guido, Hawkins, Kuhnke, Lightfield, Morrison, Polyock, Russell, Schaefer, Stacey, Van Dreser, Waelti; G. Stewart Mathison received 10 votes: – Downing, Goebel, Grant, Ketchpaw, Lein, Muzatko, Parker, Wagie-Troemel, Weber, Lohrmann; Absent: 1 – Hilbelink. Greg Holden was appointed citizen member of the County Zoning agency, term ending June 30, 2006 or until a successor is named.

Communications and Matters to Be Referred

1. Claims Received After the Agenda Mailing – Owen Duetsch, Bonnie Deutsch, and Bonnie Brae Condominiums, LLC vs Donald C. Filipp vs Walworth County was referred to the Executive Committee.
2. Claims
- Amended Complaint by Bonnie Brae Condominiums was referred to the Executive Committee.
- Lonnie Bowen was referred to the Executive Committee.
3. Dunn County Resolution No. 82-Supporting the Computer TakeBack Campaign Platform was referred to the Public Works and Solid Waste Committees.
4. Communication from County Supervisor Hawkins supporting Supervisor Stacey's request for the County Zoning Agency to establish same-day decisions was referred to the County Zoning Agency.

5. Communication from County Supervisor Hawkins in opposition to the proposed ordinance relating to donations was previously referred to the Finance Committee and the Finance Committee recommended that this communication be placed on file.
6. Washington County 2004 Resolution 12 regarding TABOR was placed on file.
7. Washington County 2004 Resolution 29 in Support of Assembly Substitute Amendment to 2003 AB 616 was placed on file.
8. Communication from Stephen M. Magnuson, Grand Geneva Resort and Spa, regarding concerns about the county sign ordinance was referred to the County Zoning Agency.
9. Town of Delavan letter and resolution requesting the county to revise its County Zoning Agency membership was referred to the County Zoning Agency and the Executive Committee.
10. Town of Richmond letter requesting reconsideration of citizen representatives on County Zoning Agency was referred to the Executive Committee.
11. Correspondence and resolution regarding Kiwanis Colonial project in the Village of East Troy and issuance of bonds by the Walworth County Housing Authority was referred to the Finance Committee.
12. Sauk County Res. No. 106-04 Recommending Consideration of Broadening the State Sales Tax to Fund the K-12 Educational System was referred to the Executive Committee.
13. Report of the County Clerk Concerning Communications Received by the Board and Recommended to be Placed on File, mailed with the agenda, was placed on file.

Report of the County Clerk Regarding Communications Received After the Agenda Mailing

The following items were received in the County Clerk's office after the agenda deadline and were placed on the Supervisors' desks:

- The claim of Owen Deutsch, Bonnie Deutsch, and Bonnie Brae Condominiums, LLC vs Donald C. Filipp and Judy Filipp vs Walworth County was referred to the Executive Committee.
- Correspondence from Southeastern Wisconsin Regional Planning Commission submitting the Commission's 2003 Annual Report. The report is on file in the County Clerk's office.

14. Report of County Clerk Concerning Zoning Gone Into Effect

- Timothy A. Fink, Town of Lafayette
- Charles Malsch, Town of Bloomfield
- Thomas Jacobs and Jesse Jacobs (Weber Builders, Inc. (Chris Weber), App.), Town of Bloomfield
- Brent Rouse, Town of Geneva
- Mike Good (Jeff Auberger, App.), Town of Troy
- Ronald D. and Kathryn M. Mompier, Town of East Troy

15. Report of County Clerk Concerning Zoning Petitions Referred to the County Zoning Agency:

- Michael and Crystal Porter, Town of Troy, R-1 to A-4
- Concetta Gerambia and Daniel Hurzeler, Town of Bloomfield, R-2 to B-4
- Dennis Unbehaun, Town of Bloomfield, A-1 to C-2
- Randall S. and Rebecca A. Martin, Town of Geneva, A-2 to C-2
- Matt Shinkus (Eric Shinkus, App.), Town of Sharon, A-1 & C-4 to A-5; and C-4 to A-1
- Paul Joseph, Town of Richmond, C-2 to A-2
- Navigability Determinations, Town of Geneva, Linn, & Walworth

Unfinished Business

There was no unfinished business.

New Business

Reports of Standing Committees

County Zoning Agency Report of Proposed Zoning Amendments

1. Text Amendment to Walworth County Code of Ordinances (Shoreland), Section 74-179 and 74-190 to create a C-5 Conservancy Lakefront Estate District, Amendment #1, Richard H. Driehaus, Owner, Towns of Linn and Delavan, Co-sponsors –Denied 6-0. (4/27/04 public hearing)
2. Text Amendment to Walworth County Code of Ordinances (Shoreland), Section 74-179 and 74-190 to create a C-5 Conservancy Lakefront Estate District Amendment #2 Richard H. Driehaus, Owner, Towns of Linn and Delavan, Co-sponsors – Denied 6-0. (4/27/04 public hearing)
3. Thomas C. Yakes (Town of Delavan, App.), Town of Delavan, Rezone .6129 acres of B-2 to P-2 – Approved 6-0. (7/15/04 public hearing)
4. Kevin A. Hellenbrand (RSV Engineering, App.), Town of East Troy, Rezone 1.8 acres of A-1 to B-2 –Approved 6-0. (6/17/04 public hearing)
5. Richard E. and Joan L. Osborne (Joan L. Osborne, App.), Town of LaGrange, Rezone 14.76 acres of A-1 to C-2 –Denied 4-2. (6/17/04 public hearing)
6. Jozef Gorga, Town of Bloomfield, Rezone .93 acres of A-2 to R-2 –Approved 6-0. (6/17/04 public hearing)
7. S. Terry Woods, Town of Linn, Rezone 7.68 acres of A-1 & A-2 to A-5 – Approved 6-0. (6/17/04 public hearing)

A motion offered by Supervisor Schaefer, seconded by Supervisor Kuhnke, to concur with the Report of the County Zoning Agency on items #1 through #7 above, was approved by voice vote. The Report of the County Zoning Agency follows.

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. Richard H. Driehaus, Owner, Towns of Linn and Delavan, Co-sponsors – filed a petition on the 3rd day of March, 2004, to amend the Walworth County Code of Ordinances – Text Amendment to Walworth County Code of Ordinances (Shoreland), Section 74-179 and 74-190 to create a C-5 Conservancy Lakefront Estate District, Amendment #1.

Recommendation: Said petition be denied based on the fact that it is not an appropriate proposal, is worded poorly, would benefit few property owners and do little to insure historic preservation.

2. Richard H. Driehaus, Owner, Towns of Linn and Delavan, Co-sponsors – filed a petition on the 3rd day of March, 2004, to amend the Walworth County Code of Ordinances – Text Amendment to Walworth County Code of Ordinances (Shoreland), Section 74-179 and 74-190 to Create a C-5 Conservancy Lakefront Estate District, Amendment #2.

Recommendation: Said petition be denied based on the fact that it is not an appropriate proposal, is worded poorly, would benefit few property owners and do little to insure historic preservation.

3. Thomas C. Yakes (Town of Delavan, App.), Town of Delavan – filed a petition on the 2nd day of June, 2004, to rezone from B-2 General Business District to P-2 Institutional Park District.

Recommendation: Said petition be approved.

4. Kevin A. Hellenbrand (RSV Engineering, App.), Town of East Troy – filed a petition on the 6th day of May, 2004, to rezone from A-1 Prime Agricultural Land District to B-2 General Business District.

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

The site has not been historically farmed and it is a small remnant between the highway and railroad right-of-way.

5. Richard E. and Joan L. Osborne (Joan L. Osborne, App), Town of LaGrange – filed a petition on the 3rd day of May, 2004, to rezone from A-1 Prime Agricultural Land District to C-2 Upland Resource Conservation District on the following described lands:

Tax Parcel #HA287900002

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

1. There are 75 percent Class I and II soils on the parcel.
2. The parcel is surrounded by A-1 and A-2 properties.
3. Four individuals and a Town Board member appeared against the request at the public hearing.
4. No one from the public spoke in favor of the rezone.

6. Jozef Gorga, Town of Bloomfield – filed a petition on the 27th day of April, 2004, to rezone from A-2 Agricultural Land District to R-2 Single-Family Residence District (Sewered).

Recommendation: Said petition be approved.

7. S. Terry Woods, Town of Linn – filed a petition on the 27th day of April, 2004, to rezone from A-1 Prime Agricultural Land District and A-2 Agricultural Land District to A-5 Agricultural-Rural Residential District.

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

The area of A-1 is a small remnant between and existing road and a pond which is difficult to farm.

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. Thomas C. Yakes (Town of Delavan, App.), Town of Delavan – to amend said zoning maps from B-2 General Business District to P-2 Institutional Park District on the following described lands:

Tax Parcel #FA195000001

2. Kevin A. Hellenbrand (RSV Engineering, App.) – to amend said zoning maps from A-1 Prime Agricultural Land District to B-2 General Business District on the following described lands:

Tax Parcel #P ET 300001A

The site has not been historically farmed and it is a small remnant between the highway and railroad right-of-way.

3. Jozef Gorga, Town of Bloomfield – to amend said zoning maps from A-2 Agricultural Land District to R-2 Single-Family Residence District (Sewered) on the following described lands:

Tax Parcel #MPLH 00345

4. S. Terry Woods, Town of Linn – to amend said zoning maps from A-1 Prime Agricultural Land District and A-2 Agricultural Land District to A-5 Agricultural-Rural Residential District on the following described lands:

Part of Tax Parcel #I L 3100007 and all of Tax Parcel #IA335700001

A part of the SE1/4 of the SW1/4 of Section 31, Town 1 North, Range 17 East, Walworth County, Wisconsin, currently zoned A-1 to be rezoned as A-5, described as follows:

Commencing at the Southwest corner of said Section 31; thence S 89DEG 39MIN 51SEC E, 66.00 feet along the South line of said Southwest ¼ to the Point of Beginning; thence N 00DEG 04MIN 11SEC E, 467.19 feet along the East line of Highfield Drive; thence S 88DEG 39MIN 51SEC E, 716.47 feet; thence S 00DEG 04MIN 15SEC W, 467.19 feet to the South line of said Southwest ¼; thence N 89DEG 39MIN 51SEC W, 716.46 feet to the Point of Beginning. Containing 334,720 square feet of land (7.68 acres) more or less.

The area of A-1 is a small remnant between an existing road and a pond which is difficult to farm.

ATTEST this 10th day of August 2004.
Ann Lohrmann
County Board Chairperson
ATTEST this 10th day of August 2004.
Kimberly S. Bushey
County Clerk

Executive Committee

1. Ordinance No. 271-08/04 – Amending Chapter 2-131 of the Walworth County Code of Ordinances Pertaining to Appointment of Citizen Members to County Board Committees, Boards and Commissions. Ordinance No. 271-08/04 was considered earlier in the meeting and approved.
2. Resolution No. 29-08/04 – Supporting the Continued Presence of the 440th Airlift Wing and the 128th Air Refueling Wing As An Integral and Welcome Part of the Southeast Wisconsin Community
3. Resolution No. 30-08/04 – Approving a Contract By and Between Racine County Economic Development Corporation and Walworth County for the Purpose of SBA 504 Loans
4. Resolution No. 31-08/04 – Approving an Intergovernmental Agreement with the City of Delavan to Provide Public Service Answering Point Back-up to the Walworth County Sheriff's Department
5. Resolution No. 32-08/04 – Approving Fiscal Year 2004 Homeland Security Grant
6. Resolution No. 33-08/04 – Accepting a Wisconsin Office of Justice Assistance "Violence Against Women" Grant Award
7. Resolution No. 34-08/04 – Approving a Settlement Agreement By and Between Walworth County and Randal L. Williams

Supervisor Goebel offered a motion, seconded by Supervisor Morrison, to approve Items #2, #3, #4, and #6. Discussion ensued. Item #2, Resolution No. 29-08/04, item #3, Resolution No. 30-08/04, item #4, Resolution No. 31-08/04, and item#6, Resolution No. 33-08/04 were approved by voice vote.

Resolution No. 29-08/04
Supporting the Continued Presence of the 440th Airlift Wing and the 128th Air Refueling Wing as an Integral and Welcome Part of the Southeast Wisconsin Community

Moved/Sponsored by: Executive Committee

WHEREAS, Walworth County recognizes the significant economic and cultural assets to the community that the 440th Airlift Wing and 128th Air Refueling Wing provide; and,

WHEREAS, the preservation and future growth of the 440th Airlift Wing and the 128th Air Refueling Wing as active military facilities will directly impact the future of the community; and,

WHEREAS, the residents of Walworth County view the presence of the military in their community as a source of great pride for the role they have played in our country's military history and the continuing role they are fulfilling; and,

WHEREAS, Walworth County recognizes that it is of the highest importance to ensure that the residents maintain a positive and sustaining relationship between the county and the Air Wings.

NOW, THEREFORE, BE IT RESOLVED that the Walworth County Board of Supervisors is committed to act as a positive liaison between the Air Wings and the county residents to ensure that the residents are

fully aware of the value to the community of the presence of both the 440th Airlift Wing and the 128th Air Refueling Wing.

BE IT FURTHER RESOLVED that Walworth County fully supports and accepts the activities at the Air Wings which are necessary to its mission and the defense of this country.

BE IT FURTHER RESOLVED that Walworth County totally supports the continuing presence of the 440th Airlift Wing and the 128th Air Refueling Wing as an integral part of our community.

Ann Lohrmann County Board Chairperson	Kimberly S. Bushey County Clerk

Action Required: Majority ___X____ Two-thirds _____ Other _____

County Board Meeting Date: August 10, 2004

Policy and Fiscal Note is attached.
Reviewed and approved pursuant to Section 2-91 of the Walworth County Code of Ordinances:

David A. Bretl County Administrator/ Corporation Counsel	7/27/04 Date	Nicki Andersen (ts) Finance Director	7/29/04 Date

If unsigned, exceptions shall be so noted by the County Administrator.

Policy and Fiscal Note
Resolution No. 29-08/04

I. Title: Supporting the Continued Presence of the 440th Airlift Wing and the 128th Air Refueling Wing as an Integral and Welcome Part of the Southeast Wisconsin Community

II. Purpose and Policy Impact Statement: The purpose of this resolution is to support the presence of the Air Wings in the Southeast Wisconsin community.

III. Budget and Fiscal Impact: Passage of this resolution is advisory and will have no fiscal impact on the 2004 county budget.

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

Committee: Executive Meeting Date: July 22, 2004

Vote: 7 - 0

County Board Meeting Date: August 10, 2004

Policy and fiscal note has been reviewed and approved as an accurate statement of the probable policy and fiscal impacts associated with passage of the attached resolution

David A. Bretl County Administrator/ Corporation Counsel	7/27/04 Date	Nicki Andersen (ts) Finance Director	7/29/04 Date

Resolution No. 30-08/04
Approving a Contract By and Between Racine County Economic Development Corporation and Walworth County for the Purpose of SBA 504 Loans

Moved/Sponsored by: Executive Committee

WHEREAS, the Small Business Administration ("SBA") has available certain loans to assist business; and,

WHEREAS, the SBA encourages regionalization of efforts to create 504 loans; and,

WHEREAS, Walworth County does not currently have the resources available to market SBA 504 loans; and,

WHEREAS, Racine County Economic Development Corporation ("RCEDC") has been approved by the SBA to offer the 504 loan program throughout the state of Wisconsin; and,

WHEREAS, the RCEDC currently has a partnership with Kenosha Area Business Alliance ("KABA") to market 504 loans with Kenosha County lenders and wishes to expand marketing efforts into Walworth County.

NOW, THEREFORE, BE IT RESOLVED that the Walworth County Board of Supervisors does hereby approve the attached contract by and between RCEDC and Walworth County for the purpose of marketing SBA 504 loans.

Ann Lohrmann	Kimberly S. Bushey
County Board Chairperson	County Clerk

Action Required: Majority ___X___ Two-thirds _____ Other _____

County Board Meeting Date: August 10, 2004

Policy and Fiscal Note is attached.
Reviewed and approved pursuant to Section 2-91 of the Walworth County Code of Ordinances

David A. Bretl	7/28/04	Nicki Andersen (ts)	8/2/04
County Administrator/ Corporation Counsel	Date	Finance Director	Date

If unsigned, exceptions shall be so noted by the County Administrator.

Policy and Fiscal Note
Resolution No. 30-08/04

I. Title: Approving a Contract By and Between Racine County Economic Development Corporation and Walworth County for the Purpose of SBA 504 Loans

II. Purpose and Policy Impact Statement: The purpose of this resolution is to approve a contract by and between Walworth County and Racine County Economic Development Corporation for the purpose of making SBA 504 loans.

III. Budget and Fiscal Impact: RCEDC receives a processing fee in the amount of 1.5% of the loan amount for each 504 loan they generate. RCEDC will pay Walworth County one-third of that processing fee for each loan created in Walworth County. Over the past year, approximately six 504 loans were done in Walworth County. The average loan size is $300,000. The estimated funds generated from this program could range from $1,500 to $10,000 or more per year, depending on the amount and size of loans generated.

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

Committee: Executive Meeting Date: July 22, 2004

Vote: 7 - 0

County Board Meeting Date: August 10, 2004

Policy and fiscal note has been reviewed and approved as an accurate statement of the probable policy and fiscal impacts associated with passage of the attached resolution

David A. Bretl County Administrator/ Corporation Counsel	7/28/04 Date	Nicki Andersen Finance Director	8/2/04 Date

AGREEMENT BETWEEN

WALWORTH COUNTY
AND
RACINE COUNTY ECONOMIC DEVELOPMENT CORPORATION

This Agreement is effective as of the 1st day of September 2004, by and between Walworth County, a government body, with a mailing address of 100 W. Walworth Avenue, Elkhorn, Wisconsin, 53121 and the Racine County Economic Development Corporation, hereinafter referred to as "RCEDC" a Private Non-Profit Corporation existing as a SBA Certified Development Company (CDC) under the laws of the State of Wisconsin, with a mailing address of 2320 Renaissance Boulevard, Sturtevant, Wisconsin 53177.

RECITALS

WHEREAS, the U.S. Small Business Administration, hereinafter referred to as "SBA" has designated the RCEDC as a provider of the SBA 504 program in the State of Wisconsin; and

WHEREAS, the RCEDC and Walworth County desire to enter into an Agreement to ensure the effective marketing and packaging of new SBA 504 loan applications; and

WHEREAS, the parties hereto have negotiated the Agreement herein to clearly delineate the responsibilities of each party with regard to the marketing, packaging and processing of new Walworth County SBA 504 loan applications; and the compensation to the RCEDC and Walworth County for the services they mutually agree herein to participate in.

NOW, THEREFORE, in consideration of the Recitals and for other good and valuable consideration, the receipt and sufficiency of which is hereby mutually acknowledged, Walworth County and RCEDC do hereby agree as follows:

A. Service Area:

The RCEDC service area for the purpose of SBA 504 loans will include Walworth County.

B. Marketing:

The RCEDC staff will be responsible for the marketing and outreach activities for the SBA 504 loan program to potential loan recipients in Walworth County; Walworth County area local financial institutions, accountants and attorneys; and other professionals involved in the process of providing SBA financing to local small businesses. All inquiries received by RCEDC from Walworth County business and/or individuals will be referred to Walworth County if they have economic development needs other than business finance, such as identifying a site location, obtaining permits, etc. This will ensure an orderly process and maintain an efficient and effective marketing and application process. Walworth County will assist with marketing and outreach activities to the extent that they desire and will make referrals to the RCEDC for individuals that may have an interest in the SBA 504 loan program.

C. Packaging and Servicing of New 504 Applications in Walworth County:

The RCEDC staff will be responsible for the follow up on referrals made by Walworth County to RCEDC regarding new loan applications, and the loan packaging, preparation and servicing of their 504 loan applications approved by SBA in Walworth County. This will include the attendant contact and negotiation with the specific lenders with regard to a specific loan application. All such loan applications will be approved by the RCEDC Loan Committee and Board of Directors. Applications that are approved by RCEDC will be submitted to SBA's office for consideration. The RCEDC will provide Walworth County with a quarterly written status report regarding all referrals made, all loan applications being processed, loan application approval and the implementation of said approved projects.

D. Compensation:

The RCEDC shall pay Walworth County one-half (.5%) percent of the debenture amount for each referral made by Walworth County to the RCEDC which results in the sale of a debenture. Said payments shall be made by RCEDC to Walworth County within 60 days after the funding of the SBA loan applicant.

E. Terms of Agreement:

The agreement herein, shall run for a period of thirty-six (36) months commencing September 1, 2004, and may be renewed and/or amended upon the mutual agreement of the parties herein. Either party may terminate this Agreement for convenience upon ninety (90) days prior written notice to the other party. In the event of default or for cause, the Agreement may be terminated by the other party for any material provision hereof which remains unremedied for sixty (60) days following written notice of such default or cause. To extend the Agreement, the parties shall mutually agree to such an extension at least ninety (90) days prior to the conclusion of the Agreement herein. If such extension is not agreed upon, the Agreement herein shall be considered terminated at its conclusion.

F. Notice:

Any legal notice which any party herein may be required, or may desire to give hereunder shall be deemed to have been given if mailed in the United States mail or faxed, addressed to:

In case of Walworth County:

David Bretl
County Administrator
Walworth County
100 W. Walworth
P.O. Box 1001
Elkhorn, WI 53121
FAX Number: (262) 741-4390

In case of RCEDC:

Gordon M. Kacala, Executive Director
Racine County Economic Development Corporation
2320 Renaissance Boulevard
Sturtevant, Wisconsin 53177
FAX Number: (262) 898-7401

or to such other address or fax number as the party to be served with notice may have furnished to the other party at a place or fax number designated for the service of notice.

IN WITNESS WHEREOF, the RCEDC and Walworth County herein have executed this Agreement on the date first above written:

Racine County Economic Development Corporation

By: _____
Gordon Kacala, Executive Director

Attest: _____

Walworth County

By: _____

Attest: _____

Resolution No. 31-08/04
Approving an Intergovernmental Agreement With the City of Delavan to Provide Public Service Answering Point Back-Up to the Walworth County Sheriff's Department

Moved/Sponsored by: Executive Committee

WHEREAS, it is in the interest of public safety that redundancy exist, county-wide, within the 9-1-1 dispatch systems serving Walworth County towns, villages, and cities; and

WHEREAS, the City of Delavan ("City"), by its Chief of Police and Walworth County ("County"), by its Sheriff, recommend that this redundancy be established by means of an intergovernmental agreement by and between the County and the City ("Agreement"); and,

WHEREAS, the Agreement would provide for the City and the County to back-up 9-1-1 service in the event a planned or unforeseen problem disrupts service to either public service answering point.

NOW, THEREFORE, BE IT RESOLVED that the Walworth County Board of Supervisors hereby approves the Agreement attached hereto and authorizes the appropriate county officials to execute the same.

Ann Lohrmann County Board Chairperson	Kimberly S. Bushey County Clerk

Action Required: Majority ___X____ Two-thirds _____ Other _____

County Board Meeting Date: August 10, 2004

Policy and Fiscal Note is attached.
Reviewed and approved pursuant to Section 2-91 of the Walworth County Code of Ordinances

David A. Bretl County Administrator/ Corporation Counsel	8/10/04 Date	N. Andersen Finance Director	8/10/04 Date

If unsigned, exceptions shall be so noted by the County Administrator.

Policy and Fiscal Note
Resolution No. 31- 08/04

I. Title: Approving an Intergovernmental Agreement With the City of Delavan to Provide Public Service Answering Point Back-Up to the Walworth County Sheriff's Department

II. Purpose and Policy Impact Statement: The purpose of this resolution is to approve an intergovernmental agreement by and between the City of Delavan and Walworth County to provide public service answering point back-up.

III. Budget and Fiscal Impact: Execution of this agreement can be accomplished within the existing 2004 Sheriff's budget, providing Homeland Security Grand funds are approved.

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

Committee: Executive Meeting Date: July 22, 2004

Vote: 7 – 0

County Board Meeting Date: August 10, 2004

Policy and fiscal note has been reviewed and approved as an accurate statement of the probable policy and fiscal impacts associated with passage of the attached resolution.

David A. Bretl County Administrator/ Corporation Counsel	8/10/04 Date	N. Andersen Finance Director	8/10/04 Date

AGREEMENT

THIS AGREEMENT, entered into this ___ day of _____, 2004, by and between Walworth County ("County") and the City of Delavan ("Delavan").

WITNESSETH:

WHEREAS, the County and City currently operate Public Service Answering Points ("PSAPs") that provide enhanced, wire-line 9-1-1 service ("9-1-1 service"); and

WHEREAS, the City primarily provides dispatch service for the City of Delavan; and

WHEREAS, the County provides dispatch services for law enforcement activities provided by the Walworth County Sheriff's Office ("Sheriff") as well as a number of other public safety agencies in Walworth County; and

WHEREAS, it is in the interest of public safety that redundancy exist within the 9-1-1 system so that in the event a PSAP becomes inoperable, another PSAP is available to continue receiving calls and dispatching emergency service personnel ("9-1-1 Back-up Services").

NOW THEREFORE, in consideration of these premises and of their mutual and dependent promises and agreements, the parties hereto contract and agree as follows:

1. City's Duties.
   a. The City agrees to provide 9-1-1 Back-up Services to the County.
   b. Maintenance, upgrades and replacement of City 9-1-1 equipment, including, but not limited to 9-1-1 and dispatch equipment and all telephones, computers and radios associated with the City's PSAP is the sole responsibility of the City.
   c. No funding for the City is guaranteed or promised by the County to provide 9-1-1 Back-up Services. From time to time, funding may be available through state or federal grants, however, nothing herein obligates the County to obtain those grants on behalf of the City.

2. County's Duties.
   a. The County agrees to provide 9-1-1 Back-up Services to the City.
   b. In the event it becomes necessary for the City to provide 9-1-1 Back-up Services for more than one hour, the Sheriff shall make available, at the County's expense, a minimum of one communications officer to work at the City's PSAP to assist with the extra call volume.

3. Duration of Agreement.
   a. The term of this Agreement shall be indefinite.
   b. Neither party shall cease providing the other with 9-1-1 Back-up Services except as provided in paragraph 4.

4. Termination. Either party may terminate this Agreement upon the following terms:
   a. For cause. Upon 30-day notice, in the event of breach of this Agreement, provided the non-breaching party provided written notice to the other of the violation and the party violating this Agreement did not cure the same within five business days, or outline a mutually acceptable timeline for the cure.

b. Not for cause. This agreement may be terminated by either party for either of the following reasons, within the time limits stated, or sooner if mutually agreed upon by the parties:
   1. Upon giving the other party 180-day notice in the event the party seeking to terminate the Agreement is permanently discontinuing 24-hour operation of its PSAP.
   2. Upon one-year notice for all other reasons.

5. Notice. Any notice required to be given under this Agreement shall be in writing, delivered to the other by first class mail to the following:
   a. As to the County:
      1. Walworth County Sheriff: Law Enforcement Center, Post Office Box 1004, Elkhorn, WI 53121.
      2. With a copy to Walworth County Clerk, Post Office Box 1001, Elkhorn, WI 53121.

   b. As to the City:
      1. Delavan Chief of Police, 123 South 2nd Street, Delavan, WI 53115.
      2. With a copy to Delavan City Clerk, 123 South 2nd Street, Delavan, WI 53115.

6. Indemnification. Each party shall indemnify and hold the other harmless on account of negligence alleged to have resulted from the acts or omissions of their officers and employees.

7. Mutual Cooperation and Responsibility. City and County will reasonably cooperate with and assist each other in the performance of their respective responsibilities under this Agreement.

8. Non-waiver. No waiver of any covenant or condition or of the breach of any covenant or condition of this Agreement shall be taken to constitute a waiver of any subsequent breach of such covenant or condition or to justify or authorize the nonobservance on any other occasion of the same or any other covenant or condition hereof.

9. Invalidity. If any provision of this Agreement or the obligation thereof to any person or circumstances shall, to any extent be invalid or unenforceable, the remainder of the Agreement shall not be affected thereby. If any lack of definiteness of the terms hereof would be found to preclude the enforcement of this Agreement as a whole, the parties desire that their respective rights and obligations relating to all matters that are sufficiently expressed be deemed a severable agreement and enforced accordingly

IN WITNESS WHEREOF the parties hereby have made and executed this Agreement.

COUNTY:	CITY:
By: _____	By: _____
County Clerk	Mayor
	_____
	City Clerk

Resolution No. 33-08/04
Accepting a Wisconsin Office of Justice Assistance "Violence Against Women" Grant Award

Moved/Sponsored by: Executive Committee

WHEREAS, The State of Wisconsin Office of Justice Assistance has awarded Walworth County a grant in the amount of $29,656 for the purpose of investigating and preventing violence against women ("Grant"); and,

WHEREAS, the Grant will permit the formation of an inter-jurisdictional sexual assault response unit which will improve the investigation of these crimes and increase the likelihood that perpetrators of these crimes will be apprehended and punished; and,

WHEREAS, the grant requires a local "in-kind" match of $5,931; and,

WHEREAS, the "in-kind" match can be accommodated within the 2004 sheriff's budget without the necessity of a transfer from the contingency fund.

NOW, THEREFORE, BE IT RESOLVED that the Walworth County Board of Supervisors hereby accepts the Grant in accordance with the terms of the Grant application and award and authorizes the appropriate county officials to execute all Grant documents.

Ann Lohrmann County Board Chairperson	Kimberly S. Bushey County Clerk

Action Required: Majority ___X____ Two-thirds _____ Other _____

County Board Meeting Date: August 10, 2004

Policy and Fiscal Note is attached.
Reviewed and approved pursuant to Section 2-91 of the Walworth County Code of Ordinances

David A. Bretl County Administrator/ Corporation Counsel	8/1/04 Date	Nicki Andersen (ts) Finance Director	8/2/04 Date

If unsigned, exceptions shall be so noted by the County Administrator.

Policy and Fiscal Note
Resolution No. 33- 08/04

I. Title: Accepting a Wisconsin Office of Justice Assistance "Violence Against Women" Grant Award

II. Purpose and Policy Impact Statement: The purpose of this resolution is to accept a grant awarded to Walworth County by the State of Wisconsin Office of Justice Assistance for the prevention of violence against women.

III. Budget and Fiscal Impact: The amount of the grant award is $29,656. The grant also requires an "in-kind" match of $5,931. The required matching funds are currently available in the sheriff's department budget.

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

Committee: Human Resources Meeting Date: July 15, 2004

Vote: 7 - 0

County Board Meeting Date: August 10, 2004

Policy and fiscal note has been reviewed and approved as an accurate statement of the probable policy and fiscal impacts associated with passage of the attached resolution

David A. Bretl County Administrator/ Corporation Counsel	8/1/04 Date	Nicki Andersen (ts) Finance Director	8/2/04 Date

Supervisor Felten offered a motion, seconded by Supervisor Burwell, to approve item #5. Dave Bretl explained that a draft copy of Resolution No. 32-08/04 and an amendment to lines 31 through 34 was sent with the courier packet. Another amendment to lines 31 through 34 was distributed to the Supervisors this evening. Supervisor Waelti offered a motion, seconded by Supervisor Schaefer, to amend Resolution No. 32-08/04 as follows: "Lines 31-34 to Resolution No. 32-08/04 be deleted and replaced by the following text: Upgrade the fire paging and 9-1-1 service for Delavan Police Department - $76,000; Assist the cities of Lake Geneva and Whitewater with the purchase of fire paging and fire frequency radio equipment in the amount of $11,000 for each municipality." Discussion ensued.

Supervisor Felten requested that Rod Smith, Fire Chief of City of Elkhorn, be recognized to speak to the Board. Rod Smith said that he represents the Walworth County Fire Chiefs and sits on the Homeland Security Ad Hoc Committee. Mr. Smith said that he was present at the meeting to ask the Board to recognize the Homeland Security Ad Hoc Committee as a committee and he is asking that the ad hoc committee be allowed to designate how the money will be used from future grants. Mr. Smith said the money is appropriated from the Federal government to Wisconsin Emergency Management, which then turns the money back over to County Emergency Management and the County Board to disperse. He said that the ad hoc committee decides where the money should be best used and they feel frustrated when they come to the Board to have the funds released and then they are held up because of politics. Mr. Smith said that this money is appropriated for public safety and the decisions of how and where it is spent should not include politics. Mr. Smith said he wants the Board to recognize the committee in this regard and allow them to have some say in the disbursement of the funds. Mr. Smith said that Kevin Williams does a good job as Local Emergency Planning Coordinator. He asked for the Board's support of the Homeland Security Ad Hoc Committee on future Homeland Security Grants.

Item #5, Resolution No. 32-08/04, was approved as amended.

Resolution No. 32-08/04
Approving Fiscal Year 2004 Homeland Security Grant
AMENDED

Moved/Sponsored by: Executive Committee

WHEREAS, Walworth County is eligible for a Homeland Security grant award in the amount of $203,000 from the State of Wisconsin ("Grant"); and,

WHEREAS, a subcommittee of the local emergency planning committee, consisting of representatives of various disciplines including law enforcement, emergency government, fire and emergency medical services and public health ("Subcommittee") has recommended that the Grant money be allocated as follows:

- Upgrade of Walworth County's dispatch equipment - $94,436;
- Purchase a tactical camera system for SWAT and fire services - $11,000;
- Upgrade the 9-1-1 and fire paging service for Delavan Police Department - $98,000; and,

WHEREAS, the executive committee considered the recommendation of the Subcommittee and recommended, by a 4-3 vote, a different allocation of the Grant, to wit:

- Upgrade of Walworth County's dispatch equipment - $94,436;
- Purchase a tactical camera system for SWAT and fire services - $11,000;
- Upgrade the fire paging service for Delavan Police Department - $38,000;
- Assist the cities of Delavan, Lake Geneva and Whitewater with the purchase of emergency management equipment in the total amount of $60,000 to be divided equally among the three municipalities.

NOW, THEREFORE, BE IT RESOLVED that the Walworth County Board of Supervisors hereby authorizes and directs the appropriate county officials to take all necessary steps to apply for the Grant to be allocated as set forth below:

- Upgrade of Walworth County's dispatch equipment - $94,436;
- Purchase a tactical camera system for SWAT and fire services - $11,000;
- Upgrade the fire paging and 9-1-1 service for Delavan Police Department - ~~$38,000~~ $76,000;
- Assist the cities of ~~Delavan,~~ Lake Geneva and Whitewater with the purchase of ~~emergency management equipment in the total amount of $60,000 to be divided equally among the three municipalities~~ fire paging and fire frequency radio equipment in the amount of $11,000 for each municipality.

Ann Lohrmann County Board Chairperson	Kimberly S. Bushey County Clerk

Action Required: Majority _____ Two-thirds ___X___ Other _____

County Board Meeting Date: August 10, 2004

Policy and Fiscal Note is attached.
Reviewed and approved pursuant to Section 2-91 of the Walworth County Code of Ordinances

David A. Bretl County Administrator/ Corporation Counsel	8/10/04 Date	N. Andersen Finance Director	8/10/04 Date

If unsigned, exceptions shall be so noted by the County Administrator.

Policy and Fiscal Note
Resolution No. 32- 08/04

I. Title: Approving Fiscal Year 2004 Homeland Security Grant

II. Purpose and Policy Impact Statement: The purpose of this resolution is to approve a grant for homeland security equipment upgrades and purchases in Walworth County and the cities of Delavan, Lake Geneva and Whitewater.

III. Budget and Fiscal Impact: Walworth County is eligible for $203,000. The amount of $94,436 will be used to upgrade county dispatch. $11,000 will be used for a tactical camera system for SWAT and fire services. $38,000 will be used to upgrade the Delavan Police Department 9-1-1 and fire paging system. $60,000 will be divided between the cities of Lake Geneva and Whitewater for equipment purchases. Because the source of funding is a federal grant, revenues will be offset by expenses and passage of the resolution will be "fiscal neutral" with respect to the 2004 budget.

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

Committee: Executive Meeting Date: July 22, 2004

Vote: 4 – 3

County Board Meeting Date: August 10, 2004

Policy and fiscal note has been reviewed and approved as an accurate statement of the probable policy and fiscal impacts associated with passage of the attached resolution

David A. Bretl County Administrator/ Corporation Counsel	8/10/04 Date	N. Andersen Finance Director	8/10/04 Date

Closed Session
The board may convene in closed session pursuant to the exemption contained in section 19.85 (1)(g) of the Wisconsin Statutes 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 and reconvene in open session to take action on Res. No. 34-08/04.

The Board did not convene in closed session.

A motion offered by Supervisor Waelti, seconded by Supervisor Weber to approve item #7, Resolution No. 34-08/04, was approved unanimously.

Resolution No. 34-08/04
Approving a Settlement Agreement by and Between
Walworth County and Randal L. Williams

Moved/Sponsored by: Executive Committee

WHEREAS, Walworth County obtained a judgment against Randal L. Williams ("Williams") in the amount of $400 relative to a court trial involving zoning violations; and,

WHEREAS, the county appealed the judgment; and,

WHEREAS, the court of appeals has yet to issue a decision in the case; and,

WHEREAS, the executive committee has reviewed the matter and recommends settlement of the matter.

NOW, THEREFORE, BE IT RESOLVED by Walworth County Board of Supervisors that an agreement by and between Williams and Walworth County in settlement of the lawsuit ("Agreement") is hereby approved and that a total forfeiture of $4,900 be imposed in the matter.

BE IT FURTHER RESOLVED that the proper county officials be and hereby are authorized and directed to execute the Agreement, obtain a release, and take such other action as may be appropriate to effectuate the intent of this resolution.

Ann Lohrmann County Board Chairperson	Kimberly S. Bushey County Clerk

County Board Meeting Date: August 10, 2004

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

Policy and Fiscal Note is attached.
Reviewed and approved pursuant to Section 2-91 of the Walworth County Code of Ordinances

David A. Bretl/sh/ County Administrator/ Corporation Counsel	8/3/04 Date	Nicole Andersen Finance Director	8/3/04 Date

If unsigned, exceptions shall be so noted by the County Administrator.

Policy and Fiscal Note
Resolution No. 34-08/04

I. Title: Approving a Settlement Agreement by and Between Walworth County and Randal L. Williams

II. Purpose and Policy Impact Statement: The purpose of this resolution is to authorize the settlement of Williams' zoning case.

III. Budget and Fiscal Impact: Pursuant to the terms of the stipulation, Williams will pay the county $4,500, having previously paid the sum of $400. This settlement will be recorded as a county ordinance forfeiture. An amendment to the 2004 budget is not required.

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

Committee: Executive Meeting Date: July 15, 2004

Vote: 7 - 0

County Board Meeting Date: August 10, 2004

Policy and fiscal note has been reviewed and approved as an accurate statement of the probable policy and fiscal impacts associated with passage of the attached resolution

David A. Bretl County Administrator/ Corporation Counsel	8/3/04 Date	N. Andersen Finance Director	8/3/04 Date

Finance Committee

1. Resolution No. 27-08/04 - Authorizing the Sale of $6,070,000 General Obligation Promissory Notes
2. Resolution No. 28-08/04 – Approving the Transfer of Funds From the 2004 Contingency Fund for the Purpose of Publication of Legal Notices

A motion to approve item #1, Resolution No. 27-08/04, was offered by Supervisor Russell and seconded by Supervisor Schaefer. Supervisor Russell introduced Claire Peterchak from Robert W. Baird & Co. to discuss the competitive bids and final pricing summary of the notes. Ms. Claire said that J. P. Morgan Securities, Inc. won the competitive bid with a true interest rate of 3.1942%. Ms. Claire explained a report, which was distributed to the Supervisors. Ms. Claire said that Moody's Investors Service again affirmed the Walworth County's Aa2 rating.

Resolution No. 27-08/04 was approved by voice vote.

Resolution No. 27-08/04
Authorizing the Sale of $6,070,000 General Obligation Promissory Notes

Moved/Sponsored by: Finance Committee

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

WHEREAS, on July 1, 2002, the County issued $1,810,000 of the promissory notes authorized by the Court Facility Resolution as part of its $7,320,000 General Obligation Promissory Notes dated July 1, 2002 and, on November 4, 2003, issued an additional $6,750,000 of the promissory notes authorized by the Court Facility Resolution as part of its $9,205,000 General Obligation Promissory Notes dated November 1, 2003; and,

WHEREAS, on February 10, 2004, the County Board of Supervisors adopted Resolution No. 101-02/04 authorizing the issuance of general obligation promissory notes pursuant to Ch. 67, Wis. Stats., in an amount not to exceed $4,500,000 for the public purposes of financing the construction and improvement of highways and the upgrading and remodeling of the existing County Courthouse (the "Highway/Courthouse Projects Resolution"); and,

WHEREAS the County Board of Supervisors deems it necessary and in the best interest of the County that monies in the amount of $1,570,000 for the purpose authorized in the Court Facility Resolution and in the amount of $4,500,000 for the purposes authorized in the Highway/Courthouse Projects Resolution now be borrowed by issuing a single issue of general obligation promissory notes in the aggregate principal amount of $6,070,000, upon the terms and conditions hereinafter provided; and,

WHEREAS, the County has duly received bids for its proposed issue of $6,070,000 General Obligation Promissory Notes (the "Notes") as described on the bid tabulation attached hereto as Exhibit A and incorporated herein by this reference; and

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

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

BE IT FURTHER RESOLVED

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

Section 2. The Notes. The Chairperson and County Clerk shall make, execute and deliver the Notes to the Purchaser, for and on behalf of the County. The Notes shall be negotiable, general obligation promissory notes of the County, registered as to both principal and interest, in the denomination of Five Thousand Dollars ($5,000) each or whole multiples thereof, numbered from R-1 upward and dated September 1, 2004. The Notes shall bear interest at the rates per annum set forth in the Proposal and shall mature on April 1 of each year, in the years and principal amounts set forth in the debt service schedule attached hereto as Exhibit C and incorporated herein by this reference (the "Schedule").

Interest on the Notes shall be payable on April 1 and October 1 of each year, commencing April 1, 2005.

Notes maturing in the years 2013 and 2014 shall be subject to call and prior payment at the option of the County in whole or from time to time in part on April 1, 2012 or on any date thereafter at the price of par plus accrued interest to the date of redemption. The amounts and maturities of the Notes to be redeemed shall be selected by the County. If less than the entire principal amount of any maturity is to be redeemed, the Notes of that maturity which are to be redeemed shall be selected by lot.

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

Section 4. Tax Provisions.

(A) Direct, Annual Irrepealable Tax. For the purpose of paying the principal of and interest on the Notes as the same become due, the full faith, credit and resources of the County are hereby irrevocably pledged and there be and there hereby is levied on all the taxable property in the County a direct, annual, irrepealable tax in the years 2004 through 2013 for payment of principal of and interest on the Notes in the years 2005 through 2014 in the amounts set forth in the Schedule.

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

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

Section 5. Debt Service Fund and Account.

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

Within the debt service fund, there be and there hereby is established a separate and distinct account designated as the "Debt Service Account for $6,070,000 'General Obligation Promissory Notes' dated September 1, 2004" (the "Debt Service Account") and such account shall be maintained until the indebtedness evidenced by the Notes is fully paid or otherwise extinguished. The County Treasurer shall deposit in such Debt Service Account (i) all accrued interest received by the County at the time of delivery of and payment for the Notes; (ii) the taxes herein levied for the specific purpose of meeting principal of and interest on the Notes when due; (iii) such other sums as may be necessary at any time to pay principal of and interest on the Notes when due; (iv) any premium which may be received by the County above the par value of the Notes and accrued interest thereon; (v) surplus monies in the Borrowed Money Fund as specified in Section 6 hereof; and (vi) such further deposits as may be required by Sec. 67.11, Wis. Stats.

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

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

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

Section 7. No Arbitrage. All investments permitted by this resolution shall be legal investments, but no such investment shall be made in such a manner as would cause the Notes to be "arbitrage bonds" within the meaning of Section 148 of the Internal Revenue Code of 1986, as amended (the "Code"), or the Regulations of the Commissioner of Internal Revenue thereunder (the "Regulations"); and an officer of the County, charged with the responsibility for issuing the Notes, shall certify as to facts, estimates,

circumstances and reasonable expectations in existence on the date of closing which will permit the conclusion that the Notes are not "arbitrage bonds," within the meaning of the Code or Regulations.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Ann Lohrmann
County Board Chairperson

Kimberly S. Bushey
County Clerk

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

County Board Meeting Date: August 10, 2004

Policy and Fiscal Note is attached.
Reviewed and approved pursuant to Section 2-91 of the Walworth County Code of Ordinances

David A. Bretl County Administrator/ Corporation Counsel	7/31/04 Date	Nicki Andersen (ts) Finance Director	8/2/04 Date

If unsigned, exceptions shall be so noted by the County Administrator.

Policy and Fiscal Note
Resolution No. 27-08/04

I. Title: Authorizing the Sale of $6,070,000 General Obligation Promissory Notes

II. Purpose and Policy Impact Statement: The purpose of the resolution is to authorize the sale of general obligation promissory notes to finance capital projects authorized in the 2004 budget. The issuance continues the county's ongoing practice of issuing less than $10 million of general obligation debt, thereby qualifying it as "bank qualified". The debt is scheduled to be paid off over 10 years.

III. Budget and Fiscal Impact: The 5-year Capital Improvement Plan, adopted November 10, 2003 by the Walworth County Board of Supervisors, includes $8,840,000 in bond proceeds necessary to fund portions of the capital budget. The amount was revised to $6,070,00 to fund projects authorized by Resolutions 88-02/02 and 101-02/04. The approved projects to be funded include the New Court Facility Project in the amount of $1,570,000, the Existing County Courthouse Remodeling Project in the amount of $2,500,000, and Highway Road Construction Projects in the amount of $2,000,000.

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

Committee: Finance Meeting Date: July 22, 2004

Vote: 6-0

County Board Meeting Date: August 10, 2004

Policy and fiscal note has been reviewed and approved as an accurate statement of the probable policy and fiscal impacts associated with passage of the attached resolution

David A. Bretl County Administrator/ Corporation Counsel	7/31/04 Date	Nicki Andersen (ts) Finance Director	8/2/04 Date

EXHIBIT A

BID TABULATION

(SEE ATTACHED)

EXHIBIT B

PURCHASE PROPOSAL

(SEE ATTACHED)

EXHIBIT C

DEBT SERVICE SCHEDULE AND IRREPEALABLE TAX LEVIES

(SEE ATTACHED)

EXHIBIT A
BID TABULATION

Walworth County
Results of Competitive Bids

$6,070,000 General Obligation Promissory Notes
Bids Taken at 10:30 A.M. CT
Tuesday, August 10, 2004

Rank	Bidder	Purchase Price	Net Interest Cost	True Interest Rate
1	*J.P. Morgan Securities, Inc.*	*$6,122,999.30*	*$1,058,308.20*	*3.1942%*
2	Harris Trust & Savings Bank	6,095,327.00	1,070,475.92	3.2402
3	Griffin, Kubik, Stephens & Thompson, Inc.	6,094,559.25	1,085,004.50	3.2801
4	Legg Mason Wood Walker, Inc.	6,135,908.60	1,088,044.53	3.2840
5	Piper Jaffray	6,115,985.35	1,089,912.05	3.2914
6	RBC Dain Rauscher	6,047,078.90	1,086,989.43	3.3084

EXHIBIT B

PURCHASE PROPOSAL

August 10, 2004

BID FORM
WALWORTH COUNTY, WISCONSIN
$6,070,000 General Obligation Promissory Notes

Ann Lohrmann, Chairperson
Members of the County Board
WALWORTH COUNTY
100 West Walworth
Elkhorn, Wisconsin 53121

Dear Ms. Lohrmann and Members of the County Board:

For all but no part of your issue of $6,070,000 General Obligation Promissory Notes, said bid being no less than $6,039,650 (99.5% of Par) we offer to pay a price of $6,122,999.30 plus accrued interest from September 1, 2004, the dated date, to the date of delivery. The Notes shall bear interest as follows:

April 1, 2005	3.00 %	April 1, 2010	3.50 %
April 1, 2006	3.00 %	April 1, 2011	3.50 %
April 1, 2007	3.00 %	April 1, 2012	3.30 %
April 1, 2008	3.00 %	April 1, 2013	3.45 %
April 1, 2009	3.25 %	April 1, 2014	3.55 %

This bid is made subject to all the terms and conditions of the Official Notice of Sale heretofore received and the Notice of Sale heretofore published, all terms and conditions which are made a part hereof as fully as though set forth in full in this bid.

There is enclosed herewith a certified or cashier's check for $121,400 payable to the County Treasurer; OR; a Financial Surety Bond in the amount of $121,400 has been provided for and evidence of same will be delivered on the sale date to accompany this bid form.

JP MORGAN SECURITIES, INC.
Managing Underwriter

Direct Contact and Phone Number: MIGUEL ORTUELA 312-732-8333

By: _____

- Please attach a list of account members -

STERNE AG

For your information, but not as a condition of this bid, the above interest rates result in:

Net Interest Cost $1,058,308.20 True Interest Rate 3.1942 %

The foregoing offer is hereby accepted this 10th day of August 2004 by the Members of the County Board and in recognition therefore is signed by the Officers empowered and authorized to make such acceptance.

_____ Chairperson

_____ County Clerk

EXHIBIT C

DEBT SERVICE SCHEDULE & IRREPEALABLE TAX LEVIES

Walworth County

$6,070,000 - FINAL PRICING

General Obligation Promissory Notes

Dated & Close: September 1, 2004

Debt Service Schedule

Date	Principal	Coupon	Interest	Total P+I	Calendar Total
09/01/2004	-	-	-	-	-
04/01/2005	500,000.00	3.000%	116,060.00	616,060.00	-
10/01/2005	-	-	91,980.00	91,980.00	708,040.00
04/01/2006	530,000.00	3.000%	91,980.00	621,980.00	-
10/01/2006	-	-	84,030.00	84,030.00	706,010.00
04/01/2007	545,000.00	3.000%	84,030.00	629,030.00	-
10/01/2007	-	-	75,855.00	75,855.00	704,885.00
04/01/2008	565,000.00	3.000%	75,855.00	640,855.00	-
10/01/2008	-	-	67,380.00	67,380.00	708,235.00
04/01/2009	590,000.00	3.250%	67,380.00	657,380.00	-
10/01/2009	-	-	57,792.50	57,792.50	715,172.50
04/01/2010	615,000.00	3.500%	57,792.50	672,792.50	-
10/01/2010	-	-	47,030.00	47,030.00	719,822.50
04/01/2011	640,000.00	3.500%	47,030.00	687,030.00	-
10/01/2011	-	-	35,830.00	35,830.00	722,860.00
04/01/2012	665,000.00	3.300%	35,830.00	700,830.00	-
10/01/2012	-	-	24,857.50	24,857.50	725,687.50
04/01/2013	695,000.00	3.450%	24,857.50	719,857.50	-
10/01/2013	-	-	12,868.75	12,868.75	732,726.25
04/01/2014	725,000.00	3.550%	12,868.75	737,868.75	-
10/01/2014	-	-	-	-	737,868.75
Total	$6,070,000.00	-	$1,111,307.50	$7,181,307.50	-

Yield Statistics

Bond Year Dollars	$32,870.83
Average Life	5.415 Years
Average Coupon	3.3808315%
Net Interest Cost (NIC)	3.2195965%
True Interest Cost (TIC)	3.1942473%
Bond Yield for Arbitrage Purposes	3.1341586%
All Inclusive Cost (AIC)	3.2906062%

IRS Form 8038

Net Interest Cost	3.0875020%
Weighted Average Maturity	5.396 Years

Public Finance Professionals - prh
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Baird

EXHIBIT D

UNITED STATES OF AMERICA
STATE OF WISCONSIN
WALWORTH COUNTY

GENERAL OBLIGATION PROMISSORY NOTE

Number	Rate	Maturity Date	Date of Original Issue	Amount	CUSIP
R-	%		September 1, 2004	$	

FOR VALUE RECEIVED, Walworth County, Wisconsin, promises to pay to _____, or registered assigns, the principal amount of _____ DOLLARS ($_____) on the maturity date specified above, together with interest thereon from September 1, 2004 or the most recent payment date to which interest has been paid, unless the date of registration of this Note is after the 15th day of the calendar month immediately preceding an interest payment date, in which case interest will be paid from such interest payment date, at the rate per annum specified above, such interest being payable on April 1 and October 1 of each year, with the first interest on this issue being payable on April 1, 2005.

Notes of this issue maturing in the years 2013 and 2014 shall be subject to call and prior payment at the option of the County in whole or from time to time in part on April 1, 2012 or on any date thereafter at the price of par plus accrued interest to the date of redemption. The amounts and maturities of the Notes to be redeemed shall be selected by the County. If less than the entire principal amount of any maturity is to be redeemed, the Notes of that maturity which are to be redeemed shall be selected by lot. Notice of such call shall be given by sending a notice thereof by registered or certified mail, facsimile transmission or overnight express delivery at least thirty (30) days prior to the date fixed for redemption to the registered owner of each Note to be redeemed at the address shown on the registration books.

Both principal hereof and interest hereon are hereby made payable to the registered owner in lawful money of the United States of America, and for the prompt payment of this Note with interest thereon as aforesaid, and the levying and collection of taxes sufficient for that purpose, the full faith, credit and resources of Walworth County, Wisconsin, are hereby irrevocably pledged. The principal of this Note shall be payable only upon presentation and surrender of this Note at the principal office of Associated Trust Company, National Association, Green Bay, Wisconsin, the Fiscal Agent, or any successor thereto. Interest hereon shall be payable by check or draft dated as of the applicable interest payment date and mailed from the office of the Fiscal Agent to the person in whose name this Note is registered at the close of business on the fifteenth day of the calendar month next preceding each interest payment date.

This Note is transferable only upon the books of the County kept for that purpose at the principal office of the Fiscal Agent, or any successor thereto, by the registered owner in person or his duly authorized attorney, upon surrender of this Note together with a written instrument of transfer (which may be endorsed hereon) satisfactory to the Fiscal Agent duly executed by the registered owner or his duly authorized attorney. Thereupon a new Note or Notes of the same aggregate principal amount, series and maturity shall be issued to the transferee in exchange therefor. The County and Fiscal Agent may deem and treat the person in whose name this Note is registered as the absolute owner hereof for the purpose of receiving payment of or on account of the principal or interest hereof and for all other purposes. The

Notes are issuable solely as negotiable, fully-registered Notes without coupons in authorized denominations of $5,000 or any whole multiple thereof.

This Note is issued pursuant to the provisions of Section 67.12(12), Wisconsin Statutes, for public purposes, including paying part of the costs of construction and equipping of a new court facility ($1,570,000) and construction and improvement of highways and the upgrading and remodeling of the existing County Courthouse ($4,500,000), and is authorized by resolutions of the County Board of Supervisors of the County, duly adopted by said County Board of Supervisors at meetings duly convened on March 12, 2002, February 10, 2004, and August 10, 2004, which resolutions are recorded in the official book of its minutes for said dates.

This Note has been designated by the County as a "qualified tax-exempt obligation" for purposes of Section 265 of the Internal Revenue Code of 1986, as amended.

It is hereby certified and recited that all conditions, things and acts required by law to exist or to be done prior to and in connection with the issuance of this Note have been done, have existed and have been performed in due form and time; that the aggregate indebtedness of the County, including this Note and others authorized simultaneously herewith, does not exceed any limitation imposed by law or the Constitution of the State of Wisconsin; and that the County has levied a direct, annual irrepealable tax sufficient to pay this Note, together with interest thereon when and as payable.

No delay or omission on the part of the owner hereof to exercise any right hereunder shall impair such right or be considered as a waiver thereof or as a waiver of or acquiescence in any default hereunder.

IN WITNESS WHEREOF, the County Board of Supervisors of Walworth County, Wisconsin, has caused this Note to be signed on behalf of said County by its duly qualified and acting Chairperson and County Clerk, and its corporate seal to be impressed hereon, all as of the date of original issue specified above.

(SEAL) WALWORTH COUNTY, WISCONSIN

By_____ By_____
County Clerk Chairperson

(Form of Assignment)

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

_____

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

Please insert Social Security or other
identifying number of Assignee

_____

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

_____

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

Dated:

_____

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

Signature(s) guaranteed by:

_____

EXHIBIT E

FISCAL AGENCY AGREEMENT

THIS AGREEMENT, made as of November 1, 2003 between Walworth County, Wisconsin ("Municipality"), and Associated Trust Company, National Association, Green Bay, Wisconsin ("Bank" or "Fiscal Agent").

WITNESSETH:

WHEREAS, the Municipality has authorized the issuance of its $9,205,000 General Obligation Promissory Notes, dated November 1, 2003 (the "Obligations"); and

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

WHEREAS, pursuant to a Resolution adopted by the Municipality on October 14, 2003 and Sec. 67.10(2) Wis. Stats. the Municipality has authorized the appointment of the Bank as fiscal agent of the Municipality for payment of principal and interest on, registering, transferring and authenticating the Obligations as well as other applicable responsibilities permitted by Sec. 67.10(2) Wis. Stats.

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

I. APPOINTMENT

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

II. INVESTMENT RESPONSIBILITY

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

III. PAYMENTS

At least one business day before each interest payment date (commencing with the interest payment date of April 1, 2004 and continuing thereafter until the principal of and interest on the Obligations should have been fully paid or prepaid in accordance with their terms) the Municipality shall

pay to the Fiscal Agent, in good funds available to the Fiscal Agent on the interest payment date, a sum equal to the amount payable as principal of, premium, if any, and interest on the Obligations on such interest payment date. Said interest and/or principal payment dates and amounts are outlined on Schedule A.

IV. CANCELLATION

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

V. REGISTRATION BOOK

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

VI. INTEREST PAYMENT

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

VII. PAYMENT OF PRINCIPAL AND NOTICE OF REDEMPTION

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

(b) Official Notice of Redemption. In the event the Municipality exercises its option to redeem any of the Obligations, the Municipality shall, at least 45 days prior to the redemption date, direct the Fiscal Agent to give official notice of such redemption by sending an official notice thereof by registered or certified mail, facsimile transmission or overnight express delivery at least 30 days prior to the date fixed for redemption to the registered owner of each Obligation to be redeemed in whole or in part at the address shown in the Registration Book. Such official notice of redemption shall be dated and shall state (i) the redemption date and price; (ii) an identification of the Obligations to be redeemed, including the date of original issue of the Obligations; (iii) that on the redemption date the redemption price will become due and payable upon each such Obligation or portion thereof called for redemption, and that interest thereon shall cease to accrue from and after said date; and (iv) the place where such Obligations are to be surrendered for payment of the redemption price, which place of payment shall be the principal office of the Fiscal Agent.

(c) Additional Notice of Redemption. In addition to the official notice of redemption provided in (b) above, further notice of any redemption shall be given by the Fiscal Agent on behalf of the Municipality to all nationally recognized municipal securities information repositories, to all registered securities depositories then in the business of holding substantial amounts of obligations of types such as the Obligations (such depositories now being Depository Trust Company of New York, New York) and to one or more national information services that disseminate notices of redemption of obligations such as the Obligations.

Each further notice of redemption given hereunder shall be sent at least 35 days before the redemption date by registered or certified mail, overnight delivery service, facsimile transmission or email transmission and shall contain the information required above for an official notice of redemption.

(d) Redemption of Obligations. The Obligations to be redeemed shall be selected by the Municipality and, within any maturity, shall be selected by lot by the Depository described in Section VIII hereof. The Obligations or portions of Obligations to be redeemed shall, on the redemption dates, become due and payable at the redemption price therein specified, and from and after such date such Obligations or portions of Obligations shall cease to bear interest. Upon surrender of such Obligations for redemption in accordance with the official notice of redemption, such Obligations shall be paid by the Fiscal Agent at the redemption price. Installments of interest due on or prior to the redemption date shall be payable as herein provided for payment of interest. Upon surrender for any partial redemption of any Obligation, there shall be prepared for the registered owner a new Obligation or Obligations of the same maturity in the amount of the unpaid principal. Each check or other transfer of funds issued in payment of the redemption price of Obligations being redeemed shall bear the CUSIP number identifying, by issue and maturity, the Obligations being redeemed with the proceeds of such check or other transfer.

VIII. UTILIZATION OF THE DEPOSITORY TRUST COMPANY

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

IX. OBLIGATION TRANSFER & EXCHANGE

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

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

X. STATEMENTS

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

XI. FEES

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

XII. MISCELLANEOUS

(a) Nonpresentment of Checks. In the event the check or draft mailed by the Fiscal Agent to the registered owner is not presented for payment within five years of its date, then the monies representing

such nonpayment shall be returned to the Municipality or to such board, officer or body as may then be entitled by law to receive the same together with the name of the registered owner of the Obligation and the last mailing address of record and the Fiscal Agent shall no longer be responsible for the same.

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

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

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

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

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

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

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

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

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

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

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

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

WALWORTH COUNTY, WISCONSIN

By_____
Chairperson

_____
County Clerk

ASSOCIATED TRUST COMPANY,
NATIONAL ASSOCIATION
Fiscal Agent

By_____
Title_____

Attest_____
Title_____

SCHEDULE A

Debt Service Schedule
$9,205,000 General Obligation Promissory Notes
of Walworth County, Wisconsin
dated November 1, 2003

Payment Date	Principal	Interest Rate	Interest	Total

SCHEDULE B

SCHEDULE A

Debt Service Schedule
$6,070,000 General Obligation Promissory Notes
of Walworth County, Wisconsin
dated September 1, 2004

Date	Principal	Coupon	Interest	Total P+I	Calendar Total
09/01/2004	-	-	-	-	-
04/01/2005	500,000.00	3.000%	116,060.00	616,060.00	-
10/01/2005	-	-	91,980.00	91,980.00	708,040.00
04/01/2006	530,000.00	3.000%	91,980.00	621,980.00	-
10/01/2006	-	-	84,030.00	84,030.00	706,010.00
04/01/2007	545,000.00	3.000%	84,030.00	629,030.00	-
10/01/2007	-	-	75,855.00	75,855.00	704,885.00
04/01/2008	565,000.00	3.000%	75,855.00	640,855.00	-
10/01/2008	-	-	67,380.00	67,380.00	708,235.00
04/01/2009	590,000.00	3.250%	67,380.00	657,380.00	-
10/01/2009	-	-	57,792.50	57,792.50	715,172.50
04/01/2010	615,000.00	3.500%	57,792.50	672,792.50	-
10/01/2010	-	-	47,030.00	47,030.00	719,822.50
04/01/2011	640,000.00	3.500%	47,030.00	687,030.00	-
10/01/2011	-	-	35,830.00	35,830.00	722,860.00
04/01/2012	665,000.00	3.300%	35,830.00	700,830.00	-
10/01/2012	-	-	24,857.50	24,857.50	725,687.50
04/01/2013	695,000.00	3.450%	24,857.50	719,857.50	-
10/01/2013	-	-	12,868.75	12,868.75	732,726.25
04/01/2014	725,000.00	3.550%	12,868.75	737,868.75	-
10/01/2014	-	-	-	-	737,868.75
Total	$6,070,000.00	-	$1,111,307.50	$7,181,307.50	-

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SCHEDULE B

FISCAL AGENCY FEES

BOOK ENTRY ONLY

ACCEPTANCE FEE: **$300**

ANNUAL FEE: **$300**

OUT-OF-POCKET EXPENSES

The above fees do not include out-of-pocket expenses. All out-of-pocket expenses, including postage, supplies, telephone, publication costs, legal fees, wire charges, travel, shredding, and any other miscellaneous items, will be billed in addition to the charges listed in this schedule.

In the event that changes in laws or practices considerably expand our current duties and responsibilities, or if conditions of the economy so warrant, reasonable adjustments may be incorporated into this schedule of fees.

CONTACTS

Trust Administration:

Peter N. Hoeft **(920) 433-3106**
(920) 433-3191 (fax)
pete.hoeft@associatedbank.com

Trust Operations:

Evelyn Molik **(920) 327-5639**
Kathy Murphy **(920) 327-5638**
(920) 327-5672 (fax)
evelyn.molik@associatedbank.com
kathy.murphy@associatedbank.com

A motion was offered by Supervisor Guido, seconded by Supervisor Ketchpaw, to approve Resolution No. 28-08/04. On motion by Supervisor Van Dreser, seconded by Supervisor Burwell, Resolution No. 28-08/04 was approved by unanimous consent.

Resolution No. 28-08/04
Approving the Transfer of Funds from the 2004 Contingency Fund for the Purpose of Publication of Legal Notices

Moved/Sponsored by: Finance Committee

WHEREAS, the county clerk is required by state statute to regularly publish legal notices; and,

WHEREAS, the amount budgeted for 2004 was based on past usage; and,

WHEREAS, in 2004 the cost for publishing legal notices has exceeded previous years due to the length of a number of required publications.

NOW, THEREFORE, BE IT RESOLVED by the Walworth County Board of Supervisors that a sum not to exceed $12,000 be and the same is hereby transferred from the 2004 contingency fund to the appropriate operating budget account for the purpose of paying costs associated with the publication of legal notices.

Ann Lohrmann County Board Chairperson	Kimberly S. Bushey County Clerk

Action Required: Majority _____ Two-thirds ___X____ Other _____

County Board Meeting Date: August 10, 2004

Policy and Fiscal Note is attached.
Reviewed and approved pursuant to Section 2-91 of the Walworth County Code of Ordinances

David A. Bretl County Administrator/ Corporation Counsel	8/1/04 Date	Nicki Andersen (ts) Finance Director	8/2/04 Date

If unsigned, exceptions shall be so noted by the County Administrator.

Policy and Fiscal Note
Resolution No. 28 - 08/04

I. Title: Approving the Transfer of Funds from the 2004 Contingency Fund for the Purpose of Publication of Legal Notices

II. Purpose and Policy Impact Statement: The purpose of this request is to provide funds in the amount of $12,000 to publish legal notices throughout the remainder of 2004.

III. Budget and Fiscal Impact: This request is not a budgeted item and the amount of $12,000 would need to be transferred from the contingency fund to cover the costs associated with legal notice publication for the remainder of 2004. The contingency budget for 2004 is $355,000. Transfers

made to date from this fund total $81,857 leaving a balance of $273,143 available to fund this project.

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

Committee: Finance Committee Meeting Date: July 22, 2004

Vote: 6 - 0

County Board Meeting Date: August 10, 2004

Policy and fiscal note has been reviewed and approved as an accurate statement of the probable policy and fiscal impacts associated with passage of the attached resolution.

David A. Bretl County Administrator/ Corporation Counsel	8/1/04 Date	Nicki Andersen (ts) Finance Director	8/2/04 Date

Human Resources Committee

Closed Session

The committee may convene in closed session pursuant to the exemption contained in Wis. Stats., §19.85(1) (e), "Deliberating or negotiating the purchasing of public properties, the investing of public funds, or conducting other specified public business, whenever competitive or bargaining reasons require a closed session," to formulate collective bargaining strategy and reconvene in open session to take action on Resolution No. 36-08/04 and Resolution No. 37-08/04.

1. Resolution No. 36-08/04 – Approving a Memorandum of Understanding by and among Walworth County, Walworth County Courthouse Union Employees Local 1925B, and Walworth County Highway Employees Local 1925
2. Resolution No. 37-08/04 – Approving an Early Retirement Incentive for Highway and Facilities Employees Represented By Local 1925 and Local 1925B

The Board did not convene in closed session.

David Bretl explained that draft copies of Resolution No. 36-08/04 and Resolution No. 37-08/04 were delivered to the Supervisors via courier and that copies of the final resolutions were distributed to the Board this evening. Bretl said that there was one change included in the final copy of Resolution No. 36-08/04, which approves the Memorandum of Understanding, and that change occurs on lines 28 and 29. Lines 28 and 29 include language that upon passage of the resolution and Memorandum of Understanding it will be forwarded to the appropriate unions and that they will have 10 days to consider this option. Bretl explained the change in regard to Resolution No. 37-08/04, from what was distributed with the packet. Page 2 of the resolution, Policy and Fiscal Note, Budget and Fiscal Impact, states that assuming every employee eligible to receive the benefit elects to do so, the county's liability would be $150,876. This would be fully funded in the 2004 budget by existing funds in the public works payroll budget from vacant positions, most prominently an engineer position, which were not filled. The resolution contains a clause for savings of the same amount in 2005.

A motion was offered by Supervisor Van Dreser, seconded by Supervisor Burwell, to approve Resolution No. 36-08/04. On motion by Supervisor Van Dreser, seconded by Supervisor Burwell, Resolution No. 36-08/04 was approved by unanimous consent.

Resolution No. 36-08/04
Approving a Memorandum of Understanding by and among Walworth County, Walworth County Courthouse Union Employees Local 1925B, and Walworth County Highway Employees Local 1925

Moved/Sponsored by: Human Resources Committee

WHEREAS, the State of Wisconsin Department of Transportation ("State") announced last month that it would not be pursuing discretionary highway work in Walworth County for the balance of the year; and,

WHEREAS, this decision results in a reduction in work available for county employees to perform; and,

WHEREAS, in order to mitigate the impact of the state's decision, staff and the Walworth County Courthouse Union Employees Local 1925B ("Local 1925B"), representing Facilities workers, and Walworth County Highway Employees Local 1925, representing Highway workers, ("Highway Workers Union"), entered into a temporary arrangement whereby work which had traditionally been performed by employees represented by Local 1925B could be assigned to four employees represented by the Highway Workers Union on a temporary basis; and,

WHEREAS, it was the intent of the parties that by expanding the type of work that is available to be assigned, the number of layoffs necessitated by the State's decision could be mitigated; and,

WHEREAS, the human resources committee recommends that the above-stated temporary arrangement be expanded and made more permanent.

NOW, THEREFORE, BE IT RESOLVED by the Walworth County Board of Supervisors that a memorandum of understanding by and among Walworth County, Local 1925B and the Highway Workers Union, attached hereto ("M.O.U."), be and the same is hereby approved, subject to approval by both Local 1925B and the Highway Workers Union, and notification to the County of said approval on or before August 24, 2004.

BE IT FURTHER RESOLVED that in the event the County does not receive notification of approval as set forth above, the County Board's approval in this matter shall be null and void.

Ann Lohrmann County Board Chairperson	Kimberly S. Bushey County Clerk

Action Required: Majority ___X___ Two-thirds _____ Other _____

County Board Meeting Date: August 10, 2004
Policy and Fiscal Note is attached.
Reviewed and approved pursuant to Section 2-91 of the Walworth County Code of Ordinances

David A. Bretl County Administrator/ Corporation Counsel	8/10/04 Date	N. Andersen Finance Director	8/10/04 Date

If unsigned, exceptions shall be so noted by the County Administrator.

Policy and Fiscal Note
Resolution No. 36-08/04

I. Title: Approving a Memorandum of Understanding by and among Walworth County, Walworth County Courthouse Union Employees, Local 1925B, and Walworth County Highway Employees Local 1925

II. Purpose and Policy Impact Statement: The purpose of this resolution is to approved the attached agreement. The agreement allows more flexibility in the assignment of work. The goal is to permit the most efficient use of staff and mitigate the necessity of layoffs.

III. Budget and Fiscal Impact: The intent of this resolution can be accomplished within the approved public works budget.

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

Committee: Human Resources Meeting Date: August 10, 2004

Vote: To be considered prior to the county board meeting

County Board Meeting Date: August 10, 2004

Policy and fiscal note has been reviewed and approved as an accurate statement of the probable policy and fiscal impacts associated with passage of the attached resolution

David A. Bretl County Administrator/ Corporation Counsel	8/10/04 Date	N. Andersen Finance Director	8/10/04 Date

Memorandum of Understanding

The parties to this Memorandum of Understanding, Walworth County, the Walworth County Courthouse Union Employees, Local 1925 B, and the Walworth County Highway Employees, Local 1925, have previously agreed, on a non-precedent-setting basis, to a Memorandum of Understanding dated July 29, 2004 whereby four employees represented by the Highway Union were permitted the opportunity to work outside their Union's jurisdiction and classification without protest by either Union. The Parties to that Memorandum of Understanding desire to extend its terms to all employees represented by the Highway Union, Local 1925 and those employees in the Facilities Service and Management pay ranges 1-6 represented by the Courthouse Union, Local 1925B. The parties agree that, upon execution of this Memorandum of Understanding, eligible members of both unions will be offered any early retirement package as may be approved by the Walworth County Board. All other terms and conditions of the previous Memorandum of Understanding remain the same.

Dated at Elkhorn, Wisconsin this____day of August, 2004

S/_____
Walworth County

S/_____
Local 1925 Representative

S/_____
Local 1925 B Representative

S/_____
AFCSME Representative

A motion was offered by Supervisor Guido, seconded by Supervisor Muzatko, to approve Resolution No. 37-08/04. On motion by Supervisor Van Dreser, seconded by Supervisor Burwell, Resolution No. 37-8/04 was approved by unanimous consent.

Resolution No. 37-08/04
Approving an Early Retirement Incentive for Highway and Facilities Employees Represented by Local 1925 and Local 1925B

Moved/Sponsored by: Human Resources Committee

WHEREAS, the human resources committee recommends approval of an early retirement incentive in an effort to mitigate the necessity for staff layoffs and to reduce the county workforce.

NOW, THEREFORE, BE IT RESOLVED by the Walworth County Board of Supervisors that the early retirement incentive set forth in the memorandum of Deputy County Administrator/Employee Relations dated August 5, 2004, attached hereto, be and the same is hereby approved in accordance with its terms and conditions.

BE IT FURTHER RESOLVED that the early retirement incentive shall be available during the following time frame (hereinafter "Window"), which Window shall commence the day following notification to the County of approval by both Walworth County Highway Employees Local 1925 and Walworth County Courthouse Union Employees Local 1925B of the Memorandum of Understanding authorized by Resolution No. 36-08/04 and end twenty-one (21) days thereafter.

BE IT FURTHER RESOLVED that the 2005 public works budget will reflect a cost savings equal to or greater than any sums expended by the county in 2004 to fund the early retirement incentive.

Ann Lohrmann County Board Chairperson	Kimberly S. Bushey County Clerk

Action Required: Majority _____ Two-thirds ___X___ Other _____

County Board Meeting Date: August 10, 2004

Policy and Fiscal Note is attached.
Reviewed and approved pursuant to Section 2-91 of the Walworth County Code of Ordinances

David A. Bretl County Administrator/ Corporation Counsel	8/10/04 Date	N. Andersen Finance Director	8/10/04 Date

If unsigned, exceptions shall be so noted by the County Administrator.

Policy and Fiscal Note
Resolution No. 37- 08/04

I. Title: Approving an Early Retirement Incentive for Highway and Facilities Employees Represented by Local 1925 and Local 1925B

II. Purpose and Policy Impact Statement: The purpose of this resolution is to approve a voluntary early separation benefit for public works representatives by the highway and courthouse unions.

III. Budget and Fiscal Impact: Assuming every employee eligible to receive this benefit would elect to do so, the county's liability would be approximately $150,876. It is recommended that this obligation be fully funded in advance in the 2004 budget by existing funds in the public works payroll budget from vacant positions. The public works budget will be reduced in 2005 by at least the amount expended by funding the agreements.

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

Committee: Human Resources Meeting Date: August 10, 2004

Vote: To be considered prior to the county board meeting

County Board Meeting Date: August 10, 2004

Policy and fiscal note has been reviewed and approved as an accurate statement of the probable policy and fiscal impacts associated with passage of the attached resolution.

David A. Bretl County Administrator/ Corporation Counsel	8/10/04 Date	N. Andersen Finance Director	8/10/04 Date

Land Conservation Committee

1. Resolution No. 35-08/04 –Supporting the Amendment to the Regional Water Quality Management Plan for the Sanitary Sewer Service Area for the Walworth County Metropolitan Sewerage District –Lake Como Sanitary Sewer Service Area

On motion by Supervisor Lightfield, seconded by Supervisor Ketchpaw, Resolution No. 35-08/04 was approved by voice vote.

Resolution No. 35-08/04
Supporting the Amendment to the Regional Water Quality Management Plan for the Sanitary Sewer Service Area for the Walworth County Metropolitan Sewerage District – Lake Como Sanitary Sewer Service Area

Moved/Sponsored by: Land Conservation Committee

WHEREAS, pursuant to Section 66.0309(10) of the Wisconsin Statutes, the Southeastern Wisconsin Regional Planning Commission (SEWRPC), at a meeting held on the 12th day of July 1979, duly adopted a regional water quality management plan as documented in the three-volume SEWRPC Planning Report No. 30, A Regional Water Quality Management Plan for Southeastern Wisconsin: 2000; and,

WHEREAS, at a meeting held on the 4th day of December 1991, SEWRPC duly adopted an amendment to the regional water quality management plan refining and detailing the Elkhorn sanitary sewer service area as documented in the SEWRPC Community Assistance Planning Report No. 56 (2nd Edition),

Sanitary Sewer Service Areas for the Walworth County Metropolitan Sewerage District, Walworth County, Wisconsin, November 1991; and,

WHEREAS, by letter dated March 29, 2004 the Walworth County Metropolitan Sewerage District requested that SEWRPC amend the Lake Como Sanitary Sewer Service Area; and,

WHEREAS, the proposed amendment to the regional water quality management plan is documented in a SEWRPC staff memorandum entitled, "Response to Request by the Walworth County Metropolitan Sewerage District to Amend the Lake Como Sanitary Sewer Service Area"; and,

WHEREAS, the requested change to the regional water quality management plan, as documented in the above-mentioned staff memorandum, was the subject of a public hearing held jointly by the Walworth County Metropolitan Sewerage District and SEWRPC held on June 8, 2004; and,

WHEREAS, Section 66.0309(9) of the Wisconsin Statutes authorizes and empowers SEWRPC to amend, extend, or add to the master plan or carry any part or subject thereof into greater detail; and,

WHEREAS, the Walworth County Land Conservation Committee discussed this proposed amendment at their July 19, 2004 regular meeting; and,

WHEREAS, on June 16, 2004 SEWRPC unanimously adopted the proposed amendment to the regional water quality management plan and the plan has been submitted to the Wisconsin Department of Natural Resources and the Wisconsin Department of Commerce.

NOW, THEREFORE, BE IT RESOLVED by the Walworth County Board of Supervisors that Walworth County supports the Amendment to the Regional Water Quality Management Plan for the Sanitary Sewer Service Area for the Walworth County Metropolitan Sewerage District as it pertains to the Lake Como Sanitary Sewer Service Area.

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 SEWRPC.

Ann Lohrmann County Board Chairperson	Kimberly S. Bushey County Clerk

Action Required: Majority ___X___ Two-thirds _____ Other _____

County Board Meeting Date: August 10, 2004

Policy and Fiscal Note is attached.
Reviewed and approved pursuant to Section 2-91 of the Walworth County Code of Ordinances

David A. Bretl County Administrator/ Corporation Counsel	7/27/04 Date	Nicki Andersen (ts) Finance Director	7/29/04

If unsigned, exceptions shall be so noted by the County Administrator.

Policy and Fiscal Note
Resolution No. 35-08/04

I. Title: Supporting the Amendment to the Regional Water Quality Management Plan for the Sanitary Sewer Service Area for the Walworth County Metropolitan Sewerage District – Lake Como Sanitary Sewer Service Area

II. Purpose and Policy Impact Statement:

The purpose of this resolution is to support the amendment to the regional water quality management plan for the sanitary sewer service area for the Walworth County Metropolitan Sewage District. Specifically, this amendment pertains to the Lake Como Sanitary Sewer Service Area.

III. Budget and Fiscal Impact:

Passage of this resolution will have no fiscal impact on the 2004 county budget.

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

Committee: Land Conservation Meeting Date: July 19, 2004

Vote: 7 - 0

County Board Meeting Date: August 10, 2004

Policy and fiscal note has been reviewed and approved as an accurate statement of the probable policy and fiscal impacts associated with passage of the attached resolution

David A. Bretl County Administrator/ Corporation Counsel	7/27/04 Date	Nicki Andersen (ts) Finance Director	7/29/04 Date

Public Works

1. Ordinance No. 270-08/04 – Creating Section 2-3 of the Walworth County Code of Ordinances Relating to the Use of Skateboards, Roller-Skates, In-Line Skates and Bicycles on Certain County Property

A motion was offered by Supervisor Polyock, seconded by Supervisor Ketchpaw, to approve Ordinance No. 270-08/04. Supervisor Waelti offered a motion, seconded by Supervisor Stacey, to amend the resolution to include a definition of grounds as grassy areas and sidewalks but not paved or unpaved parking lots. This would allow employees to ride their bicycles to work. The amendment was approved by voice vote. Ordinance No. 270-08/04 was approved as amended by voice vote.

ORDINANCE NO. 270 – 08/04
AMENDED
CREATING SECTION 2-3 OF THE WALWORTH COUNTY CODE OF ORDINANCES RELATING TO THE USE OF SKATEBOARDS, ROLLER-SKATES, IN-LINE SKATES AND BICYCLES ON CERTAIN COUNTY PROPERTY

THE WALWORTH COUNTY BOARD OF SUPERVISORS DOES ORDAIN AS FOLLOWS:

PART I: That Section 2-3 of the Walworth County Code of Ordinances is hereby created to read as follows (additions shown by underline; deletions shown by strike-through):

"Sec. 2-3. Use prohibited.

(a) Definitions. For purposes of this section, the following words shall have the designated meaning:

1) "Bicycle" shall have the meaning set forth in Sec. 340.01 (5) of the Wisconsin Statutes.
2) "Grounds" means real property owned by the county, but shall exclude paved or unpaved parking lots.
3) "In-line skates" shall have the meaning set forth in Sec. 340.01 (24m) of the Wisconsin Statutes.

~~(a)~~(b) Prohibition. Except as provided in ~~(b)~~ (c), the use of skateboards, roller-skates, and in-line skates shall be prohibited upon all county-owned parking lots, sidewalks and grounds, nor shall bicycles be operated on county-owned sidewalks and grounds.

~~(b)~~(c) Exception. The above-stated prohibition shall not apply to supervised educational activities occurring at Lakeland School or the use of bicycles on the White River State Recreation Trail."

BE IT 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 10th day of August, 2004.

Ann Lohrmann County Board Chairperson	Kimberly S. Bushey Attest: County Clerk

County Board Meeting Date: August 10, 2004

Action Required: _X_ Majority Vote _____ 2/3 Vote _____ Other

Policy and Fiscal Note is attached.
Reviewed and approved pursuant to Section 2-91 of the Walworth County Code of Ordinances:

David A. Bretl County Administrator/ Corporation Counsel	7/21/04 Date	N. Andersen Finance Director	7/21/04 Date

If unsigned, exceptions shall be so noted by the County Administrator.

Ordinance No. 270 - 08/04
Fiscal Note and Policy Impact Statement

I. Title: Creating Section 2-3 of the Walworth County Code of Ordinances Relating to the Use of Skateboards, Roller-Skates, In-Line Skates and Bicycles on Certain County Property

II. Purpose and Policy Impact Statement: The purpose of this ordinance is to eliminate the use of skateboards, roller-skates, in-line skates and bicycles on certain county property. It is anticipated that restricting these activities will reduce hazards to pedestrians and reduce damage to county property.

III. Is this a budgeted item and what is its fiscal impact: Passage of this ordinance would have no fiscal impact on the 2004 county budget.

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

Committee: Public Works Date: July 19, 2004

Vote: 5 - 0

County Board Meeting Date: August 10, 2004

Policy and fiscal note has been reviewed and approved as an accurate statement of the probable policy and fiscal impacts associated with passage of the attached resolution.

David A. Bretl County Administrator/ Corporation Counsel	7/21/04 Date	N. Andersen Finance Director	7/21/04 Date

Reports of Special Committees

There were no Reports of Special Committees.

Chairperson's Report

Chairperson Lohrmann announced that the next Board meeting would be held on Thursday, September 9, 2004 at 6:00 p.m.

Supervisor Al Morrison thanked everyone personally for their cards, calls, and prayers, after his accident.

Adjournment

On motion by Supervisor Downing, seconded by Supervisor Ketchpaw, the meeting was adjourned at 7:05 p.m.

Kimberly S. Bushey
County Clerk

STATE OF WISCONSIN)
)SS
COUNTY OF WALWORTH)

I, Kimberly S. Bushey, County Clerk in and for the County aforesaid, do hereby certify that the foregoing is a true and correct copy of the proceedings of the County Board of Supervisors for the August 10, 2004 meeting.

THE SEPTEMBER 9, 2004 SESSION
OF THE
WALWORTH COUNTY BOARD OF SUPERVISORS

The Walworth County Board of Supervisors meeting was called to order by Chairperson Lohrmann at 6:00 p.m. in the County Board Room at the Walworth County Courthouse, 100 W. Walworth Street, Elkhorn, Wisconsin.

Reverend Wayne Joose, Little Prairie United Methodist Church, East Troy, delivered the invocation.

All Supervisors were present except Supervisor Lightfield. A quorum was established.

Amendments, Withdrawals, and Approval of Agenda

On motion by Supervisor Ketchpaw, seconded by Supervisor Schaefer, the agenda was amended by moving Items #3 and #4 under the report of the finance committee to the end of the agenda.

On motion by Supervisor Weber, seconded by Supervisor Waelti, the Children with Disabilities Education Board resolution, Resolution No. 48-09/04, was moved to the first item under New Business on the agenda.

On motion by Supervisor Grant, seconded by Supervisor Schaefer, the agenda was approved as amended.

Approval of the Minutes

On motion by Supervisor Felten, seconded by Supervisor Ketchpaw, the minutes of the August 10, 2004 Walworth County Board of Supervisors were approved.

Comment Period by Members of the Public

A motion offered by Supervisor Guido, seconded by Supervisor Ketchpaw, to allow the public to speak before the Supervisors speak when the CDEB item comes up for vote was approved by voice vote.

Bret Strong, Executive Chairman for Citizens for Responsible Government of Walworth County, N9159 Maple Street, East Troy, addressed the Board regarding excessive spending. Mr. Strong said that Walworth County is third in the State of Wisconsin for spending; Racine County is 42nd and Rock County 45th in the State. Mr. Strong asked that the Supervisors think about what he has said and asked again that the spending be reduced.

Ken Micheloni, N8457 Hwy 12W, Elkhorn, addressed the Supervisors. Mr. Micheloni said he was at the Courthouse on Tuesday night for the Board meeting and there were no signs or anything else showing which night the Board meeting was scheduled. Mr. Micheloni said that there needs to be better communication or signs to show what is going on in the Courthouse.

Appointments/Elections

1. Wisconsin Counties Association Health & Human Services Steering Committee – Supervisor Betty Felten – Term to Expire April 2006
2. Wisconsin Counties Association Environment & Land Use Steering Committee – Supervisor Chris Goebel – Term to Expire April 2006
3. Land Conservation Committee – Gerald Byrnes – Term to Expire July 14, 2006

On motion by Supervisor Schaefer, seconded by Supervisor Kuhnke, the above appointments were approved.

Communications and Matters to Be Referred

1. Claims Received After the Agenda Mailing
2. Claims
- David F. Tanaka and Deirdre M. Tanaka was referred to the Executive Committee.
- JC-KOW Farms Partnership was referred to the Executive Committee.
- R. W. Miller & Sons, Inc., was referred to the Executive Committee.
- Philip Aurit and Rhonda Aurit will be referred to the Executive Committee.
3. Communication from Linn Jt. 6 School District Board in support of the Walworth County Children with Disabilities Education Board and the coordinated countywide model for Special Education will be referred to the Children with Disabilities Education Board.
4. Communication from Supervisor Allan Polyock and David Bollweg, Chairman, Town of Linn, regarding possible elimination of the county zoning program at the county level was referred to the County Zoning Agency.
5. Juneau County Res. 04-53 – Highway Funding advisory resolution was referred to the Executive Committee.
6. Juneau County Res. 04-51 – ICF-MR Downsizing advisory resolution was referred to the Health & Human Services Board.
7. Communication from Wisconsin County Mutual Insurance Corporation regarding Representative Assembly to be held in conjunction with WCA Convention was placed on file.
8. Communication from Supervisor Larry Hilbelink regarding the elimination of county-wide general zoning will be referred to the Executive Committee. This item was referred to the County Zoning Agency later in the meeting as requested by Supervisor Goebel.
9. Communication from Wisconsin Department of Administration regarding January 1, 2004 population estimate was referred to the Executive Committee.
10. Correspondence and Res. No. 51-09/04 – Encouraging the Wisconsin State Legislature to Increase the Funding for the Comprehensive Planning "Smart Growth" Grant. Recommended unanimously by the Smart Growth Technical Advisory Committee. On motion by Supervisor Grant, seconded by Supervisor Goebel, the Board suspended its rules to consider this resolution tonight after the Communications portion of the agenda.
11. Report of the County Clerk Concerning Communications Received by the Board and Recommended to be Placed on File

Report of the County Clerk Regarding Communications Received After the Agenda Mailing

The following items were received in the County Clerk's office after the agenda deadline and were placed on the Supervisors' desks:

- Claim of Krystal Cook vs Walworth County was referred to the Executive Committee
- Claim of David L. Austin vs Beth L. Austin and Walworth County was referred to the Executive Committee
- Communication from Wisconsin Department of Natural Resources regarding Amendment to the Regional Water Quality Management Plan – Lake Como Sanitary Sewer Service Area was placed on file
- Correspondence from Wisconsin Counties Association and the WCA Supervisor's Handbook was placed on file

12. Report of County Clerk Concerning Zoning Gone Into Effect

- Text Amendment to Walworth County Code of Ordinances, Chapter 74 (Zoning), Walworth County, Wisconsin, Sections 74-28, 74-29, 74-49, 74-50, 74-51, 74-52, 74-54, 74-58, 74-59, 74-63, 74-131 and Text Amendment to Walworth County Code of Ordinances, Chapter 74 (Shoreland Zoning), Walworth County, Wisconsin, Sections 74-153, 74-154, 74-176, 74-177, 74-178, 74-179, 74-181, 74-185, 74-186, 74-190, 74-263
- Text Amendment to Walworth County Code of Ordinances, Chapter 58 (Subdivisions), Walworth County, Wisconsin, Sections 58-1.1, 58-2.3, 58-2.4, 58-4.1, 58-4.11, 58-5-A, 58-5-A.1, 58-5-A.2, 58-5-A.3, 58-5-A.4, 58-5.2, 58-5.3, 58-11.9-A, 58-11.9-B, 58-12.8, and 58-12.15
- Thomas C. Yakes (Town of Delavan, App.), Town of Delavan
- Kevin A. Hellenbrand (RSV Engineering, App.), Town of East Troy
- Jozef Gorga, Town of Bloomfield
- S. Terry Woods, Town of Linn

13. Report of County Clerk Concerning Zoning Petitions (To be referred to the County Zoning Agency)

- Towerview Mobile Court, Inc – Dan Daniels (Wm. R. Henry Associates, App.), Town of Bloomfield, A-1 to C-1 & R-6
- Dave and Mary Ennis, Town of Darien, B-4 to P-1
- John C. Brennan, John C. Brennan, Jr., Jerome E. Brennan (Wis. Power and Light Co., Inc., App.), Town of Walworth, A-1 to P-1
- Deborah Blackwell, Town of Delavan, A-1 to A-5
- Lakeland Animal Welfare Society, Inc. (Bryan D. Olson, App.), Town of Delavan, A-2 to B-4
- Beverly A. Turzy, Town of Bloomfield, R-2 & B-2 to R-4
- Randall S. and Rebecca A. Martin, Town of Geneva, A-2 to C-2
- Text Amendment to Walworth County Code of Ordinances (Subdivisions), Chapter 58, Sec. 58-3.3

On motion by Supervisor Grant, seconded by Supervisor Goebel, the rules were suspended to consider item #10, Resolution No. 51-09/04 - Encouraging the Wisconsin State Legislature to Increase the Funding for the Comprehensive Planning "Smart Growth" Grant. On motion by Supervisor Guido, seconded by Supervisor Burwell, Resolution No. 51-09/04 was approved by voice vote.

Resolution No. 51 - 09/04
Encouraging the Wisconsin State Legislature to Increase the Funding for the Comprehensive Planning "Smart Growth" Grant

Moved/Sponsored by: Smart Growth Technical Advisory Committee

WHEREAS, Section 66.1001 of the Wisconsin Statutes sets forth requirements for the preparation of county and local comprehensive plans; and

WHEREAS, the comprehensive planning law effectively requires that comprehensive plans be completed and adopted by counties, cities, villages, and towns prior to January 1, 2010, in order for a county or local government to engage in zoning, subdivision control, or official mapping regulations and activities; and

WHEREAS, Walworth County will apply for a 2005 comprehensive planning grant from the Wisconsin Department of Administration under Chapter Adm 48 of the Wisconsin Administrative Code to help fund preparation of the multi-jurisdictional comprehensive plan, with required matching funds to be provided by the County, SEWRPC, and participating towns, cities, and villages; and

WHEREAS, the State of Wisconsin currently allocates two million dollars ($2,000,000.00) to the Wisconsin Department of Administration for multi-jurisdictional planning grants after the State reduced this amount from the three million dollars ($3,000,000.00) originally budgeted for; and

WHEREAS, Walworth County has partnered with the Towns of Bloomfield, Darien, Delavan, East Troy, Geneva, Lafayette, LaGrange, Linn, Richmond, Sharon, Spring Prairie, Sugar Creek, Troy, Walworth, Whitewater, the Villages of Darien, East Troy, Fontana, Genoa City, Walworth, the Cities of Delavan, Elkhorn, Lake Geneva, and Whitewater, and the Southeastern Wisconsin Regional Planning Commission to prepare a multi-jurisdictional comprehensive plan compliant with sec. 66.1001 of the Wisconsin Statutes; and

WHEREAS, the above-mentioned municipalities intend to apply for a 2005 grant award of five hundred nineteen thousand dollars ($519,000.00) from the Wisconsin Department of Administration; and

WHEREAS, the Wisconsin Department of Administration estimates that at least eleven (11) counties will be applying for multi-jurisdictional comprehensive planning grants in 2005 and these eleven communities seek in excess of six million dollars ($6,000,000.00) in grant dollars; and

WHEREAS, the Wisconsin Department of Administration simply does not have enough money to fund this mandate; and

WHEREAS, on September 2, 2004, representatives from Walworth County, the Towns of Bloomfield, Darien, Delavan, East Troy, Geneva, Lafayette, LaGrange, Linn, Richmond, Sharon, Spring Prairie, Sugar Creek, Troy, Walworth, Whitewater, the Villages of Darien, East Troy, Fontana, Genoa City, Walworth, the Cities of Delavan, Elkhorn, Lake Geneva, and Whitewater directed that a resolution be drafted encouraging the State of Wisconsin to increase the grant dollars for the comprehensive planning "Smart Growth" program.

NOW, THEREFORE, BE IT RESOLVED that the Walworth County Board of Supervisors hereby encourages the Wisconsin State Legislature to increase the increase the funding for the comprehensive planning "Smart Growth" grant back to, at least, the original three million dollars ($3,000,000.00); and

BE IT FURTHER RESOLVED that the Walworth County Board of Supervisors hereby directs the County Clerk to send this resolution to the Wisconsin Legislature.

Ann Lohrmann County Board Chairperson	Kimberly S. Bushey County Clerk

County Board Meeting Date: September 9, 2004

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

Policy and Fiscal Note is attached.
Reviewed and approved pursuant to Section 2-91 of the Walworth County Code of Ordinances:

David A. Bretl County Administrator/ Corporation Counsel	9/3/04 Date	N. Andersen Finance Director	9/7/04 Date

If unsigned, exceptions shall be so noted by the County Administrator.

Policy and Fiscal Note
Resolution No. 51-09/04

I. Title: Encouraging the Wisconsin State Legislature to Increase the Funding for the Comprehensive Planning "Smart Growth" Grant

II. Purpose and Policy Impact Statement: Walworth County encourages the State of Wisconsin to increase the comprehensive planning "Smart Growth" grant award to at least three million dollars ($3,000,000.00) for the entire State of Wisconsin.

III. Budget and Fiscal Impact: None. This resolution, if successful, will increase Walworth County's chances of obtaining grant funding for the Smart Growth program.

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

Committee: Smart Growth Technical Advisory Committee

Meeting Date: September 2, 2004

Vote: 25 – 0

County Board Meeting Date: September 9, 2004

Policy and fiscal note has been reviewed and approved as an accurate statement of the probable policy and fiscal impacts associated with passage of the attached resolution.

David A. Bretl County Administrator/ Corporation Counsel	9/3/04 Date	N. Andersen Finance Director	9/7/04 Date

Supervisor Goebel asked that item #8, under Communications and Matters to Be Referred, Communication from Supervisor Larry Hilbelink regarding the elimination of county-wide general zoning be referred to the County Zoning Agency rather than the Executive Committee.

As requested by Supervisor Arnold, the claim of R. W. Miller and Sons was referred to Executive Committee.

Unfinished Business

There was no unfinished business.

New Business

Supervisor Weber offered a motion, seconded by Supervisor Waelti to approve Resolution No. 48-09/04 – Adopting Recommendations of the Children with Disabilities Education Board Regarding the Future of Special Education in Walworth County. Dave Bretl, County Administrator, gave a background of Resolution 48-09/04. This resolution adopts the findings of the Children with Disabilities Education Board in regard to the future of special education in Walworth County. The recommendation of the Children with Disabilities Education Board is to refer the entire matter to the Public Works Committee with a joint meeting of the CDEB to prepare a request for proposal for an architect to study the existing building and determine the merits and drawbacks of rebuilding or remodeling.

Chairperson Lohrmann opened the floor to anyone wishing to speak regarding Lakeland School.

The following spoke in favor of continuing the special education program in Walworth County and thanked the Supervisors for everything that has been done for their children:

Anita Szymanski, P. O. Box 404, Walworth; Bill Sawyer, 300 W. Geneva Street, Williams Bay; Tammy Cadman, W1138 Hwy 11, Burlington; Emily Cadman, W1138 Hwy 11, Burlington; Dorothy Kaufman, Sharon Community School, P. O. Box 409, Fontana; Carolyn Heisey, 1943 Edwards Street, Unit A, East Troy; Jean Cyra, W4813 State Road 20, East Troy; Yasmine Schwardt, Elkhorn; Dave McComb, W9230 State Road 59, Whitewater; Elizabeth McComb, W9230 State Road 59, Whitewater; Tom McComb, W9230 State Road 59, Whitewater; Ann Timmerman, Elkhorn; Viki Johns, 1876 East Drive, East Troy; and Maria A. Davis, P. O. Box 1121, Lake Geneva.

The following spoke in favor of allowing choice in the selection of special education for children with special needs: James Kieselburg, W9420 Clinton Street, Darien, and Gail Kopp, Genoa City, WI.

The Clerk read comments into the record from Linda F. Hoke, 407 E. Third Avenue #2, Elkhorn, inquiring about the diagnosis of students at Lakeland and the educational capabilities of these students and also inquiring as to if these students are a danger to self or others or medically fragile, why aren't they in contained special education classrooms in their home district.

The Clerk read comments into the record from Jackie Cummings, Linda Wechel, and Maxine Grohall expressing their dedication to the educational program provided at Lakeland School.

Discussion ensued by County Board Supervisors. Supervisor David Weber, Chair of the Children with Disabilities Education Board, gave an overview of the review and research and mentioned the handout which included the following: a letter from Elkhorn Area School District Administrator Greg Wescott, cosigned by Dorothy Kaufman who made a presentation earlier in this meeting. He explained that they are representatives of the advisory committee for the Superintendents for the County and they are supportive of the process of providing special education through a consolidated district. There is also a letter from Robert Spence, District Administrator, East Troy Schools, and others in support of the County's special education program at Lakeland School. Also received were communications from the Elkhorn school board, John Negley, past Administrator from Whitewater School District, Williams Bay Public Schools, a letter from the full school board from Walworth Joint District #1 signed by the full school board, and through Supervisor Burwell, a communication from Russ Feingold in regard to the Individuals with Disabilities Education Act (IDEA) program, which is the Congress's attempt at full funding at the 40% level. Supervisor Burwell explained that the IDEA program has not yet been passed but they are supportive of that and the Lakeland School. Also received were communications from Senator Kohl and Senator Neil Kedzie. Senator Kedzie was in attendance at the meeting earlier and he said he is doing what he can to follow through with the IDEA program. It was noted that there were a number of district administrators and business managers also present at the meeting. Supervisor Waelti provided the chart in the back of the resolution, attachment A, showing the impact on the municipalities. Supervisor Weber said that the committee started this project to look for facts and the net end result of that is the recommendation in the resolution. The resolution does not ask for money at this time. Supervisor Weber outlined some of the programs at Lakeland School. Supervisor Weber said that the students need our continued support. He said the committee thinks this system is a good solution and is cost effective.

Supervisor Russell offered a motion, seconded by Supervisor Ketchpaw, to refer Resolution 48-09/04 to the Finance Committee to return to the full Board next month. Discussion ensued. On motion by Supervisor Schaefer, seconded by Supervisor Felten the question was called. A roll call vote was held on

calling the question to end debate on the motion to refer Resolution No. 48-09/04 to the Finance Committee. Total vote: 25; Ayes: 10 – Felten, Goebel, Guido, Hilbelink, Morrison, Muzatko, Parker, Russell, Schaefer, Stacey; Noes: 14 – Arnold, Burwell, Downing, Grant, Hawkins, Ketchpaw, Kuhnke, Lein, Polyock, Van Dreser, Waelti, Wagie-Troemel, Weber, Lohrmann; Absent: 1 – Lightfield. Roll call vote failed to end debate. Discussion ensued.

On motion by Supervisor Hilbelink, seconded by Supervisor Ketchpaw, the question was called and debate ended. A roll call vote was held on the motion to refer Resolution No. 48-09/04 to the Finance Committee. Total vote: 25; Ayes: 11 – Arnold, Felten, Guido, Hilbelink, Ketchpaw, Muzatko, Parker, Russell, Schaefer, Stacey, Lohrmann; Noes: 13 – Burwell, Downing, Goebel, Grant, Hawkins, Kuhnke, Lein, Morrison, Polyock, Van Dreser, Waelti, Wagie-Troemel, Weber; Absent: 1 – Lightfield. Roll call vote failed.

Chairperson Lohrmann announced that there would be a five-minute break before consideration of the original motion to approve Resolution 48-09/04.

Discussion resumed on Resolution 48-09/04. Supervisor Ketchpaw offered a motion, seconded by Supervisor Felten, to accept the resolution as long as it does not exceed the set limits of our overall annual budget cap for this coming year and every other year. Discussion ensued.

Supervisor Goebel offered a motion, seconded by Supervisor Felten, to refer Resolution 48-09/04 jointly to the CDEB and the Finance Committee for a 30-day period with instructions to consider the financial implications of going forward with the entire resolution, but restricted in some way in terms of the overall financial implications for the County considering limiting the annual rate of growth for the operations of the school to the County index, which is 4.7% in 2005 and whatever it is in subsequent years, and any other options that the two committees feel ought to be considered, and approving recommendations #1 and #2 of the findings of the CDEB. Supervisor Felten agreed to the addition of recommendations #1 and #2 as suggested by Supervisor Wagie-Troemel.

On motion by Supervisor Van Dreser, seconded by Supervisor Grant, the question was called.

A roll call vote was held on Supervisor Goebel's motion to refer Resolution 48-09/04 to the Finance Committee and the CDEB for a 30-day period. Total vote: 25; Ayes: 8 – Arnold, Felten, Goebel, Guido, Ketchpaw, Lein, Parker, Lohrmann; Noes: 16 – Burwell, Downing, Grant, Hawkins, Hilbelink, Kuhnke, Morrison, Muzatko, Polyock, Russell, Schaefer, Stacey, Van Dreser, Waelti, Wagie-Troemel, Weber; Absent: 1 – Lightfield. Roll call vote fails.

On motion by Supervisor Van Dreser, seconded by Supervisor Grant, the question was called on the original motion and passed unanimously by voice vote. Supervisor Grant offered a motion for unanimous consent, seconded by Supervisor Weber. Unanimous consent failed. A roll call vote was held to approve Resolution No. 48-09/04. Total vote: 25; Ayes: 19 – Burwell, Downing, Goebel, Grant, Guido, Hawkins, Hilbelink, Kuhnke, Lein, Morrison, Muzatko, Parker, Polyock, Schaefer, Van Dreser, Waelti, Wagie-Troemel, Weber, Lohrmann; Noes: 5 – Arnold, Felten, Ketchpaw, Russell, Stacey; Absent: 1 – Lightfield. Resolution No. 48-09/04 was approved.

Resolution No. 48-09/04
Adopting Recommendations of the Children with Disabilities Education Board Regarding the Future of Special Education in Walworth County

Moved/Sponsored by: Children with Disabilities Education Board

WHEREAS, the Children with Disabilities Education Board ("CDEB") has studied the issue of the future of special education in Walworth County; and,

WHEREAS, as a result of the study the CDEB has prepared certain findings and recommendations, a copy of which is attached hereto and incorporated herein ("Findings and Recommendations").

NOW, THEREFORE, BE IT RESOLVED that the Walworth County Board of Supervisors does hereby adopt the CDEB's Findings and Recommendations.

Ann Lohrmann County Board Chairperson	Kimberly S. Bushey County Clerk

Action Required: Majority ___X___ Two-thirds _____ Other _____

County Board Meeting Date: September 9, 2004

Policy and Fiscal Note is attached.
Reviewed and approved pursuant to Section 2-91 of the Walworth County Code of Ordinances:

David A. Bretl County Administrator/ Corporation Counsel	9/1/04 Date	N. Andersen Finance Director	9/2/04 Date

If unsigned, exceptions shall be so noted by the County Administrator.

Policy and Fiscal Note
Resolution No. 48-08/04

I. Title: Adopting Recommendations of the Children with Disabilities Education Board Regarding the Future of Special Education in Walworth County

II. Purpose and Policy Impact Statement: The purpose of this resolution is to adopt the Findings and Recommendations of the CDEB as to the future of special education in Walworth County.

III. Budget and Fiscal Impact: If adopted, the first recommendation calls for the county to retain an architect to study the merits of remodeling versus constructing a new facility. A source of funding for this effort has not yet been determined. Upon receipt of proposals, the county board will need to locate and approve funding for the effort.

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

Committee: CDEB Meeting Date: August 10, 2004

Vote: 5 - 0

County Board Meeting Date: September 9, 2004

Policy and fiscal note has been reviewed and approved as an accurate statement of the probable policy and fiscal impacts associated with passage of the attached resolution.

David A. Bretl County Administrator/ Corporation Counsel	9/1/04 Date	N. Andersen Finance Director	9/2/04 Date

Children with Disabilities Education Board
Findings and Recommendations – Special Education in Walworth County

Your committee, to which was referred the issue of the Lakeland School, having completed its study of the matter, reports as follows:

Background

Although the future of the Lakeland school and special education has been debated over the years, the following timeline provides an overview of the most recent effort.

June18, 2002 – The property committee authorized staff to prepared a request for proposals from architectural firms to assess the Lakeland School facility. The architectural firm of Stubenrauch ("Stubenrauch") was later retained to provide an assessment of the Lakeland School.

September 24, 2002 – Stubenrauch reports its findings to the property committee ("Stubenrauch Report"). 1

March 11, 2003 – The consulting firm of Schenck Business Solutions ("Schenck") is retained to perform a financial analysis of the following four scenarios with respect to the County's involvement in special education:

1. Maintain the status quo
2. Build a new facility
3. Remodel the existing facility
4. Transfer program operations to local school districts

November 17, 2003 – Schenck releases its report to the Children with Disabilities Education Board ("Schenck Report" and "CDEB," respectively).

January 19, 2004 – The CDEB discusses the Schenck Report and determines the manner in which it will study the issue of the future of special education.

February 24, 2004 – Administrators from Walworth County school districts ("School Districts") present information to the CDEB and critique the Schenck Report.

May 17, 2004 – Speakers associated with special education in Racine County address the CDEB regarding reasons behind dissolution of the Western Racine CDEB and issues associated with that action.

June 14, 2004 – Sandra Berndt and Stephanie Petska of the Wisconsin Department of Public Instruction ("DPI") address the CDEB with respect to a variety of topics, including Least Restrictive Environment and Individuals with Disabilities Act.

1 The CDEB does not endorse all of the findings contained in the Steubenrach Report, however does endorse its basic conclusion regarding the condition of the facility. Steubenrach is no longer in business.

July 26, 2004 – The CDEB heard a presentation by Barb Natalle, Brown County Director of Special Education, Syble Hopp School regarding the operations and funding of Special Education in Brown County. They also heard an update from Phil Knobel, Executive Director, Wisconsin Council of Administrators of Special Services (WCASS) regarding Special Education future funding and I.D.E.A. legislation.

Findings

Based upon its consideration of the above-stated meetings and reports, the CDEB makes the following findings:

1. That the county has a long tradition of providing special education on a countywide basis.

2. That providing special education on a countywide basis is a logical consolidation services resulting in an overall savings to Walworth County taxpayers. Based upon the Schenck Report, due to state funding formulas, county taxpayers would pay at least $580,000 more if responsibility for special education were returned to local school districts, due to a loss of state revenue.

   a. Based upon the August 28, 2000 Report of Phil Knobel/Dave Richmond, savings as a result of the consolidation total at least $250,000.
   b. Based upon testimony of school district administrators, this figure is well in excess of $580,000.

3. That while transferring the responsibility for providing special education to the school districts and operating the Lakeland School independent of an integrated program of special education services would lower the Walworth County tax levy, it would result, on average, in higher tax bills from school districts which would more than offset the county's tax savings and would, therefore be contrary to the public's interest. A breakdown by school district of the additional tax burden created by returning special education responsibilities to the individual school districts is attached hereto as Exhibit 'A'.

4. That School Districts are unanimous in support of the County's continued role in special education.

5. That Lakeland School operates solely for children with disabilities and provides children with an important educational option and can meet the needs of children not otherwise accommodated in regular schools but does not preclude attendance of a child with special needs at schools in their neighborhood school district.

6. That Lakeland School enjoys considerable public support from parents of students who attend the school as well as School Districts.

7. That the percentage of children with special educational needs in Walworth County is consistent with state averages. The following data supports this. *Figures based on 2003/04 school year.

	Public & Private Enrollment	Special Education Enrollment	Incidence Rate
Walworth County	16,914	1,891	11.2%
State of Wisconsin	1,017,883	127,828	12.6%

8. That the DPI recognizes the County's present role in special education and its operation of the Lakeland School as lawful and appropriate.

9. That the present Lakeland School facility is not adequate to carry out the mission of special education due to its design and condition and that the CDEB specifically adopts as its findings the Overview contained in Tab 1 of the Stubenrauch Report, which overview is attached hereto as Exhibit 'B'.

10. That while special education is highly dependent upon state and federal funding, no evidence was presented during the CDEB's consideration of this issue suggesting that this funding will be materially reduced in the foreseeable future.

11. The Executive Director of the Wisconsin Council of Administrators of Special Services predicts the future of state and federal funding for Special Education will continue.

12. That the County tax levy associated with the CDEB in 2004 is 11.06 % of the total levy.

13. That based upon preliminary projections contained in the Schenck Study, remodeling the present Lakeland facility or constructing a new facility could result in an annual county tax levy of between $6.5 M and $6.7 M versus the 2004 tax levy of approximately $4.9 M. (includes operational and debt service cost)

14. That given the importance of special education and the benefit to county taxpayers of providing special education as a consolidated service, the increased county appropriation set forth in paragraph 13 is acceptable.

Recommendations

Based upon the above stated findings the CDEB makes the following recommendations:

1. That the County continue to be responsible for providing special education on a countywide basis.

2. That the County continue to operate Lakeland School.

3. That Lakeland School be a modern and efficient facility and to that end the CDEB specifically recommends that the county study the merits of remodeling and constructing an addition to the Lakeland school ("Remodeling") versus building a new school ("New Construction").

4. To facilitate recommendation number 3, this matter be forwarded to the Public Works Committee and that the committee and CDEB jointly develop and advertise a request for proposals ("RFP") for an architectural study, which study will compare the options of Remodeling and New Construction ("Architectural Study").

5. That based upon the results of the RFP, the Finance Committee identify a source of funding for the Architectural Study.

6. That based upon the results of the Architectural Study, Schenck refine its five-year tax levy projections for both New Construction and Remodeling ("Updated Levy Projections").

7. That the Finance Committee reviews the Updated Levy Projections and makes recommendations to the full board as to how any increase in the CDEB levy as a result of Remodeling or New Construction may be accommodated ("Finance Report").

8. That upon completion of the Architectural Study, review of the Updated Levy Projections and the Finance Report, the CDEB and Public Works Committee make a recommendation to the County Board as to whether New Construction or Remodeling should be pursued.

9. That the County Board adopt these Findings and Recommendations as a plan to facilitate continued progress with respect to this issue.

DW/sh
Attachments

Reports of Standing Committees

County Zoning Agency Report of Proposed Zoning Amendments

1. Text Amendment to Walworth County Code of Ordinances, Chapter 70 Utilities, Sec. 70-11 Limitations, 70-25 Administration fees, and 70-36 Septic tank maintenance program – approved 4 – 0 (7-15-04 public hearing)
2. Text Amendment to Walworth County Code of Ordinances, Chapter 26 Farmland Preservation, Sec. 26-211, 26-212, 26-213, 26-214, and 26-217 – approved 4 – 0 (7-15-04 public hearing)
3. Text Amendment to Walworth County Code of Ordinances, Chapter 6 Animals, Article IV Animal Waste Storage, Sec. 6-131, 6-132, 6-133, 6-134, 6-135, 6-136, 6-137, 6-138, 6-161, 6-162, 6-163, 6-164, 6-165, 6-166, 6-190, 6-192, 6-193, 6-194, 6-195, 6-196, 6-197, 6-198, 6-199, and 6-200 – approved 4 – 0 (7-15-04 public hearing)
4. Abell's Woods, LLC (Cindy Balestrieri, Member), Town of Sugar Creek, Rezone 2 acres of A-2 to B-2 – approved 4 – 0 (7-15-05 public hearing)
5. Larry Bray, Cheryl Kosarek, Melany Christenson (Larry A. Bray, App.), Town of Lafayette, Rezone 11.42 acres of A-1 to C-2, C-1, & C-4 – approved 4 – 0 (7-15-04 public hearing)
6. Allan Polyock (Terry and LuAnn Smith, App.), Town of Linn, Rezone 4 acres of C-4 to A-1 – approved 4 – 0 (7-15-04 public hearing)

Supervisor Polyock asked for separate consideration of item #6 and he stated that he would abstain from voting. A motion was offered by Supervisor Kuhnke, seconded by Supervisor Goebel, to concur with the Report of the County Zoning Agency on items # 1, 2, 3, 4, & 5 above. Supervisor Muzatko asked for separate consideration of item #3 and he requested that the Chair recognize Bill Jacques to speak regarding that item. Items #1, 2, 4, & 5 were approved by voice vote. With respect to comments on item #3, County Administrator Bretl stated that he would recommend that we do not allow public comment because the item has been subject to a public hearing and it would compromise the process on a zoning amendment; therefore, discussion was limited to County Board Supervisors with clarification only by staff. Item #3 was approved by voice vote. Supervisor Polyock requested that his vote be recorded as "No." Supervisor Polyock left the Boardroom during the vote on item #6. On motion by Supervisor

BASIC STAFFING COSTS RELATED TO WCCDEB OPERATIONS

A

2002-03 FIGURES

School District	Net District Special Educ Costs (Teachers and Paraprofessionals Only)	Net Costs if Lakeland School Closed (Teachers and Paraprofessionals Only)	Additional Related Services Costs* (Net)	Flow Through Entitlement ***Revenue*** (Federal)	Total Net Costs
Big Foot School Dist	144,083	128,750	80,473	53,811	299,495
Genoa City School Dist	132,566	114,074	173,496	56,438	363,698
Delavan School Dist	749,263	533,458	418,933	352,058	1,349,596
East Troy School Dist	408,338	305,448	206,629	186,248	734,167
Elkhorn School Dist	346,512	638,304	339,160	282,720	1,041,256
Fontana School Dist	36,423	57,037	80,473	40,984	132,949
Lake Geneva Jt. #1	294,405	275,958	125,565	215,195	480,733
Lake Geneva Badger HS	163,094	128,861	125,565	98,036	319,484
Reek Elementary	48,997	57,037	80,473	15,434	171,073
Sharon School Dist	177,179	137,979	80,473	61,103	334,528
Traver School	48,997	33,133	125,565	13,017	194,678
Walworth School Dist	101,032	80,948	80,473	62,141	200,312
Whitewater School Dist	544,604	307,200	272,895	258,864	865,835
Wms Bay School Dist	95,697	195,737	148,400	64,688	375,146
Woods School	6,297	33,133	125,565	14,105	150,890
TOTALS	**3,297,487**	**3,027,057**	**2,464,138**	**1,774,842**	**7,013,840****
	Salary/benefit figures obtained from existing staff and their current salary and benefit numbers	Salary/benefit figures calculated using entry level positions			

*Related Services calculations have been made for staffing needs related to Speech/Language, Physical Therapy, Occupational Therapy, Nursing, Assistive Technology, Adaptive Physical Education, Counseling, Family/Consumer Education, Tech. Education, Psychology, Clerical, or Administration.

Categorical Aid computed at 30.45%

****Additional considerations such as building/classroom modifications, learning materials, purchased services, transportation or legal costs have NOT been included.****

OVERVIEW: LAKELAND SCHOOL...

While there is a strong affection for Lakeland School including the building and grounds, that affection is based largely in sentiment and many positive memories. The facilities, building and grounds fail to meet some of the most basic needs of children with disabilities and of those who provide their care.

The building and grounds were not designed with accessibility in mind. The classrooms and hallways are severely limited in space. In addition to safety issues, crowding limits opportunities for students to participate fully in activities because of specialized equipment needs. Lighting throughout the school is questionable for some students with specific disabilities. Lifting devices are unavailable or inadequate. Sensory issues are known to be integral to the programming for many students attending Lakeland. The acoustics are poor. There is far too wide a variance in air temperature, humidity, lighting, and ventilation. The bell /page system is antiquated and alarming. Rather that fostering independence it can cause disruption in students who are sensorily defensive. Room surfaces lack adaptability, and are not conducive to creating modifiable hygienic classroom environments for changes that need to be made each year depending on the particular population of a room. Doorways are often too small to accommodate the types of equipment that must be moved from room to room, for wheelchairs passing through, for students with guide dogs, or for students requiring assistance in walking.

Classrooms do not have phones and retrofitting the rooms for technology is prohibitive. Many rooms do not have running water - again essential for students with disabilities, and to meet hygiene and "blood born pathogen" needs.

The general esthetics is not friendly nor conducive to reassuring parents of quality, compassionate, up to date care of their children. The school is often seen as too institutional. Too much specialized equipment is left out, due to inadequate or inconvenient storage space. There are no hall lockers nor space for personal effects of students - for example, diapers are stacked over hanging pegs, failing to protect the privacy of students and creating a poor impression.

The bathrooms do not approach ADA standards and are not feasibly remodeled to meet these requirements. Stalls are too small, not just for children using wheelchairs, but for an accompanying adult who must assist a partially independent student. Mirrors, sinks and dispensers are at the wrong height and of the wrong style to foster independence and good hygiene.

Nursing facilities are limited in space and design for the increased number of medically fragile students in school. Just having the space and adaptability to set up tube feeding or dispensing of medications for larger numbers of students would be a great improvement. The attached bathroom is not accessible. There are no ventilation or windows.

There are limited changing areas for student of all ages who require this type of assistance and personal privacy is not always guaranteed nor is ventilation adequate. It is not unusual for children, staff and guests to be subjected to strong objectionable, unpleasant odors.

Facilities for observing children and staff, an essential activity in special education are very limited or nonexistent. There are few space accommodations for managing behavior problems or allowing children whose disabilities involve volatility, aggression, and sensory defensiveness the space they require to return to a calm state. Facilities for removing other children in times of need are nonexistent.

The physical education facilities, including locker rooms and showers are very inadequate for adapted PE.

Meeting/special event areas are severely limited. Students must eat in shifts and no one room is adequate to house students, staff, and families for special events. Areas are decidedly not accessible when crowded and safe egress is in question.

Regarding the grounds, the playground is poorly designed for multiple age levels, ages 3 to 21 years. There are blind spots, poor wheelchair surfaces in places, and few options for students with severe disabilities. There is little or no fencing. There is little or no shade, a factor of special concern for students with limited mobility.

ATTACHMENT 'B'

Parking is inadequate for the staff, families and visitors. Accessibility is poor for parents who must transport their own children with disabilities. The school bus drive is crowded and dangerous with poor control over environmental variables that greatly effect children using wheelchairs, the medically fragile or the orthopedically impaired. Traffic is too close to school doors. Student traffic flow is poor and exacerbates inaccessibility inside the school and out.

A school that could serve as a top notch teaching facility for people who will be working with students with disabilities is completely inadequate in space and facilities.

There is no adequate space for meetings of the special education staff from throughout the county during required inservicing. There are no designated staff bathrooms or facilities.

In keeping with required transition goals, the school could use more space to create a vocational training lab, adaptive living lab, and increased functional education. It needs an adequate library for students, and a resource location for families and staff. Staff would appreciate an accessible garden and outdoor classroom for the spring and fall to teach basic skills. Landscaping should be accessible. The school should be a model for accessibility inside and out.

Such improved facilities would open up the possibility of providing educational opportunities for other at-risk students - using the facility beyond the typical teaching day. Programs might include late day classes for GED candidates, students having difficulty attending other schools for behavior/emotional reasons, and school age mothers.

Downing, seconded by Supervisor Muzatko, item #6 was approved by voice vote. The Report of the County Zoning Agency follows.

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. County Zoning Agency, Walworth County – Filed a petition on the 7th day of April, 2004, to amend the Walworth County Code of Ordinances – Text Amendment to Walworth County Code of Ordinances, Chapter 70, Utilities, Sec. 70-11 Limitations, 70-25 Administration fees, and 70-36 Septic tank maintenance program.

Recommendation: Said petition be approved.

2. State of Wisconsin Department of Agriculture, Trade and Consumer Protection – Filed a petition on the 10th day of June, 2004, to amend the Walworth County Code of Ordinances – Text Amendment to Walworth County Code of Ordinances, Chapter 26, Sections 26-211, 26-212, 26-213, 26-214, 26-215, 26-216, 26-217, and 26-218 (Farmland Preservation Program).

Recommendation: Said petition be approved.

3. State of Wisconsin Department of Agriculture, Trade and Consumer Protection – Filed a petition on the 10th day of June, 2004, to amend the Walworth County Code of Ordinances – Text Amendment to Walworth County Code of Ordinances, Chapter 6 Animals, Article IV Animal Waste Storage, Sec. 6-131, 6-132, 6-133, 6-134, 6-135, 6-136, 6-137, 6-138, 6-161, 6-162, 6-163, 6-164, 6-165, 6-166, 6-190, 6-192, 6-193, 6-194, 6-195, 6-196, 6-197, 6-198, 6-199, and 6-200.

Recommendation: Said petition be approved.

4. Abell's Woods, LLC (Cindy Balestrieri, Member), Town of Sugar Creek – Filed a petition on the 24th day of May, 2004, to rezone from A-2 Agricultural Land District to B-2 General Business District.

Recommendation: Said petition be approved.

5. Larry Bray, Cheryl Kosarek, Melany Christenson (Larry A. Bray, App.), Town of Lafayette – Filed a petition on the 28th day of May, 2004, to rezone from A-1 Prime Agricultural Land District to C-2 Upland Resource Conservation District, C-1 Lowland Resource Conservation District, and C-4 Lowland Resource Conservation District (Shoreland).

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

The A-1 area for the rezone is wet and hard to farm.

6. Allan Polyock (Terry and LuAnn Smith, App.), Town of Linn – Filed a petition on the 17th day of May, 2004, to rezone from C-4 Lowland Resource Conservation District to A-1 Prime Agricultural Land District.

Recommendation: Said petition be approved.

ORDINANCE AMENDING
WALWORTH COUNTY ZONING ORDINANCE

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

WHEREAS, the petitions have been referred to the Walworth County 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. County Zoning Agency, Walworth County – Filed a petition to amend the Walworth County Code of Ordinances – Text Amendment to Walworth County Code of Ordinances, Chapter 70, Utilities, Sec. 70-11 Limitations, 70-25 Administration fees, and 70-36 Septic tank maintenance program.

The full text of the amendments are on file in the County Clerk's Office, Room 101, Walworth County Courthouse, 100 West Walworth Street, Elkhorn, WI and at the Land Use & Resource Management Office, W3929 County Road NN, Elkhorn, WI.

2. State of Wisconsin Department of Agriculture, Trade and Consumer Protection – Filed a petition to amend the Walworth County Code of Ordinances – Text Amendment to Walworth County Code of Ordinances, Chapter 26, Sections 26-211, 26-212, 26-213, 26-214, 26-215, 26-216, 26-217, and 26-218 (Farmland Preservation Program).

The full text of the amendments are on file in the County Clerk's Office, Room 101, Walworth County Courthouse, 100 West Walworth Street, Elkhorn, WI and at the Land Use & Resource Management Office, W3929 County Road NN, Elkhorn, WI.

3. State of Wisconsin Department of Agriculture, Trade and Consumer Protection – Filed a petition to amend the Walworth County Code of Ordinances – Text Amendment to Walworth County Code of Ordinances, Chapter 6 Animals, Article IV Animal Waste Storage, Sec. 6-131, 6-132, 6-133, 6-134, 6-135, 6-136, 6-137, 6-138, 6-161, 6-162, 6-163, 6-164, 6-165, 6-166, 6-190, 6-192, 6-193, 6-194, 6-195, 6-196, 6-197, 6-198, 6-199, and 6-200.

The full text of the amendments are on file in the County Clerk's Office, Room 101, Walworth County Courthouse, 100 West Walworth Street, Elkhorn, WI and at the Land Use & Resource Management Office, W3929 County Road NN, Elkhorn, WI.

4. Abell's Woods, LLC (Cindy Balestrieri, Member), Town of Sugar Creek – Filed a petition to amend said zoning maps from A-2 Agricultural Land District to B-2 General Business District on the following described lands:

Tax Parcel #G SC1300005C

5. Larry Bray, Cheryl Kosarek, Melany Christenson (Larry A. Bray, App.), Town of Lafayette – Filed a petition to amend said zoning maps from A-1 Prime Agricultural Land District to C-2 Upland Resource Conservation District, C-1 Lowland Resource Conservation District, and C-4 Lowland Resource Conservation District (Shoreland) on the following described lands:

Part of Tax Parcel #K LF3300003

Legal Description of Wetlands Circle Lot 1: Commence at the North ¼ corner of Section 33, Town 3 North Range 17 East, Walworth County, Wisconsin; thence S 74°14'16"W 532.30 feet to the point of beginning;
Thence South 11°37'42" East a distance of 35.20 feet;
Thence south 09°54'28" East a distance of 15.95 feet;
Thence South 53°28'43" West a distance of 27.41 feet;
Thence North 85°06'18" West a distance of 21.17 feet;
Thence North 54°30'10" West a distance of 27.41 feet;
Thence North 02°32'41" West a distance of 23.85 feet;
Thence North 21°58'41" East a distance of 21.37 feet;
Thence North 53°37'02" East a distance of 26.61 feet;
Thence South 68°39'26" East a distance of 29.24 feet to the Point of Beginning, and containing 3,819 square feet or 0.087 acres of land, more or less.

Legal Description of Wetlands East of Lot 1: Commence at the North ¼ corner of Section 33,Town 3 North, Range 17 East, Walworth County, Wisconsin; thence S 8°22'12"W 227.28 feet to the point of beginning;
Thence Sough 00°01'19" West a distance of 125.18 feet;
Thence North 78°49'43" West a distance of 13.22 feet;
Thence North 20°50'36" West a distance of 23.89 feet;
Thence North 80°40'32" West a distance of 24.18 feet;
Thence North 72°39'25" West a distance of 29.84 feet;
Thence North 62°51'32" West a distance of 31.08 feet;
Thence North 67°08'36" West a distance of 28.12 feet;
Thence South 83°47'19" West a distance of 35.45 feet;
Thence South 79°49'43" West a distance of 35.46 feet;
Thence North 41°38'54" West a distance of 21.98 feet;
Thence North 45°30'37" East a distance of 21.22 feet;
Thence North 34°08'18" East a distance of 23.55 feet;
Thence North 57°20'02" East a distance of 21.88 feet;
Thence South 76°02'25" East a distance of 14.51 feet;
Thence South 05°25'34" East a distance of 15.07 feet;
Thence South 86°21'10" East a distance of 13.23 feet;
Thence South 73°54'13" East a distance of 30.68 feet;

Thence South 74°20'17" East a distance of 32.53 feet;
Thence North 63°33'36" East a distance of 20.45 feet;
Thence North 66°27'07" East a distance of 24.89 feet;
Thence North 06°55'45" West a distance of 20.93 feet;
Thence North 57°06'15" East a distance of 25.89 feet;
Thence South 64°37'04" East a distance of 17.22 feet; to the Point of Beginning, and containing 11,408 square feet of land, more or less.

Legal Description of Wetlands North Not 1. Commence at the North ¼ corner of Section 33, Town 3 North, Range 17 East, Walworth County, Wisconsin thence N 87°53'18" W 33.02 feet to the point of beginning;
Thence South 11°19'43" East a distance of 14.80 feet;
Thence South 75°03'08" West a distance of 39.59 feet;
Thence North 88°39'30" West a distance of 23.48 feet;
Thence North 87°59'52" West a distance of 24.94 feet;
Thence North 44°13'21" West a distance of 19.74 feet;
Thence South 54°44'26" West a distance of 25.46 feet;
Thence South 67°35'20" West a distance of 13.39 feet;
Thence North 71°48'51" West a distance of 35.66 feet;
Thence North 79°32'40" West a distance of 17.66 feet;
Thence North 89°55'49" West a distance of 21.85 feet;
Thence North 39°22'26" West a distance of 12.87 feet;
Thence South 72°17'53" West a distance of 17.41 feet;
Thence South 54°19'05" West a distance of 23.20 feet;
Thence South 88°27'33" West a distance of 22.02 feet;
Thence South 04°02'52" East a distance of 16.90 feet;
Thence South 27°42'15" East a distance of 28.27 feet;
Thence South 56°03'48" West a distance of 16.61 feet;
Thence South 66°40'54" West a distance of 20.12 feet;
Thence North 31°13'31" West a distance of 19.20 feet;
Thence South 77°41'22" West a distance of 29.57 feet;
Thence South 67°44'17" West a distance of 27.20 feet;
Thence North 74°41'21" West a distance of 21.64 feet;
Thence North 38°24'46" West a distance of 23.78 feet;
Thence North 45°46'03" West a distance of 17.02 feet;
Thence North 34°11'32" East a distance of 12.33 feet;
Thence North 65°17'12" East a distance of 10.45 feet;
Thence North 37°30'15" East a distance of 16.93 feet;
Thence North 41°53'40" West a distance of 20.96 feet;
Thence North 06°03'07" East a distance of 17.82 feet;
Thence South 87°53'18" East a distance of 384.83 feet to the Point of Beginning, and containing 16,996 square feet of land, more or less.

Legal Description for Wetlands West Lot 1. Commence at the North ¼ corner of Section 33, Town 3 North, Range 17 East, Walworth County, Wisconsin, thence S 60°20'48" W 761.23 feet to the point of beginning; Thence North 87°53'18" West a distance of 1.73 feet to a point in the west line of property;
Thence North 00°00'59" East along the west line of property a distance of 256.89 feet;
Thence South 24°26'12" East a distance of 26.17 feet; thence South 24°26'12" East a distance of 25.27 feet; thence South 00°15'48" East a distance of 62.43 feet;
Thence South 04°11'41" West a distance of 60.37 feet;
Thence South 04°30'32" West a distance of 62.13 feet;

Thence South 00°10'52" West a distance of 22.56 feet;
Thence South 00°10'52" West a distance of 26.00 feet to the Point of Beginning, and containing 1,707 square feet of land, more or less.

Legal Description of Wetlands West Lot 2. Commence at the North ¼ corner of Section 33, Town 3 North, Range 17 East, Walworth County, Wisconsin, thence S 42°07'47"W 978.66 feet to the point of beginning Thence North 87°53'18" West a distance of 6.87 feet to the west line of property; Thence North 00°00'59" East along the west line of property a distance of 349.00 feet;
Thence South 87°53'18" East a distance of 1.73 feet;
Thence South 00°10'52" West a distance of 8.08 feet;
Thence South 14°04'14" East a distance of 15.55 feet;
Thence South 09°20'46" East a distance of 35.12 feet;
Thence South 03°42'13" West a distance of 88.04 feet;
Thence South 01°41'24" West a distance of 66.43 feet;
Thence South 01°13'06" East a distance of 96.52 feet;
Thence South 01°39'02" East a distance of 40.62 feet to the Point of Beginning, and containing 2,100 square feet of land, more or less.

The A-1 area for the rezone is wet and hard to farm.

6. Allan Polyock (Terry and LuAnn Smith, App.), Town of Linn – Filed a petition to amend said zoning maps from C-4 Lowland Resource Conservation District to A-1 Prime Agricultural Land District on the following described lands:

Part of Tax Parcel #I L 3300008B

That part of the South 46 acres of the west 85 acres of the Southeast Quarter of Section 33, Township 1, Range 17 East of the Fourth Principal Meridian, lying South of the centerline of the Nippersink Creek, and lying North of the following described line: Commencing at the Southeast corner of the South 46 acres of the West 85 acres of the said Southeast Quarter; thence North 00 degrees 54 minutes West along the East line thereof, 780.8 feet to the Place of Beginning; thence South 82 degrees 55 minutes West, 50.7 feet; thence North 85 degrees 51 minutes West, 94.8 feet; thence South 80 degrees 36 minutes West, 49.5 feet; thence North 89 degrees 32 minutes West, 17.3 feet; thence North 59 degrees 20 minutes West, 33.3 feet; thence North 50 degrees 44 minutes West, 61.2 feet; thence North 67 degrees 59 minutes West, 29.9 feet; thence North 65 degrees 07 minutes West, 23.8 feet; thence North 62 degrees 48 minutes West, 69.2 feet; thence North 79 degrees 29 minutes West, 32.1 feet; thence South 88 degrees 52 minutes West, 42.9 feet; thence South 59 degrees 05 minutes West, 37.8 feet; thence South 67 degrees 17 minutes West, 33.9 feet; thence North 86 degrees 20 minutes West, 79.4 feet; thence North 77 degrees 43 minutes West, 104.6 feet; thence North 76 degrees 10 minutes West, 71.9 feet; thence North 84 degrees 25 minutes West, 47.0 feet; thence North 78 degrees 07 minutes West, 117.1 feet; thence North 73 degrees 10 minutes West, 142.4 feet; thence North 79 degrees 02 minutes West, 259.7 feet; thence South 89 degrees 45 minutes West, 65.6 feet to the termination of said line, being on the West line of the said Southeast Quarter, in Walworth County, Wisconsin.

ATTEST this 9th day of September 2004.
Ann Lohrmann
County Board Chairperson
ATTEST this 9th day of September 2004.
Kimberly S. Bushey
County Clerk

Agriculture, Extension and Education Committee

1. Ord. No. 272-09/04 – Amending Chapter 2 of the Walworth County Code of Ordinances Relative to the Creation of an UW-Extension Community Partner Advisory Group

Supervisor Muzatko offered a motion, seconded by Supervisor Downing, to approve Ordinance No. 272-09/04. On motion by Supervisor Grant, seconded by Supervisor Burwell, Ordinance No. 272-09/04 was approved by unanimous consent.

ORDINANCE NO. 272-09/04
AMENDING CHAPTER 2 OF THE WALWORTH COUNTY CODE OF ORDINANCES RELATIVE TO THE CREATION OF AN UW-EXTENSION COMMUNITY PARTNER ADVISORY GROUP

THE WALWORTH COUNTY BOARD OF SUPERVISORS DOES ORDAIN AS FOLLOWS:

Part 1: That Section 2-132 of the Walworth County Code of Ordinances is hereby amended to read as follows (deletions are shown by ~~strikethrough~~, additions are shown by <u>underline</u>):

Sec. 2-132. Agriculture and extension education committee.

(a) Purpose. The agriculture and extension <u>education</u> committee shall have the following duties:

(1) Advise the county board with respect to all resolutions and ordinances concerning agriculture and extension education.

(2) Enter into joint employment agreements with the university extension or with other counties and the university extension if the county funds that are committed in the agreements have been appropriated by the county board.

(3) Evaluate agriculture and extension education programs and provide guidance concerning prioritization of agriculture and extension programming. <u>To assist the committee in carrying out this function, there is hereby created a Walworth County UW-Extension Community Partner Advisory Group (CPAG), which shall advise the agriculture and extension education committee. The mission of the CPAG is to help UWEX staff and the agriculture and extension education committee implement and sustain high quality education programs that meet the needs and enrich the lives of local citizens and that result in a strong foundation of support for community-based extension education.</u>

a. <u>The purpose of the CPAG is to:</u>
   i. <u>Provide program advice about current and emerging local issues to ensure the continued relevance of extension programs;</u>
   ii. <u>Assist with identification of program methods and assessment strategies to ensure program effectiveness;</u>
   iii. <u>Identify new partners and strengthen relationships with existing partners; and</u>
   iv. <u>Communicate to others the impact and relevance of UWEX's educational programs.</u>

b. <u>The CPAG shall consist of 16 members, appointed by the county board, who shall serve two-year terms without per diem or reimbursement. Membership on the committee shall be diverse, with four members</u>

appointed from each of the four geographic quadrants of the county. One appointee from each quadrant shall represent each of the four primary UWEX program areas, including youth development; agriculture/agribusiness; family living; and community, natural resources, and economic development (CNRED).

(4) Request funding of the county board.

(b) Membership. The agriculture and extension education committee shall consist of seven members including ~~three~~ five county board supervisors, one representative of the county school administrators and the chairperson or designee of the USDA Farm Service Agency, formerly known as the agricultural stabilization and conservation service committee.

Part II: That Section 2-166 of the Walworth County Code of Ordinances is hereby amended so as to add the following committee:

Committee, Commission or Board	Mileage	Per Diem
Community Partner Advisory Group	No	No

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

PASSED and ADOPTED by the Walworth County Board of Supervisors this 9th day of September, 2004.

Ann Lohrmann
County Board Chairperson

Kimberly S. Bushey
County Clerk

County Board Meeting Date: September 9, 2004

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

Policy and Fiscal Note is attached.
Reviewed and approved pursuant to Section 2-91 of the Walworth County Code of Ordinances:

David A. Bretl County Administrator/ Corporation Counsel	8/16/04 Date	N. Andersen Finance Director	8/18/04 Date

Policy and Fiscal Note
Ordinance No. 272-09/04

I. Title: Amending Chapter 2 of the Walworth County Code of Ordinances Relative to the Creation of an UW-Extension Community Partner Advisory Group.

II. Purpose and Policy Impact Statement: The ordinance amendment provides for the creation of a Community Partner Advisory Group (CPAG), which shall advise the agriculture and extension education committee regarding current and emerging local issues to ensure the continued relevance of extension programs; the identification of program methods and assessment strategies to ensure program effectiveness, the identification of new partners and the strengthening of relationships with existing partners, and the communication of the impact and relevance of UWEX's educational programs. The members shall serve without per diem or reimbursement.

III. Budget and Fiscal Impact: There is no fiscal impact as a result of passage of the ordinance amendment. Committee support will be provided by existing staff.

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

Committee: Agriculture and Extension Education Date: August 16, 2004

Vote: 7 - 0

County Board Meeting Date: September 9, 2004

Policy and fiscal note has been reviewed and approved as an accurate statement of the probable policy and fiscal impacts associated with passage of the attached ordinance.

David A. Bretl County Administrator/ Corporation Counsel	8/16/04 Date	N. Andersen Finance Director	8/18/04 Finance Director

County Zoning Agency

1. Resolution No. 46-09/04 - Amending the Outdoor Recreation Element of the Walworth County Park and Open Space Plan: 2020
2. Resolution No. 47-09/04 - Supporting a Cooperative Planning Process Among Walworth County, Participating Local Governments, and SEWRPC to Prepare a Multi-Jurisdictional Comprehensive Plan and Apply for a Planning Grant From the State of Wisconsin. The Smart Growth Technical Advisory Committee reviewed this resolution at their September 2, 2004 meeting.

A motion was offered by Supervisor Goebel, seconded by Supervisor Russell, to approve Resolution No. 46-09/04. Discussion ensued. Resolution No. 46-09/04 was approved by voice vote. Supervisors Hilbelink and Burwell requested their votes be recorded as "No."

Resolution No. 46-09/04
Amending the Outdoor Recreation Element of the Walworth County Park and Open Space Plan: 2020

Moved/Sponsored by: County Zoning Agency

WHEREAS, on December 1, 1977, the Southeastern Wisconsin Regional Planning Commission (SEWRPC) adopted a park and open space plan for Walworth County as part of the first regional park and open space plan as documented in SEWRPC Planning Report No. 27, A Regional Park and Open Space Plan for Southeastern Wisconsin: 2000; and

WHEREAS, in September 2000, the Walworth County Board of Supervisors refined the county park and open space plan when they board adopted A Park and Open Space Plan for Walworth County, SEWRPC Community Assistance Planning Report No. 135 (2nd Edition); and

WHEREAS, Map 18 listed on page 71 of A Park and Open Space Plan for Walworth County, SEWRPC Community Assistance Planning Report No. 135 (2nd Edition) defines the outdoor recreation element of the Walworth County Park and Open Space Plan: 2020;

WHEREAS, through the Walworth County Land Use Plan 2020, the Walworth County Board of Supervisors adopted the outdoor recreation element of the Walworth County Park and Open Space Plan:

2020 as defined on page 96 Map A-2, A Land Use Plan for Walworth County Wisconsin: 2020, SEWRPC Community Assistance Planning Report No. 252; and

WHEREAS, on March 9, 2004 the Ice Age Park and Trail Foundation wrote a letter to the Walworth County Board of Supervisors requesting that the county remove the proposed Ice Age Trail designation from running around the east, west, and south sides of Whitewater Lake; and

WHEREAS, the Ice Age Park and Trail Foundation seeks only willing sellers when acquiring land for the National Ice Age Trail; and

WHEREAS, on June 17, 2004 the Walworth County Zoning Agency held a hearing in regard to removing that portion of the proposed Ice Age Trail running around Whitewater Lake; and

WHEREAS, the Walworth County Zoning Agency seeks to work with willing sellers of property in order to complete a trail system throughout Walworth County; and

WHEREAS, on August 20, 2004 the Walworth County Zoning Agency directed staff to propose ordinance language that would direct the acquisition of future parks and trails using willing buyers and willing sellers; and

WHEREAS, the Walworth County Zoning Agency recommends removing the west side of the proposed ice age trail, around Whitewater Lake, from the Walworth County Park and Open Space Plan while leaving the east side of the proposed trail around Whitewater Lake as a proposed county trail;

NOW, THEREFORE, BE IT RESOLVED that the Walworth County Board of Supervisors removes that portion of the proposed Ice Age Trail running along the west side of Whitewater Lake from Natureland Park to Clover Valley Road; and

BE IT FURTHER RESOLVED that the Walworth County Board of Supervisors change the designation of the proposed trail running on the east side of Whitewater Lake from Natureland Park to the State of Wisconsin owned land from a "proposed ice age trail" to a "proposed county recreational trail"; and

BE IT FURTHER RESOLVED that the Walworth County Board of Supervisors direct the Walworth County Land Use and Resource Management staff to contact SEWRPC to make these changes to A Park and Open Space Plan for Walworth County and A Land Use Plan for Walworth County Wisconsin: 2020.

Ann Lohrmann County Board Chairperson	Kimberly S. Bushey County Clerk

County Board Meeting Date: September 9, 2004

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

Policy and Fiscal Note is attached.
Reviewed and approved pursuant to Section 2-91 of the Walworth County Code of Ordinances:

David A. Bretl County Administrator/ Corporation Counsel	8/30/04 Date	N. Andersen Finance Director	8/31/04 Date

Policy and Fiscal Note
Resolution No. 46-09/04

I. Title: Amending the Outdoor Recreation Element of the Walworth County Park and Open Space Plan: 2020.

II. Purpose and Policy Impact Statement: This resolution amends the current outdoor recreation element of the Walworth County Park and Open Space Plan by removing the west portion of the proposed ice age trail while leaving the east portion of the trail around Whitewater Lake. Further, the Walworth County amends the plan to show that the remaining trail will become a proposed county trail.

III. Budget and Fiscal Impact: None

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

Committee: County Zoning Agency Meeting Date: August 20, 2004

Vote: 4-0

County Board Meeting Date: September 9, 2004

Policy and fiscal note has been reviewed and approved as an accurate statement of the probable policy and fiscal impacts associated with passage of the attached resolution.

David A. Bretl County Administrator/ Corporation Counsel	8/30/04 Date	N. Andersen Finance Director	8/31/04 Date

Supervisor Ketchpaw offered a motion, seconded by Supervisor Downing, to approve Resolution 47-09/04. Discussion ensued. Michael Cotter, Director of Land Use & Resource Management, addressed the Board. Cotter said that the resolution authorizes the County to apply for the grant and authorizes the Chair to sign cooperative agreements with the various communities that have chosen to partner with the County. He said if this grant is approved, extra time for County staff is not required. Supervisor Russell pointed out that a lot of the "in kind" funding is provided by volunteers that would be part of the advisory group and they bring in other community people as well. Discussion ensued. Cotter said that there are 15 out of 16 townships that chose to partner with the County and SEWRPC and cities and villages. Cotter said that the one town that had not chosen to join the partnership was the Town of Lyons. Lyons called today and requested that a staff member from LURM attend their meeting on Monday to entertain the possibility of partnering with us. If that happens, the County is eligible for another 10% bonus because we have full participation from the towns. This will affect the County positively because the end grant award would increase. Resolution No. 47-09/04 was approved by voice vote.

Resolution No. 47-09/04
Supporting a Cooperative Planning Process Among Walworth County, Participating Local Governments, and SEWRPC to Prepare a Multi-Jurisdictional Comprehensive Plan and Apply for a Planning Grant From the State of Wisconsin

Moved/Sponsored by: Smart Growth Technical Advisory Committee

WHEREAS, Section 66.1001 of the Wisconsin Statutes sets forth requirements for the preparation of county and local comprehensive plans; and

WHEREAS, the comprehensive planning law effectively requires that comprehensive plans be completed and adopted by counties, cities, villages, and towns prior to January 1, 2010, in order for a county or local government to engage in zoning, subdivision control, or official mapping regulations and activities; and

WHEREAS, a cooperative approach among Walworth County, local governments interested in partnering with the County, and the Southeastern Wisconsin Regional Planning Commission (SEWRPC) will result in the preparation of County and local comprehensive plans that meet State requirements and local, County, and regional needs in an efficient and cost-effective manner; and

WHEREAS, a proposed cooperative multi-jurisdictional planning process was described during a series of meetings held between Walworth County and interested towns, villages, and cities beginning on September 11, 2003, whereby the County would contract with SEWRPC to develop a County comprehensive plan and comprehensive plans for participating towns, and each participating city and village would be able to use grant funds to hire its own independent consultant; and

WHEREAS, the Walworth County Smart Growth Technical Advisory Committee reviewed and approved the proposed multi-jurisdictional work program on September 2, 2004; and

WHEREAS, Walworth County will apply for a 2005 comprehensive planning grant from the Wisconsin Department of Administration under Chapter Adm 48 of the Wisconsin Administrative Code to help fund preparation of the multi-jurisdictional comprehensive plan, with required matching funds to be provided by the County, SEWRPC, and participating towns, cities, and villages; and

WHEREAS, $333,500 of the grant award would be paid to SEWRPC to prepare the County and town comprehensive plans, with $251,500 in required matching funds to be provided equally by the County and SEWRPC; and $155,000 in grant funds would be paid to participating cities and villages, with $124,000 in required matching funds to be paid collectively by the participating cities and villages, and the full 10 percent State bonus ($31,000) for city and village participation in the planning process will be retained by the County to help off-set the costs of grant disbursement and administration.

NOW, THEREFORE, BE IT RESOLVED that the Walworth County Board of Supervisors hereby agrees to sponsor and participate in the development of a Multi-jurisdictional Comprehensive Plan for Walworth County in cooperation with participating local governments and SEWRPC, provided the County is awarded a comprehensive planning grant by the State of Wisconsin; and

BE IT FURTHER RESOLVED that the Walworth County Board of Supervisors hereby authorizes the submission of a multi-jurisdictional grant application to the Wisconsin Department of Administration to help fund the preparation of the multi-jurisdictional comprehensive plan; and

BE IT FURTHER RESOLVED that the Walworth County Board of Supervisors hereby authorizes the County Board Chairperson, Ann Lohrmann, to execute all cooperative agreements with the participating local units of government, and to sign the grant application on behalf of the County.

Ann Lohrmann County Board Chairperson	Kimberly S. Bushey County Clerk

County Board Meeting Date: September 9, 2004

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

Policy and Fiscal Note is attached.
Reviewed and approved pursuant to Section 2-91 of the Walworth County Code of Ordinances:

David A. Bretl County Administrator/ Corporation Counsel	9/1/04 Date	N. Andersen Finance Director	9/3/04 Date

If unsigned, exceptions shall be so noted by the County Administrator.

Policy and Fiscal Note
Resolution No. 47-09/04

I. Title: Supporting a Cooperative Planning Process Among Walworth County, Participating Local Governments, and SEWRPC to Prepare a Multi-Jurisdictional Comprehensive Plan and Apply for a Planning Grant From the State of Wisconsin

II. Purpose and Policy Impact Statement: Walworth County agrees to sponsor and participate in the development of a Multi-jurisdictional Comprehensive Plan for Walworth County in cooperation with participating local governments and SEWRPC, provided the County is awarded a comprehensive planning grant by the State of Wisconsin. Section 66.1001 of the Wisconsin Statutes sets forth the requirements for the preparation of county and local comprehensive plans. The comprehensive planning law effectively requires that comprehensive plans be completed and adopted by counties, cities, villages, and towns prior to January 1, 2010, in order for a county or local government to engage in zoning, subdivision control, or official mapping regulations and activities.

III. Budget and Fiscal Impact:
The County intends to apply for a 2005 comprehensive planning grant in fall 2004. The County is eligible to receive $519,500 in grant funds, based on the number and population of the communities included in the multi-jurisdictional planning process. A combined match of $375,500 is required from the county, cities and villages. If the County receives a grant in 2005, $333,500 of the grant award will be paid to SEWRPC to prepare the County and town comprehensive plans, with $251,500 in matching funds to be shared equally by the County and SEWRPC. $155,000 in grant funds would be paid collectively to participating cities and villages, with $124,000 in required matching funds to be paid collectively by the participating cities and villages. The 10 percent State bonus ($31,000) for city and village participation in the planning process will be retained by the County to help off-set the costs of grant disbursement and administration.

WALWORTH COUNTY COMPREHENSIVE PLAN
POTENTIAL GRANT FUNDING LEVEL

Governmental Unit	Population[a]	Base Funding	Grant Funding[b]	Required Match[c]
Walworth County	97,052	$175,000	$87,500	$87,500
Town of Bloomfield	6,039	40,000	24,000	16,000
Town of Darien	1,851	20,000	12,000	8,000

Town of Delavan	4,767	35,000	21,000	14,000
Town of East Troy	3,888	30,000	18,000	12,000
Town of Geneva	4,858	35,000	21,000	14,000
Town of Lafayette	1,797	20,000	12,000	8,000
Town of LaGrange	2,495	30,000	18,000	12,000
Town of Linn	2,288	30,000	18,000	12,000
Town of Richmond	1,899	20,000	12,000	8,000
Town of Sharon	916	20,000	12,000	8,000
Town of Spring Prairie	2,177	30,000	18,000	12,000
Town of Sugar Creek	3,624	30,000	18,000	12,000
Town of Troy	2,367	30,000	18,000	12,000
Town of Walworth	1,749	20,000	12,000	8,000
Town of Whitewater	1,446	20,000	12,000	8,000
Subtotal	--	585,000	333,500	251,500
Village of Darien	1,595	20,000	12,000	8,000
Village of East Troy	3,850	30,000	18,000	12,000
Village of Fontana	1,842	20,000	12,000	8,000
Village of Genoa City	2,466	30,000	18,000	12,000
Village of Walworth	2,476	30,000	18,000	12,000
City of Delavan	8,158	40,000	24,000	16,000
City of Elkhorn	8,191	40,000	24,000	16,000
City of Lake Geneva	7,276	40,000	24,000	16,000
City of Whitewater	11,188	60,000	36,000	24,000
Subtotal	--	310,000	186,000	124,000
Total	--	$895,000	$519,500	$375,500

[a]2004 preliminary population estimates are listed. Funding levels may change based on final 2004 population estimates, which are expected to be available from the Wisconsin Department of Administration in September 2004.

[b] Grant funding is equal to half of the base funding, plus an incentive equal to 10 percent of the base funding for each local government participating in the multi-jurisdictional planning effort. Walworth County would be eligible for a 10 percent incentive only if all towns in the county participate in the joint planning process.

[c]Walworth County and SEWRPC will each provide one-half of the required match for the County and for all towns participating in the planning process (total of $251,500; $125,750 each over a four-year period). Each city and village will provide its own match.

If a grant is awarded to the County, the County will pay to SEWRPC that portion of the grant award allocated for the County and participating Town governments ($335,500) to prepare a multi-jurisdictional comprehensive plan. The multi-jurisdictional plan will contain sufficient detail to serve as a comprehensive plan for the County and for each participating Town. Walworth County and SEWRPC will each provide one-half of the required match amount required for the County and Town plans through in-kind services ($125,750 each for a total match of $251,500). The County will "pass through," on a reimbursable basis, one-half of the base funding amount listed on Table 1 to fund the preparation of city and village comprehensive plans. Each city and village will hire its own consultant to prepare its comprehensive plan. Each city and village will be required to provide its own match. The 10 percent State bonus (collectively,

$31,000) for city and village participation in the planning process will be retained by the County to help off-set the costs of grant disbursement and administration.

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

Committee: Smart Growth Technical Advisory Committee

Meeting Date: September 2, 2004

Vote: Unanimous

County Board Meeting Date: September 9, 2004

Policy and fiscal note has been reviewed and approved as an accurate statement of the probable policy and fiscal impacts associated with passage of the attached resolution.

David A. Bretl County Administrator/ Corporation Counsel	9/1/04 Date	N. Andersen Finance Director	9/3/04 Date

Executive Committee

1. Ordinance No. 273-09/04 – Creating Chapter 2-167 of the Walworth County Code of Ordinances Relating to Membership of the Wisconsin River Rail Transit Commission
2. Resolution No. 49-09/04 – Establishing Topics for Committee of the Whole Meetings of the County Board
3. Resolution No. 50-09/04 – Denying Claim of Owen Deutsch, Bonnie Deutsch, and Bonnie Brae Condominiums, LLC

A motion was offered by Supervisor Parker, seconded by Supervisor Grant, to approve item #1. On motion by Supervisor Van Dreser, seconded by Supervisor Morrison, Ordinance No. 273-09/04 was approved by unanimous consent.

ORDINANCE NO. 273–09/04

CREATING CHAPTER 2-167 OF THE WALWORTH COUNTY CODE OF ORDINANCES RELATING TO MEMBERSHIP OF THE WISCONSIN RIVER RAIL TRANSIT COMMISSION

THE WALWORTH COUNTY BOARD OF SUPERVISORS DOES ORDAIN AS FOLLOWS:

PART I: That Chapter 2-167 of the Walworth County Code of Ordinances is hereby created:

"2-167. Wisconsin River Rail Transit Commission

(a) Membership. The county board shall make three appointments to the Wisconsin River Rail Transit Commission. At least one member shall be a county board supervisor.

(b) Reimbursement. Members shall be entitled to per diem and mileage.

PART II: That this Ordinance shall become effective upon passage and publication, except as provided in Part III.

Part III: The requirement of membership by a county board supervisor shall not take effect until May 1, 2005.

PASSED and ADOPTED by the Walworth County Board of Supervisors this 9th day of September 2004.

Ann Lohrmann County Board Chairperson	Kimberly S. Bushey Attest: County Clerk

County Board Meeting Date: September 9, 2004

Action Required: ____ Majority Vote __X__ 2/3 Vote _____ Other

Policy and Fiscal Note is attached.
Reviewed and approved pursuant to Section 2-91 of the Walworth County Code of Ordinances:

David A. Bretl County Administrator/ Corporation Counsel	9/1/04 Date	N. Andersen Finance Director	9/1/04 Date

If unsigned, exceptions shall be so noted by the County Administrator.

Ordinance No. 273-09/04
Fiscal Note and Policy Impact Statement

I. Title: Creating Chapter 2-167 of The Walworth County Code of Ordinances Relating to Membership of the Wisconsin River Rail Transit Commission

II. Purpose and Policy Impact Statement: The purpose of this ordinance is to create chapter 2-167 of the Code of Ordinances relating to the Wisconsin River Rail Transit Commission.

III. Is this a budgeted item and what is its fiscal impact: Members of the commission have historically been entitled to per diem and mileage for attending meetings. There are sufficient funds remaining in the 2004 budget to cover this expense.

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

Committee: Public Works Date: August 16, 2004

Vote: 7 - 0

County Board Meeting Date: September 9, 2004

Policy and fiscal note has been reviewed and approved as an accurate statement of the probable policy and fiscal impacts associated with passage of the attached resolution.

David A. Bretl County Administrator/ Corporation Counsel	9/1/04 Date	N. Andersen Finance Director	9/1/04 Date

On motion by Supervisor Ketchpaw, seconded by Supervisor Goebel, Resolution No. 49-09/04 and Resolution No. 50-09/04 were approved by voice vote.

Resolution No. 49-09/04
Establishing Topics for
Committee of the Whole Meetings of the County Board

Moved/Sponsored by: Executive Committee

WHEREAS, the following schedule was established by the County Board for committee of the whole meetings:

Tuesday, July 13, 2004 at 5:00 PM	County Board Room
Tuesday, October 12, 2004 at 5:00 PM	County Board Room
Tuesday, January 11, 2005 at 5:00 PM	County Board Room
Tuesday, April 19, 2005 at 5:00 PM	County Board Room

WHEREAS, committee of the whole meetings permit supervisors to discuss and listen to presentations on topics of importance and interest in an informal meeting forum that permits open discussion without the requirement of voting, and;

WHEREAS, the executive committee recommends the following program schedule:

Date	Topic
October 12, 2004 at 5:00 PM	Presentation regarding role of Gateway Technical College and new Gateway initiatives
January 11, 2005 at 5:00 PM	Roundtable with legislators to discuss issues of interest to the county
April 19, 2005 at 5:00 PM	Water quality and economic development
July 12, 2005 at 5:00 PM	Presentation by Task Force to Optimize Criminal Justice Resources

NOW, THEREFORE, BE IT RESOLVED THAT Walworth County Board of Supervisors does hereby establish the above-stated topics for committee of the whole meetings.

Ann Lohrmann
County Board Chairperson

Kimberly S. Bushey
County Clerk

County Board Meeting Date: September 9, 2004

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

Policy and Fiscal Note is attached.
Reviewed and approved pursuant to Section 2-91 of the Walworth County Code of Ordinances:

David A. Bretl County Administrator/ Corporation Counsel	9/1/04 Date	N. Andersen Finance Director	9/2/04

If unsigned, exceptions shall be so noted by the County Administrator.

Policy and Fiscal Note
Resolution No. 49-09/04

I. Title: Establishing Topics for Committee of the Whole Meetings of the County Board

II. Purpose and Policy Impact Statement: The purpose of this resolution is to establish topics for committee of the whole meetings of the county board.

III. Budget and Fiscal Impact: Passage of this resolution will have no budgetary impact.

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

Committee: Executive Meeting Date: August 19, 2004

Vote: 7 – 0

County Board Meeting Date: September 9, 2004

Policy and fiscal note has been reviewed and approved as an accurate statement of the probable policy and fiscal impacts associated with passage of the attached resolution.

David A. Bretl County Administrator/ Corporation Counsel	9/1/04 Date	N. Andersen Finance Director	9/2/04 Date

Resolution No. 50 - 09/04
Denying the Claim of Owen Deutsch, Bonnie Deutsch, and Bonnie Brae Condominiums, LLC

Moved/Sponsored by: Executive Committee

BE IT RESOLVED by the Walworth County Board of Supervisors that the claim of Owen Deutsch, Bonnie Deutsch, and Bonnie Brae Condominiums, LLC be and the same is hereby denied.

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

Ann Lohrmann County Board Chairperson	Kimberly S. Bushey County Clerk

County Board Meeting Date: September 9, 2004

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

Policy and Fiscal Note is attached.
Reviewed and approved pursuant to Section 2-91 of the Walworth County Code of Ordinances:

David A. Bretl County Administrator/ Corporation Counsel	9/1/04 Date	N. Andersen Finance Director	9/1/04 Date

If unsigned, exceptions shall be so noted by the County Administrator.

Policy and Fiscal Note
Resolution No. 50–09/04

I. Title: Denying Claim of Owen Deutsch, Bonnie Deutsch, and Bonnie Brae Condominiums, LLC

II. Purpose and Policy Impact Statement: The purpose of this resolution is to deny the claim made by Owen Deutsch, Bonnie Deutsch, and Bonnie Brae Condominiums, LLC.

III. Is this a budgeted item and what is its fiscal impact: Passage of this resolution will have no fiscal impact on the 2004 County budget.

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

Committee: Executive Date: August 19, 2004

Vote: 7 – 0

County Board Meeting Date: September 9, 2004

Policy and fiscal note has been reviewed and approved as an accurate statement of the probable policy and fiscal impacts associated with passage of the attached resolution.

David A. Bretl County Administrator/ Corporation Counsel	9/1/04 Date	N. Andersen Finance Director	9/1/04 Date

Finance Committee

1. Resolution No. 38-09/04 – Accepting the Donation of the Clauer House to Walworth County and Approving a Lease By and Between the Walworth County Historical Society and Walworth County. The Finance Committee considered this resolution prior to the County Board meeting on September 9, 2004.
2. Resolution No. 40-09/04 – Approving Rental Housing Project of the Housing Authority of Walworth County, Wisconsin (Kiwanis Colonial, Inc. Project)

Items #3 and #4 of the Report of the Finance Committee were moved to the end of the agenda.

On motion by Supervisor Russell, seconded by Supervisor Waelti, Resolution No. 38-09/04 and Resolution No. 40-09/04 were approved by voice vote.

Resolution No. 38-09/04
Accepting the Donation of the Clauer House to Walworth County and Approving a Lease By and Between the Walworth County Historical Society and Walworth County

Moved/Sponsored by: Public Works Committee

WHEREAS, the Walworth County Historical Society ("Historical Society") wishes to donate the Clauer House, which is used primarily for historical and genealogical research, to Walworth County; and,

WHEREAS, the Historical Society has requested that the deed to the Clauer House contain a reversion clause in the event the county sells or transfers the property or uses it for purposes other than housing a historical society; and,

WHEREAS, the public works committee recommends that the county enter into a lease with the Historical Society, which lease would limit use of the property to operation of a historical society.

NOW, THEREFORE, BE IT RESOLVED that the Walworth County Board of Supervisors does hereby accept the donation from the Historical Society of the Clauer House, subject to a reversion clause that would return the property to the Historical Society in the event the county transfers the property or uses it for purposes other than housing a historical society.

BE IT FURTHER RESOLVED that the Walworth County Board of Supervisors approves a lease by and between the county and the Historical Society, which lease provides for the following terms, subject to approval of the lease, as to form, by the corporation counsel:

- Indefinite term
- Consideration of $1.00 per year
- Utilities to be responsibility of tenant
- Use of the property only for historical society purposes

Ann Lohrmann County Board Chairperson	Kimberly S. Bushey County Clerk

County Board Meeting Date: September 9, 2004

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

Policy and Fiscal Note is attached.
Reviewed and approved pursuant to Section 2-91 of the Walworth County Code of Ordinances:

David A. Bretl County Administrator/ Corporation Counsel	9/2/04 Date	N. Andersen Finance Director	9/1/04 Date

If unsigned, exceptions shall be so noted by the County Administrator.

Policy and Fiscal Note
Resolution No. 38-09/04

I. Title: Accepting the Donation of the Clauer House to Walworth County and Approving a Lease By and Between the Walworth County Historical Society and Walworth County

II. Purpose and Policy Impact Statement: The purpose of this resolution is to accept a donation from the Historical Society of the Clauer House and approving a lease for use of the property by the Historical Society.

III. Budget and Fiscal Impact: Adoption of this resolution will cause the county to own the Clauer House. The county currently owns the Webster House. As owner, the county will be responsible for maintenance of the property. The county has been providing for lawn-mowing and snow

removal at the Clauer House already and, therefore, operational expenses can be accommodated within the 2004 budget. Future capital expenditures would be the responsibility of the county.

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

Committee: Public Works Meeting Date: August 16, 2004

Vote: 7 - 0

County Board Meeting Date: September 9, 2004

Policy and fiscal note has been reviewed and approved as an accurate statement of the probable policy and fiscal impacts associated with passage of the attached resolution.

David A. Bretl County Administrator/ Corporation Counsel	9/2/04 Date	N. Andersen Finance Director	9/1/04 Date

Resolution No. 40-09/04
Approving Rental Housing Project of the Housing Authority of
Walworth County, Wisconsin (Kiwanis Colonial, Inc. Project)

Moved/Sponsored by: Finance Committee

WHEREAS, on July 22, 2004, a public hearing was held before the designated staff member of the Housing Authority of Walworth County, Wisconsin (the "Authority") with respect to a rental housing project expected to be known as "The Colonial" (the "Project") to be located on the property bordered by Town Line Road to the West, North Street to the North, and Emery Street to the East adjacent to the existing Kiwanis Manor skilled nursing facility in the Village of East Troy, Wisconsin (the "Village"); and,

WHEREAS, notice of such public hearing, in the form attached as Exhibit A hereto and incorporated herein (the "Notice"), was published by at least one insertion in the official newspaper of the Authority for the publication of notices pursuant to Chapter 985 of the Wisconsin Statutes, which is a newspaper of general circulation in the locality of the Project, no less than fourteen (14) days prior to the date of such public hearing; and,

WHEREAS, such public hearing was conducted in a manner that provided a reasonable opportunity to be heard for persons with differing views on both issuance of the bonds referred to in the Notice (the "Bonds") and the location and the nature of the Project, which is to be financed by the Bonds; and,

WHEREAS, the Authority has made a report of such public hearing to this body, which report this body has considered; and,

WHEREAS, this body is an elected legislative body of Walworth County, Wisconsin (the "County"); and

WHEREAS, Sections 59.53 (22) and 66.1201 to 66.1211 of the Wisconsin Statutes, as amended (the "Act"), provides that this body shall approve any housing project to be undertaken by the Authority; and

WHEREAS, the Bonds shall not constitute an indebtedness of the County or the Village within the meaning of any State constitutional provision or statutory limitation and shall not constitute or give rise to a pecuniary liability, direct or contingent, of any kind or degree whatsoever, of the County or the Village or a charge against their general credit or taxing powers;

NOW, THEREFORE, BE IT RESOLVED that the Walworth County Board of Supervisors for the purposes of Section 147(f) of the Internal Revenue Code of 1986, as amended, and the Act, this body hereby approves the Project and the issuance of the Bonds therefor.

Ann Lohrmann County Board Chairperson	Kimberly S. Bushey County Clerk

County Board Meeting Date: September 9, 2004

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

Policy and Fiscal Note is attached.
Reviewed and approved pursuant to Section 2-91 of the Walworth County Code of Ordinances:

David A. Bretl County Administrator/ Corporation Counsel	8/26/04 Date	N. Andersen Finance Director	8/31/04 Date

If unsigned, exceptions shall be so noted by the County Administrator.

Policy and Fiscal Note
Resolution No. 40-09/04

I. Title: Approving Rental Housing Project of the Housing Authority of Walworth County, Wisconsin (Kiwanis Colonial, Inc. Project)

II. Purpose and Policy Impact Statement: The Housing Authority of Walworth County proposes to issue revenue bonds on behalf of Kiwanis Colonial, Inc., a Wisconsin Corporation, to finance the construction of an apartment project in the Village of East Troy, Wisconsin. Section 147(f) of the Internal Revenue Code of 1986 contains a public approval requirement for the bond issuance. The Walworth County Board of Supervisors is a public body authority that shall approve any housing authority project pursuant to Wisconsin Statutes 59.53(22) and 66.1201 to 66.1211.

III. Budget and Fiscal Impact: This bond issuance will have no fiscal impact on Walworth County. The repayment of the debt will be insured (guaranteed) by the United States Department of Housing and Urban Development, HUD, (the Federal Housing Administration, FHA) or a private banking institution which has a credit rating sufficient to allow the bonds to be sold.

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

Committee: Finance Meeting Date: August 19, 2004

Vote: 6-0

County Board Meeting Date: September 9, 2004

Policy and fiscal note has been reviewed and approved as an accurate statement of the probable policy and fiscal impacts associated with passage of the attached resolution.

David A. Bretl County Administrator/ Corporation Counsel	8/26/04 Date	N. Andersen Finance Director	8/31/04 Date

EXHIBIT A

NOTICE OF PUBLIC HEARING TO THE
RESIDENTS OF THE VILLAGE OF EAST TROY,
WALWORTH COUNTY, WISCONSIN

NOTICE is hereby given that the Housing Authority of Walworth County, Wisconsin (the "Authority") will hold a public hearing at 9:00 a.m. on July 22, 2004 at 35 South Wisconsin Street, Elkhorn, Wisconsin, regarding the proposed issuance by the Authority of revenue bonds pursuant to Sections 59.53 (22) and 66.1201 to 66.1211 of the Wisconsin Statutes, as amended, in a maximum aggregate face amount of $6,500,000, on behalf of Kiwanis Colonial, Inc., a Wisconsin corporation. The bonds would finance the construction of an apartment project containing 36 units expected to be known as "The Colonial" and which is expected to be designed to be certified as a Residential Care Apartment Complex (RCAC) by the State of Wisconsin. The prospective location of the facility to be financed is on the property bordered by Town Line Road to the West, North Street to the North, and Emery Street to the East adjacent to the existing Kiwanis Manor skilled nursing facility in the Village of East Troy, Wisconsin. The initial owner of the facility will be Kiwanis Colonial, Inc.

The public hearing will be conducted in a manner that provides a reasonable opportunity to be heard for persons with differing views on both issuance of the bonds and the location and nature of the proposed facility. Any person desiring to be heard on this matter is requested to attend the public hearing or send a representative. Written comments (not exceeding 250 words) to be considered at the hearing may be submitted to the Authority.

Comments made at the hearing are for the consideration of the Authority and the County Board of Walworth County, Wisconsin.

/s/ Linda Ring Weber
Executive Director

Publication Date: July 8, 2004

CERTIFICATIONS BY CLERK

I, Kimberly Bushey, hereby certify that I am the duly qualified and acting Clerk of Walworth County, Wisconsin (the "County"), and as such I have in my possession, or have access to, the complete corporate records of said County and of its County Board of Supervisors (the "Governing Body") and that attached hereto is a true, correct, and complete copy of the resolution (the "Resolution") entitled:

RESOLUTION APPROVING RENTAL HOUSING PROJECT
OF THE HOUSING AUTHORITY

OF WALWORTH COUNTY, WISCONSIN
(KIWANIS COLONIAL, INC. PROJECT)

I do hereby further certify as follows:

1. Meeting Date. On the 9th day of September, 2004, a meeting of the Governing Body was held commencing at 6:00 p.m.

2. Posting. On the 27th day of August, 2004 (and not less than 24 hours prior to the meeting), I posted or caused to be posted at the County's offices in Elkhorn, Wisconsin a notice setting forth the time, date, place, and subject matter (including specific reference to the Resolution) of said meeting.

3. Notification of Media. On the 27th day of August, 2004 (and not less than 24 hours prior to the meeting), I communicated or caused to be communicated, the time, date, place, and subject matter (including specific reference to the Resolution) of said meeting to those news media who have filed a written request for such notice and to the official newspaper of the County.

4. Open Meeting Law Compliance. Said meeting was a regular meeting of the Governing Body that was held in open session in compliance with Subchapter V of Chapter 19 of the Wisconsin Statutes and any other applicable local rules and state statutes.

5. Members Present. Said meeting was duly called to order by the Chairperson (the "Presiding Officer"), who chaired the meeting. Upon roll I noted and recorded that there were 24 members of the Governing Body present at the meeting, such number being a quorum of the Governing Body.

6. Consideration of and Roll Call Vote on Resolution. Various matters and business were taken up during the course of the meeting without intervention of any closed session. One of the matters taken up was the Resolution. A proper quorum of the Governing Body was present for the consideration of the Resolution, and each member of the Governing Body had received a copy of the Resolution. All rules of the Governing Body that interfered with the consideration of the Resolution, if any, were suspended by a two-thirds vote of the Governing Body. The Resolution was then introduced, moved, and seconded, and after due consideration of the Governing Body members, the Resolution was approved by voice vote.

7. Adoption of Resolution. The Resolution was supported by the affirmative vote of a majority of a quorum of the members of the Governing Body in attendance. The Presiding Officer then declared that the Resolution was adopted, and I so recorded it.

IN WITNESS WHEREOF, I have signed my name and affixed the seal of the County hereto on this 14th day of September, 2004.

Kimberly S. Bushey
Clerk

[Seal]

Land Conservation Committee

1. Resolution No. 41-09/04 – Establishing the Acquisition of County Owned Parks as a Priority
2. Resolution No. 42-09/04 – Supporting the Application for the Lake Community Planning Inventory Grant
3. Resolution No. 43-09/04 – Supporting the Application for the Urban Forestry Grant

4. Resolution No. 44-09/04 – Supporting the Application for the Lakeshore Landowner Survey Grant
5. Resolution No. 45-09/04 – Supporting the Amendment to the Regional Water Quality Management Plan for the Sanitary Sewer Service Area for the Walworth County Metropolitan Sewerage District – Williams Bay-Geneva National-Lake Como Sanitary Sewer Service Area

Supervisor Muzatko offered a motion, seconded by Supervisor Russell, to approve item #1. Supervisor Russell offered a motion, seconded by Supervisor Van Dreser, to amend Resolution No. 41-09/04 by deleting lines 40 and 41 on page 1 and lines 1 and 2 on page 2 because of financial implications. This resolution requires a 2/3 vote if lapsing funds are used. A majority vote would be required if the lapsing funds use is removed.

Supervisor Grant asked if Supervisor Russell would like to eliminate the word "and" on line 38 also.

Supervisor Russell recognized Mike Hurlburt, N7759 Laura Lane, LaGrange. Mr. Hurlburt said that he was President of the White River Trail and now is a member of the Parks Advisory Board. Mr. Hurlburt said that the priority is to save the woodlands in Walworth County before it is taken over by development. He said he wanted the Supervisors to get behind the idea of saving the woodlands.

Supervisor Russell asked that the comments of Don Anderson be read into the record. Mr . Anderson requested to speak earlier but had to leave. The Clerk read correspondence from Don Anderson into the record on behalf of the White River Cycle Club. In his correspondence he noted that, although the trail is still not finished, lacking signage and some surface work, it has proven to be a very popular recreation area for local folks as well as a tourist draw. He noted that between the club members, the Pedal & Cup and Jeanie's Little Store, in excess of $4000.00 in trail passes have been sold just this year. Anderson requested that the Board continue the support given in the past and encourage the inclusion of funding in the 2005 budget for parks/trails/open space planning, so that our County continues to promote recreational activities in the great outdoors.

Supervisor Muzatko recognized Bill Jacques, N6009 Bowers Road, to address the Board. Mr. Jacques said that he is not against parks but would like to see parks located near a municipality and not way out in the country so that people can use them. Mr. Jacques said that parks take up conservation land and a park interferes with that. Private ownership will save conservation land as it has in the past.

Supervisor Goebel asked Supervisor Russell to consider striking the words "shall place" on line 40 and replacing them with the word "consider."

On motion by Supervisor Van Dreser, seconded by Supervisor Grant, the question was called. Supervisor Ketchpaw requested that her vote be recorded as "No" on calling the question. A roll call vote was held on the amendment to Resolution No. 41-09/04 to remove the word "and" on line 38, lines 40 and 41 on page 1, and lines 1 and 2 on page 2. Total vote: 25; Ayes: 14 – Arnold, Felten, Grant, Guido, Hilbelink, Ketchpaw, Kuhnke, Morrison, Parker, Polyock, Russell, Stacey, Waelti, Lohrmann; Noes: 9 – Burwell, Downing, Goebel, Hawkins, Lein, Muzatko, Van Dreser, Wagie-Troemel, Weber; Absent: 2 – Lightfield, Schaefer.

Supervisor Goebel offered a motion, seconded by Supervisor Ketchpaw, to amend the resolution to insert after the word "and" on line 38, "Be it further resolved that the Walworth County Board of Supervisors consider funding in the 2005 Budget for the purpose of acquiring county parks and/or Walworth County shall ~~place~~ consider using lapsing funds, grant funding or any other sources of funding in order to finance the acquisition of parkland." On motion by Supervisor Van Dreser, seconded by Supervisor Polyock, the question was called. Supervisor Ketchpaw requested her vote be recorded as "No" on calling the

question. Supervisor Goebel's amendment was approved by voice vote. Supervisors Kuhnke, Waelti, Felten, and Parker requested that their votes be recorded as "No."

Resolution No. 41-09/04 as amended was approved by voice vote. Supervisors Kuhnke, Felten, Waelti, and Parker requested that their votes be recorded as "No."

Resolution No. 41-09/04
Establishing the Acquisition of County Owned Parks as a Priority
Amended

Moved/Sponsored by: Land Conservation Committee

WHEREAS, Walworth County holds a long history of promoting and protecting the natural beauty of all land located within the county boundaries; and

WHEREAS, on December 1, 1977, the Southeastern Wisconsin Regional Planning Commission (SEWRPC) adopted a park and open space plan for Walworth County as part of the first regional park and open space plan as documented in SEWRPC Planning Report No. 27, A Regional Park and Open Space Plan for Southeastern Wisconsin: 2000; and

WHEREAS, in 1984 the Walworth County Park and Planning Commission requested that the Regional Planning Commission assist Walworth County in refining and updating the regional park and open space plan as this plan applied to Walworth County; and

WHEREAS, on January 14, 1992, the Walworth County Board of Supervisors adopted A Park and Open Space Plan for Walworth County, SEWRPC Community Assistance Planning Report No. 135; and

WHEREAS, in September 2000, the Walworth County Board of Supervisors refined the park and open space plan for the county when the board adopted A Park and Open Space Plan for Walworth County, SEWRPC Community Assistance Planning Report No. 135 (2nd Edition); and

WHEREAS, in April 2001 the Walworth County Board of Supervisors adopted A Land Use Plan for Walworth County, Wisconsin: 2020 and this land use plan adopted the Walworth County Park and Open Space plan as referenced above; and

WHEREAS, the park and open space plan for Walworth County recommends the acquisition of two additional county owned parks and miles of proposed recreational trails; and

WHEREAS, Walworth County considers parks and the acquisition of future parkland as a priority for the future residents of Walworth County; and

WHEREAS, these proposed parklands should be acquired as soon as possible as Walworth County is faced with rapid development on a daily basis.

NOW, THEREFORE, BE IT RESOLVED that the Walworth County Board of Supervisors encourage the acquisition of county park property and funding for parks as a priority for the future of all residents of Walworth County; and

BE IT FURTHER RESOLVED that the Walworth County Board of Supervisors ~~shall place~~ consider funding in the 2005 Budget for the purpose of acquiring county parks and/or Walworth County shall

consider using lapsing funds, grant funding or any other sources of funding in order to finance the acquisition of parkland.

Ann Lohrmann County Board Chairman	Kimberly S. Bushey County Clerk

County Board Meeting Date: September 9, 2004

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

Policy and Fiscal Note is attached.
Reviewed and approved pursuant to Section 2-91 of the Walworth County Code of Ordinances:

David A. Bretl County Administrator/ Corporation Counsel	9/2/04 Date	N. Andersen Finance Director	9/3/04 Date

Policy and Fiscal Note
Resolution No. 41-9/04

I. Title: Establishing the Acquisition of County Owned Parks as a Priority

II. Purpose and Policy Impact Statement: The purpose of this resolution is to establish the acquisition of future parkland as a priority for the Walworth County board.

III. Budget and Fiscal Impact: This resolution directs that funding be provided in the 2005 budget for the acquisition of park land and/or lapsing funds, grant funding, or any other source of funding be considered in order to acquire and maintain parkland. The amount to be budgeted for would need to be determined by the Walworth County Board of Supervisors.

The resolution does not specify the amount of "lapsing funds" which would be used to fund parks acquisition. Presently, budgeted funds which are not spent "lapse" at the end of the year into the general fund and constitute the county's "fund balance". County policy directs the appropriate size of the fund balance. Amounts in excess of the required balance have, in the past, been spent in subsequent years on allowable expenses in an effort to reduce the property tax levy. A change in board policy designating that lapsing funds can only be spent for a particular purpose could be viewed negatively by the credit rating agencies.

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

Committee: Land Conservation Committee Meeting Date: August 16, 2004

Vote: 7-0

County Board Meeting Date: September 9, 2004

Policy and fiscal note has been reviewed and approved as an accurate statement of the probable policy and fiscal impacts associated with passage of the attached resolution.

David A. Bretl County Administrator/ Corporation Counsel	9/2/04 Date	N. Andersen Finance Director	9/3/04 Date

Supervisor Morrison offered a motion, seconded by Supervisor Muzatko, to approve item #2, Resolution No. 42-09/04, item #3, Resolution No. 43-09/04, item #4, Resolution No. 44-09/04, and item #5, Resolution No. 45-09/04. Supervisor Hawkins asked that item #3, Resolution No. 43-09/04, be removed and voted on separately. Item #2, Resolution No. 42-09/04, item #4, Resolution No. 44-09/04, and item #5, Resolution No. 45-09/04 were approved by voice vote.

Resolution No. 42-09/04
Supporting the Application for the Lake Community Planning Inventory Grant

Moved/Sponsored by: Land Conservation Committee

WHEREAS, the Walworth County Board of Supervisors adopted a 5-year lake management protection plan pursuant to Resolution No. 07-04/00; and,

WHEREAS, the Walworth County Board of Supervisors amended the County Land & Water Resource Management Plan to designate the lakes of Walworth County as a priority pursuant to Resolution No. 98-02/04; and,

WHEREAS, the State of Wisconsin, Department of Natural Resources, pursuant to Ch. NR 190 or 191, Wis. Adm. Code; distributes competitive grants for large-scale lake management planning; and,

WHEREAS, funding provided by this grant will assist Walworth County in conducting a county-wide lake community planning inventory for the purpose of reviewing in-lake and regulatory activities, evaluating areas in which individual lakes or communities may need assistance, and promoting lake protection; and,

WHEREAS, the Lake Community Planning Grant compliments and extends funding for existing designated county personnel and provides for the continued operation of the Lakes Protection Program until the end of fiscal year 2005.

NOW, THEREFORE, BE IT RESOLVED that the Walworth County Board of Supervisors supports assisting local communities in lake planning and authorizes the submission of this grant proposal; and

BE IT FURTHER RESOLVED that upon award of grant funds, the Walworth County Board of Supervisors authorizes the Walworth County Land Use & Resource Management department to implement said plan; and

BE IT FURTHER RESOLVED that allowable program costs will be reimbursed through grant funding at a rate of 75%; and

BE IT FURTHER RESOLVED that the county will provide 25% funding through in-kind expenditures within the 2005 budget.

Ann Lohrmann County Board Chairperson	Kimberly S. Bushey County Clerk

County Board Meeting Date: September 9, 2004

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

Policy and Fiscal Note is attached.
Reviewed and approved pursuant to Section 2-91 of the Walworth County Code of Ordinances:

David A. Bretl County Administrator/ Corporation Counsel	9/3/04 Date	N. Andersen Finance Director	9/3/04 Date

If unsigned, exceptions shall be so noted by the County Administrator.

Policy and Fiscal Note
Resolution No. 42-09/04

I. Title: Supporting the Application for the Lake Community Planning Inventory Grant

II. Purpose and Policy Impact Statement: The purpose of this resolution is to authorize the submission of a grant proposal to the Department of Natural Resources for Lake Community Planning Inventory. Grant funding would supplement the existing Lake Protection Program and promote water quality activities in the 36 county lakes. The Lake Community Planning Inventory Grant would be used to conduct an inventory of the institutional tools used to regulate land use including, but not limited to, sanitary districts, ordinances, lake associations/districts, and in-lake activities engaged in by governmental units. Results of the inventory will be used to improve lake protection techniques.

III. Budget and Fiscal Impact: Total cost of the program is $4,972. Expenditures would be reimbursed at 75% by the State of Wisconsin, Department of Natural Resources. Existing staff will be utilized to obtain the goals set forth within the grant proposal, constituting 25% of the total costs. The county's "in-kind" match in 2005 would be $1,243. Upon grant award, sufficient 2005 funds would be reallocated within the Land Use & Resource Management's budget to fund the county share.

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

Committee: Land Conservation Meeting Date: August 16, 2004

Vote: 7 – 0

County Board Meeting Date: September 9, 2004

Policy and fiscal note has been reviewed and approved as an accurate statement of the probable policy and fiscal impacts associated with passage of the attached resolution.

David A. Bretl County Administrator/ Corporation Counsel	9/3/04 Date	N. Andersen Finance Director	9/3/04 Date

Resolution No. 44-09/04
Supporting the Application for the Lakeshore Landowner Survey Grant

Moved/Sponsored by: Land Conservation Committee

WHEREAS, the Walworth County Board of Supervisors adopted a 5-year lake management protection plan pursuant to Resolution No. 07-04/00; and,

WHEREAS, the Walworth County Board of Supervisors amended the County Land & Water Resource Management Plan designating the lakes of Walworth County as a priority pursuant to Resolution No. 98-02/04; and,

WHEREAS, the State of Wisconsin, Department of Natural Resources, pursuant to Ch. NR 190 or 191, Wis. Adm. Code; offers competitive lake management grants ("Grants") for large-scale planning; and,

WHEREAS, the purpose of this Grant is to conduct a county-wide lakeshore landowner survey to assist lake residents; and,

WHEREAS, this Grant will compliment and extend funding for existing designated departmental personnel and support the continuation of the Lakes Protection Program until the end of fiscal year 2005.

WHEREAS, the Grant specifies that allowable costs will be reimbursed by the State of Wisconsin, Department of Natural Resources at a 75% rate and that the county will provide an in-kind match of 25%.

NOW, THEREFORE, BE IT RESOLVED that the Walworth County Board of Supervisors endorse the submission of a Grant application by Land Use & Resource Management staff; and

BE IT FURTHER RESOLVED that upon Grant award, the Walworth County Board of Supervisors authorizes the Land Use and Resource Management department to implement said plan within its approved annual budget.

Ann Lohrmann County Board Chairperson	Kimberly S. Bushey County Clerk

County Board Meeting Date: September 9, 2004

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

Policy and Fiscal Note is attached.
Reviewed and approved pursuant to Section 2-91 of the Walworth County Code of Ordinances:

David A. Bretl County Administrator/ Corporation Counsel	9/3/04 Date	N. Andersen Finance Director	9/3/04

If unsigned, exceptions shall be so noted by the County Administrator.

Policy and Fiscal Note
Resolution No. 44-09/04

I. Title: Supporting the Application for the Lakeshore Landowner Survey Grant

II. Purpose and Policy Impact Statement: The purpose of this resolution is to authorize submission of a grant proposal to the Department of Natural Resources. This Lakeshore Landowner Survey Grant proposal would supplement the existing Lake Protection Program and help promote water quality activities in the 36 county lakes. The purpose of this Lakeshore Landowner Survey is to

conduct a survey to riparian lakeshore landowners to identify lake-related issues and help them participate in Lake Protection planning. These results will be used to improve lake protection techniques.

III. Budget and Fiscal Impact: Total cost of the program is $13,330 and would be reimbursed at a rate of 75% by the State of Wisconsin, Department of Natural Resources. The local share would be $3,330. Current personnel will be utilized to obtain the goals set forth within the Grant proposal and no additional appropriation is required in the 2005 budget.

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

Committee: Land Conservation Meeting Date: August 16, 2004

Vote: 7 – 0

County Board Meeting Date: September 9, 2004

Policy and fiscal note has been reviewed and approved as an accurate statement of the probable policy and fiscal impacts associated with passage of the attached resolution.

David A. Bretl County Administrator/ Corporation Counsel	9/3/04 Date	N. Andersen Finance Director	9/3/04 Date

Resolution No. 45-09/04
Supporting the Amendment to the Regional Water Quality Management Plan for the Sanitary Sewer Service Area for the Walworth County Metropolitan Sewerage District – Williams Bay-Geneva National-Lake Como Sanitary Sewer Service Area

Moved/Sponsored by: Land Conservation Committee

WHEREAS, pursuant to Section 66.0309(10) of the Wisconsin Statutes, the Southeastern Wisconsin Regional Planning Commission (SEWRPC), at a meeting held on the 12th day of July 1979, duly adopted a regional water quality management plan as documented in the three-volume SEWRPC Planning Report No. 30, A Regional Water Quality Management Plan for Southeastern Wisconsin: 2000; and,

WHEREAS, at a meeting held on the 4th day of December 1991, SEWRPC duly adopted an amendment to the regional water quality management plan refining and detailing the Williams Bay sanitary sewer service area as documented in the SEWRPC Community Assistance Planning Report No. 56 (2nd Edition), Sanitary Sewer Service Areas for the Walworth County Metropolitan Sewerage District, Walworth County, Wisconsin, November 1991; and,

WHEREAS, by letter dated July 22, 2004 the Walworth County Metropolitan Sewerage District requested that SEWRPC amend the Williams Bay Sanitary sewer service area to include certain lands located outside of the currently adopted sewer service area; and,

WHEREAS, the proposed amendment to the regional water quality management plan is documented in a SEWRPC staff memorandum entitled, "Response to Request by the Walworth County Metropolitan Sewerage District to Amend the Williams Bay-Geneva National-Lake Como Sanitary Sewer Service Area"; and,

WHEREAS, the requested change to the regional water quality management plan, as documented in the above-mentioned staff memorandum, was the subject of a public hearing held jointly by the Walworth County Metropolitan Sewerage District and SEWRPC held on August 10, 2004; and,

WHEREAS, Section 66.0309(9) of the Wisconsin Statutes authorizes and empowers SEWRPC to amend, extend, or add to the master plan or carry any part or subject thereof into greater detail; and,

WHEREAS, the Walworth County Land Conservation Committee discussed this proposed amendment at their August 16, 2004 regular meeting; and,

WHEREAS, the basic purpose of this amendment would be to include certain lands located immediately adjacent to, but outside of, the currently adopted sewer service area.

NOW, THEREFORE, BE IT RESOLVED by the Walworth County Board of Supervisors that Walworth County supports the Amendment to the Regional Water Quality Management Plan for the Sanitary Sewer Service Area for the Walworth County Metropolitan Sewerage District.

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 SEWRPC.

Ann Lohrmann County Board Chairperson	Kimberly S. Bushey County Clerk

Action Required: Majority ___X____ Two-thirds _____ Other _____

County Board Meeting Date: September 9, 2004

Policy and Fiscal Note is attached.
Reviewed and approved pursuant to Section 2-91 of the Walworth County Code of Ordinances:

David A. Bretl County Administrator/ Corporation Counsel	8/31/04 Date	N. Andersen Finance Director	9/1/04 Date

If unsigned, exceptions shall be so noted by the County Administrator.

Policy and Fiscal Note
Resolution No. 45 - 09/04

I. Title: Supporting the Amendment to the Regional Water Quality Management Plan for the Sanitary Sewer Service Area for the Walworth County Metropolitan Sewerage District – Williams Bay-Geneva National-Lake Como Sanitary Sewer Service Area

II. Purpose and Policy Impact Statement:

The purpose of this resolution is to support the amendment to the regional water quality management plan for the sanitary sewer service area for the Walworth County Metropolitan Sewage District

III. Budget and Fiscal Impact:

Passage of this resolution will have no fiscal impact on the 2004 county budget.

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

Committee: Land Conservation Meeting Date: June 14, 2004

Vote: 7 - 0

County Board Meeting Date: September 9, 2004

Policy and fiscal note has been reviewed and approved as an accurate statement of the probable policy and fiscal impacts associated with passage of the attached resolution.

David A. Bretl County Administrator/ Corporation Counsel	8/31/04 Date	N. Andersen Finance Director	9/1/04 Date

Lou Olson, Deputy Director, Land Use & Resource Management, addressed the Board to explain item #3, Resolution 43-09/04 – Supporting the Application for the Urban Forestry Grant. Ms. Olson said that approval of this resolution would complement the already existing forestry program. Existing staff and supporting expenditures would be redirected to meet the County match of $25,000. There would be no net increase in appropriation in 2005. If passed tonight this will be all extra funds coming in for 2005. Resolution No. 43-09/04 was approved by voice vote.

Resolution No. 43-09/04
Supporting the Application for the Urban Forestry Grant

Moved/Sponsored by: Land Conservation Committee

WHEREAS, the Walworth County Board of Supervisors amended County Land & Water Resource Management Plan designating the protection of our natural resources pursuant to Resolution No. 98-02/04; and,

WHEREAS, the State of Wisconsin Department of Natural Resources administers an Urban Forestry Grant pursuant to U.S. Public Law 95-313, s. 6 (b), 23.097, Wis. Stats. And NR47, Wis. Admin.Code ("Grant"); and,

WHEREAS, Grant funding would support educational programs to compliment the programs of various schools, lake associations/districts, villages, towns and cities related to urban forestry needs; and,

WHEREAS, Grant funding will allow existing personnel to promote the Urban Forestry Program throughout Walworth County; and,

WHEREAS, the additional funding will assist in the development and promotion of countywide forestry standards.

NOW, THEREFORE, BE IT RESOLVED that the Walworth County Board of Supervisors authorizes Land Use & Resource Management staff to submit the Urban Forestry Grant proposal as presented and approved by the Walworth County Land Conservation Committee, pursuant to Chapter 92 of the Wisconsin Statutes.

BE IT FURTHER RESOLVED that upon Grant award by the Wisconsin Department of Natural Resources, the Land Use and Resource Management Department will implement this project in accordance with the terms of the Grant and Grant application.

Ann Lohrmann County Board Chairperson	Kimberly S. Bushey County Clerk

County Board Meeting Date: September 9, 2004

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

Policy and Fiscal Note is attached.
Reviewed and approved pursuant to Section 2-91 of the Walworth County Code of Ordinances:

David A. Bretl County Administrator/ Corporation Counsel	9/3/04 Date	N. Andersen Finance Director	9/3/04 Date

If unsigned, exceptions shall be so noted by the County Administrator.

Policy and Fiscal Note
Resolution No. 43-09/04

I. Title: Supporting the Application for the Urban Forestry Grant

II. Purpose and Policy Impact Statement: The purpose of this resolution is to authorize the submission of the Urban Forestry Grant proposal to the Department of Natural Resources. The project will utilize existing personnel to implement the urban forestry components of the Grant proposal. Implementation of this Grant will result in promotion of the Urban Forestry Program and the development of forestry conservation standards.

III. Budget and Fiscal Impact: The total cost of the program is $50,000. The State of Wisconsin, Department of Natural Resources will reimburse costs at 50%. Existing staff and supporting expenditures would be redirected to meet the county match of $25,000. There would be no net increase in appropriation in 2005.

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

Committee: Land Conservation Committee Meeting Date: August 16, 2004

Vote: 7 – 0

County Board Meeting Date: September 9, 2004

Policy and fiscal note has been reviewed and approved as an accurate statement of the probable policy and fiscal impacts associated with passage of the attached resolution.

David A. Bretl County Administrator/ Corporation Counsel	9/3/04 Date	N. Andersen Finance Director	9/3/04 Date

Public Works
1. Resolution No. 39-09/04 – Supporting Computer Recycling Legislation

On motion by Supervisor Polyock, seconded by Supervisor Morrison, Resolution No. 39-09/04 was approved by voice vote.

Resolution No. 39-09/04
Supporting Computer Recycling Legislation

Moved/Sponsored by: Public Works Committee

WHEREAS, discarded computers and consumer electronics compose one of the fastest-growing waste streams in the United States, with an estimated 350 million obsolete computers nationally; and,

WHEREAS, recent estimates report as many as half a million obsolete computers and televisions were placed in Wisconsin landfills in 2002 alone; and,

WHEREAS, discarded computers and other consumer electronics contain lead, cadmium, mercury, hexavalent chromium, polyvinyl chloride, brominated flame retardant and other toxic materials that pose hazards to human health and the environment when placed in landfills or incinerated; and,

WHEREAS, the federally-funded National Electronics Product Stewardship Initiative has failed to reach full consensus upon a national solution for the problem of discarded computers and consumer electronic waste; and,

WHEREAS, the States of California, Minnesota, Massachusetts, and Maine have recently prohibited the disposal of discarded cathode ray tubes (CRT), such as those found in televisions and computer monitors, in municipal landfills or incinerators; and,

WHEREAS, the costs incurred by Wisconsin counties, cities, towns and villages for disposal of computer and consumer electronics are, in effect, unfunded mandates imposed by the producers of such products on local taxpayers, which diverts funds away from needed government programs such as schools, fire protection and emergency services; and,

WHEREAS, extended producer responsibility principles, such as those being adopted by several countries and the European Union, will shift the burden of disposal costs for computers and other consumer electronics from local taxpayers back to the producers, internalizing these costs and giving a market incentive to design products that are durable, less toxic and recyclable.

NOW, THEREFORE, BE IT RESOLVED that the Walworth County Board of Supervisors does hereby support legislation requiring computer and consumer electronics brand owners to take financial responsibility for discarded products, phase out the use of hazardous materials in their products, and support environmentally superior practices for recycling these products.

BE IT FURTHER RESOLVED that the Walworth County Clerk is requested to send copies of this resolution to Governor James Doyle, the Walworth County state legislative delegation, and the Wisconsin Counties Association.

Ann Lohrmann
County Board Chairperson

Kimberly S. Bushey
County Clerk

Action Required: Majority ___X____ Two-thirds _____ Other _____

County Board Meeting Date: September 9, 2004

Policy and Fiscal Note is attached.
Reviewed and approved pursuant to Section 2-91 of the Walworth County Code of Ordinances:

David A. Bretl County Administrator/ Corporation Counsel	8/16/04 Date	N. Andersen Finance Director	8/18/04 Date

If unsigned, exceptions shall be so noted by the County Administrator.

Policy and Fiscal Note
Resolution No. 39-09/04

I. Title: Supporting Computer Recycling Legislation

II. Purpose and Policy Impact Statement: The purpose of this resolution is to urge the state legislature to pass legislation relative to recycling computers.

III. Budget and Fiscal Impact: This is an advisory resolution. Passage of this resolution will have no fiscal impact on the 2004 county budget.

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

Committee: Public Works Meeting Date: August 16, 2004

Vote: 7 - 0

County Board Meeting Date: September 9, 2004

Policy and fiscal note has been reviewed and approved as an accurate statement of the probable policy and fiscal impacts associated with passage of the attached resolution.

David A. Bretl County Administrator/ Corporation Counsel	8/16/04 Date	N. Andersen Finance Director	8/18/04 Date

Finance Committee, Continued

The following items of the Report of the Finance Committee were considered at this time:

3. Discussion and possible action concerning proposed budget amendments for purposes of making certain modifications to the justice center. The Finance Committee considered the resolution prior to the County Board meeting on September 9, 2004.

Bretl addressed the issue of the justice center. It was anticipated that we would be making a budget transfer to make some corrections but we do not have a definitive plan to present tonight. He said that a decision was made to hold off on the move to the Justice Center because certain modifications had to be made in three of the four courtrooms. They were unsuitable for holding court. Bretl said he invited our

architects to look at the situation and also asked users, judges, staff, etc., to appear at that time. Plans were not furnished until Wednesday morning and we needed cost estimates from the general contractor. Bretl said that the Board may be called back for a special board meeting when plans are defined. Supervisor Polyock offered a motion, seconded by Supervisor Hilbelink, to convene in closed session. A roll call vote was held. Total vote: 25; Ayes: 23 – Arnold, Burwell, Downing, Felten, Goebel, Grant, Guido, Hawkins, Hilbelink, Ketchpaw, Kuhnke, Lein, Morrison, Muzatko, Parker, Polyock, Russell, Stacey, Van Dreser, Waelti, Wagie-Troemel, Weber, Lohrmann; Noes: 0; Absent: 2 – Lightfield, Schaefer.

The board may convene in closed session pursuant to the exemption contained in Wisconsin Statutes § 19.85 (1) (g) 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 and reconvene in open session to take action on the following item:

4. Discussion and possible action concerning proposed legal remedies for costs associated with certain modifications to be made at the justice center. The Finance Committee considered prior to the County Board meeting on September 9, 2004.

On motion by Supervisor Morrison, seconded by Supervisor Downing, the Board convened in open session.

No action was taken on the closed session items.

Reports of Special Committees

There were no Reports of Special Committees.

Chairperson's Report

There was no Report.

Adjournment

On motion by Supervisor Polyock, seconded by Supervisor Waelti, the meeting was adjourned at 10:30 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 September 9, 2004 meeting.