

THE OCTOBER 12, 2004 SESSION
OF THE
WALWORTH COUNTY BOARD OF SUPERVISOR'S
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, Kuhnke, Polyock, Schaefer, Stacey, and Van Dreser. Supervisor Arnold was excused and Supervisors Kuhnke, Polyock, Schaefer, Stacey, and Van Dreser arrived late.

County Administrator Bretl addressed the Board and explained that the Gateway presentation arose out of an invitation to him to attend a meeting with the Board of Directors of the Gateway College. Bretl said that the Gateway Board wanted to present what Gateway Technical College has to offer and its applications for economic development to the Walworth County Board.

Bretl introduced John Thibodeau, Vice President/Provost Elkhorn Campus, Gateway Technical College.

Mr. Thibodeau said that present at the meeting tonight were the President of Gateway, Dr. Sam Borden, Dennis Schultz, Chairperson of the Board of Trustees, Dr. Ron Jandura, Trustee, and Julie White, the President's assistant.

Mr. Thibodeau began the presentation with a brief history of Gateway. Mr. Thibodeau said that Gateway is the oldest technical college in the United States, founded in 1911 in Racine. The Kenosha Technical Institute extended its offerings to Walworth County in 1967 and the Elkhorn Campus opened its doors in 1970. The three-county district was formed in 1971. The name became Gateway Technical Institute in 1972 and in 1987 the name was changed to Gateway Technical College.

Mr. Thibodeau introduced Dennis Schultz, Chairperson of the Gateway Board. Mr. Schultz said that Gateway is one of 16 technical colleges in the Wisconsin Technical College System. Mr. Schultz said that the Gateway Board of Trustees is structured according to state statute with nine members serving three-year terms. He said that the Board operates under a Policy Governance model and establishes Ends Policies that communicate the wishes of the "owners" (taxpayers). Mr. Schultz said that the Board employs a President to fulfill the Ends Policies through leadership and management of the college.

Mr. Thibodeau again addressed the Supervisors and gave the demographics of the College. He said that the Elkhorn Campus has a full range of programs and student services and is host to the Alternative High School, Upper Iowa University to complete a bachelor's degree, and the Walworth County Job Center. Mr. Thibodeau reviewed the programs at the Elkhorn Campus outlining programs with Associate Degrees, Technical Diplomas, Advanced Certificates, and other certificates, as well as the Adult High School program. He said there are also three unique programs at Elkhorn and they are Interpreter Technician, Robotic Welding, and Hotel/Hospitality Management. The Elkhorn Campus has an Advanced Manufacturing Technology Center with an Automated Manufacturing Systems Technician program. Mr. Thibodeau said that Gateway also has programs to improve basic skills. He said that the Elkhorn Campus added 500 graduates to the local workforce last year and trained 1700 students for Protective Services.

Mr. Thibodeau introduced Dr. Sam Borden to present the District-wide and Walworth County Initiatives. Dr. Borden said that there are three unique things about Gateway and they are: open campuses for business and industry training, advanced technology centers, and future economic development initiatives such as cluster development and advanced technology centers. Dr. Borden explained each of these unique areas about Gateway. He said that Gateway offers the only advanced career education program in the United States sanctioned by IBM, and the testing for this program is offered only at Gateway. He said that in July this year they signed a contract to be the hub for training other colleges and universities to do the training. Gateway also signed a contract this summer and will be the only one to do on-line assessments to certify people to work for IBM systems worldwide. Dr. Borden outlined other initiatives in the computer and medical devices area and cluster development. Dr. Borden said that other initiatives are in broadband and inoperability services in Walworth County. Dr. Borden entertained questions.

On motion by Supervisor Grant, seconded by Supervisor Hilbelink, the Committee of the Whole adjourned at 5:50 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 Supervisor's Committee of the Whole for the October 12, 2004 meeting.

THE OCTOBER 12, 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.

Father Bill Myrick, Christ Episcopal Church of Delavan, delivered the invocation.

All Supervisors were present. A quorum was established.

Amendments, Withdrawals, and Approval of Agenda

On motion by Supervisor Weber, seconded by Supervisor Ketchpaw, the agenda was amended as follows: item #5, Res. No. 60-10/04 – Approving 2004 and 2005 Funding for Tri-County Business Partnerships, under the Report of the Executive Committee, was withdrawn and moved to the November County Board meeting. Supervisor Polyock asked that the following be acted on alone: item #13, Communications and Matters to be Referred, Communication from Supervisor Polyock requesting that the issue of the future of countywide zoning be recalled from the County Zoning Agency committee.

On motion by Supervisor Grant, seconded by Supervisor Downing, the agenda was approved as amended.

Approval of the Minutes

On motion by Supervisor Morrison, seconded by Supervisor Waelti, the minutes of the September 9, 2004 Walworth County Board of Supervisors were approved.

Comment Period by Members of the Public

Dell Gigante, Town of East Troy, addressed the Board. Mr. Gigante said he wanted to commend the Finance Committee for bringing down the tax levy to 4.02%. He also wanted to caution the Supervisors to work to get the levy lower because that is what the taxpayers want. Mr. Gigante said the Supervisors should focus on what is good for the taxpayers and not what is good for them.

Bret Strong, 9159 Maple Street, East Troy, addressed the Board. Mr. Strong compared Walworth County's budget statistics with those of Washington County. Mr. Strong said he also applauds the 4.02% budget but he said he thinks Walworth County could have done better. He recommended looking at what other counties are doing in this area. Mr. Strong said he wanted the Supervisors to get Walworth County's levy down to Milwaukee County's zero % tax levy increase. Mr. Strong also stated that County Board Supervisors should not be involved with the County employees and other jobs that should be under the Administrator's jurisdiction.

Appointments/Elections

1. Walworth County Metropolitan Sewerage District Board
 - John Schlick – Term to Expire February 28, 2009

On motion by Supervisor Goebel, seconded by Supervisor Schaefer, John Schlick was reappointed to the Walworth County Metropolitan Sewerage District Board, term to expire February 28, 2009.

Communications and Matters to Be Referred

1. Claims Received After Agenda Mailing – None
2. Claims – None
3. Communication from John and Sue Dewan regarding Camp Dewan was referred to the County Zoning Agency.
4. Town of East Troy Resolution 2004-08 Opposing the Reconstitution of the Walworth County Zoning Agency to be Compromised of a Majority of Village/City Members was referred to the County Zoning Agency.
5. Communication from Supervisor Rick Stacey requesting that Board of Adjustment meetings be held in the evening was referred to the County Zoning Agency.
6. Village of Mukwonago Resolution 2004-24 To Certify that the Village Shall Provide For and Allow the Library to Expend No Less Than the County Rate in the Prior Year was referred to the Finance Committee.
7. Oneida County Amended Resolution #99-2004 regarding spread of non-native invasive species within the State of Wisconsin was referred to the Land Conservation Committee.
8. Waushara County Resolution 26-09-04 – Opposing DNR Use of Wildlife Damage Funds for CWD Research was referred to the Land Conservation Committee.
9. Communication from Supervisor Rick Stacey regarding Speed Limit on County Trunk ES was referred to the Public Works Committee.
10. Agreement between the City of Lake Geneva and the Town of Linn Discontinuing the Joint Municipal Court Agreement was referred to the Executive Committee.
11. Communication from the State of Wisconsin Commissioners of Public Lands regarding availability of funds for loans to local governments and school districts for capital projects was referred to the Finance Committee.
12. Amendment to the Regional Water Quality Management Plan, Walworth County Metropolitan Sewerage District-Williams Bay-Geneva National-Lake Como Sanitary Sewer Service Area was referred to the Land Conservation Committee.
13. Communication from Supervisor Polyock requesting that the issue of the future of countywide zoning be called from the County Zoning Agency committee. It is anticipated that a motion will be made pursuant to Section 2-65 (c) (3) of the County Code to recall the issue of countywide zoning, previously referred to the County Zoning Agency. If this motion receives a majority vote, the County Board may take action with respect to the requests of a number of towns to end or modify countywide general zoning.
14. Report of the County Clerk Concerning Communications Received by the Board and Recommended to be Placed on File was in the packet.

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:

- October 12, 2004 County Board Meeting Agenda as amended on October 11, 2004
- Walworth County 2005 Preliminary Budget
- Communication from the Land Conservation Committee which included a brochure entitled "A Conservation Commitment for Wisconsin" and Glossary of Acronyms

The following item will be placed on file in the County Clerk's office:

Wisconsin Strategic Energy Assessment Energy 2010 – Final Report – September 2004 from the Public Service Commission of Wisconsin

Not listed on the Report and placed on the Supervisors' desks was a Communication from Supervisor Nancy Russell clarifying her voting position at the September 9, 2004 County Board meeting regarding Lakeland School. This communication will be placed on file.

Supervisor Polyock offered a motion, seconded by Supervisor Hilbelink, to recall the issue of ending countywide zoning from the County Zoning Agency and take action pursuant to Sec. 2-65 (c) (3) of the Walworth County Municipal Code of Ordinances. Discussion ensued.

Supervisor Waelti offered a motion, seconded by Supervisor Guido, to call the question. On motion by Supervisor Kuhnke, seconded by Supervisor Lightfield, the question was called by unanimous consent.

Supervisor Polyock's motion to recall the issue of countywide zoning from the County Zoning Agency for discussion and possible action by the County Board was approved by roll call vote. Total vote: 25; Ayes: 16 – Downing, Goebel, Grant, Guido, Hawkins, Hilbelink, Ketchpaw, Lein, Parker, Polyock, Russell, Schaefer, Stacey, Waelti, Wagie-Troemel, Lohrmann; Noes: 9 – Arnold, Burwell, Felten, Kuhnke, Lightfield, Morrison, Muzatko, Van Dreser, Weber; Absent: 0.

Supervisor Polyock distributed a resolution to the Board for consideration. The resolution would allow the Director of the Land Use & Resource Management to propose a plan to allow towns to withdraw from countywide general zoning. Supervisor Polyock offered a motion, seconded by Supervisor Guido, to approve the resolution.

Supervisor Van Dreser offered a motion, seconded by Supervisor Guido, to amend the resolution on line 16 to change "November 2004" to December 2004 and change the date in line 26 from "December 31, 2004" to January 31, 2005.

Michael Cotter, Director, Land Use & Resource Management, addressed the Board. Cotter asked if the extension time was for the towns or for the county. Cotter said this directive would be a priority and he could get the Plan back to the Board in 30 days, if that is what the Board requires. Cotter said he did not know how the time frame would affect the towns' budgeting process.

The amendment to extend the dates as specified above was approved by voice vote.

Supervisor Burwell offered a motion, seconded by Supervisor Morrison, to instruct the Director of Land Use & Resource Management to retain a mediator for at least the next county/town meeting. Discussion ensued.

On motion by Supervisor Van Dreser, seconded by Supervisor Waelti, the question was called. On motion by Supervisor Ketchpaw, seconded by Supervisor Waelti, the question was called by unanimous consent. A roll call vote was held on the amendment to retain a mediator. Total vote: 25; Ayes: 5 – Burwell, Kuhnke, Lightfield, Morrison, Wagie-Troemel; Noes: 20 – Arnold, Downing, Felten, Goebel, Grant, Guido, Hawkins, Hilbelink, Ketchpaw, Lein, Muzatko, Parker, Polyock, Russell, Schaefer, Stacey, Van Dreser, Waelti, Weber, Lohrmann; Absent: 0. The motion to amend the resolution to hire a mediator for the next town/county meeting failed.

Discussion ensued on the motion to approve the resolution as amended.

Supervisor Grant offered a motion, seconded by Supervisor Burwell, to call the question. On motion by Supervisor Waelti, seconded by Supervisor Guido the question was called by unanimous consent.

Supervisor Polyock requested a roll call vote to approve the resolution as amended. On motion by Supervisor Muzatko, seconded by Supervisor Guido, the resolution entitled "Directing the Director of the Land Use and Resource Management Department to Propose a Plan to Allow Towns to Withdraw from Countywide General Zoning" was approved as amended by unanimous consent. The number assigned to this resolution was: Resolution No. 63-10/04.

Resolution No. 63-10/04
Directing the Director of the Land Use and Resource Management Department
To Propose a Plan to Allow Towns to Withdraw from Countywide General Zoning
AMENDED

Moved/Sponsored by: Supervisor Polyock

WHEREAS, a number of towns have expressed an interest in withdrawing from countywide zoning; and,

WHEREAS, it is the desire of the County Board of Supervisors to only provide countywide general zoning to those towns which wish to be included in a countywide general zoning program; and,

NOW, THEREFORE, BE IT RESOLVED by the Walworth County Board of Supervisors that the director of the Land Use and Resource Management (L.U.R.M.) department prepare a plan to permit those towns that wish to withdraw from countywide general zoning to do so in an orderly fashion ("Plan").

BE IT FURTHER RESOLVED that said L.U.R.M. Director shall prepare the Plan and report it to the regularly scheduled ~~November~~ December 2004 County Board meeting for further action by the County Board.

BE IT FURTHER RESOLVED that the Plan provide that those towns wishing to withdraw from countywide general zoning be allowed to do so no later than June 1, 2005.

BE IT FURTHER RESOLVED that the county clerk mail a copy of this resolution to the chairperson of each town in Walworth County.

BE IT FURTHER RESOLVED that each town wishing to withdraw from countywide general zoning be instructed to forward a letter to the County Board no later than ~~December 31, 2004~~ January 31, 2005 indicating its desire to withdraw from the countywide general zoning program.

Ann Lohrmann
County Board Chairperson

Kimberly S. Bushey
County Clerk

Action Required: Majority X Two-thirds _____ Other _____

County Board Meeting Date: October 12, 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	10/14/04	Nicki Andersen (pw)	10/14/04
County Administrator/ Corporation Counsel	Date	Deputy County Administrator - Finance	Date

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

Policy and Fiscal Note
Resolution No. 63-10/04

- I. Title: Directing the Director of the Land Use and Resource Management Department To Propose a Plan to Allow Towns to Withdraw from Countywide Zoning
- II. Purpose and Policy Impact Statement:

III. Budget and Fiscal Impact:

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

Committee: None Meeting Date:

Vote:

County Board Meeting Date: October 12, 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	10/14/04	Nicki Andersen (pw)	10/14/04
County Administrator/ Corporation Counsel	Date	Deputy County Administrator - Finance	Date

15. Report of County Clerk Concerning Zoning Gone Into Effect

- 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 programs
- State of Wisconsin Department of Agriculture, Trade and Consumer Protection – 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)
- State of Wisconsin Department of Agriculture, Trade and Consumer Protection – 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
- Abell's Woods, LLC (Cindy Balestrieri, Member), Town of Sugar Creek
- Larry Bray, Cheryl Kosarek, Melany Christenson (Larry A. Bray, App.), Town of Lafayette
- Allan Polyock (Terry and LuAnn Smith, App.), Town of Linn

16. Report of County Clerk Concerning Zoning Petitions (To be referred to the County Zoning Agency)

- Kevin M. Kynell, Town of Walworth, A-1 to A-4
- Linda A. Connick, Town of Bloomfield, C-1 & C-2 to R-2 & C-1
- Susan C. Mustari, Town of Geneva, C-1 to R-1
- Eugene R. Pawlak, Town of East Troy, A-1 to A-5

Unfinished Business

There was no unfinished business.

New Business

Reports of Standing Committees

County Zoning Agency Report of Proposed Zoning Amendments

1. Michael and Crystal Porter, Town of Troy, Rezone .53 acres of R-1 to A-4 – denied 7-0 (8-19-04 public hearing)
2. Concetta Gerambia and Daniel Hurzeler, Town of Bloomfield, Rezone .092 acres of R-2 to B-4 – approved 7-0 (8-19-04 public hearing)
3. Dennis Unbehaun, Town of Bloomfield, Rezone 8.63 acres of A-1 to C-2 – approved 6-1 (8-19-04 public hearing)

4. Paul Joseph, Town of Richmond, Rezone 5.69 acres of C-2 to A-2 – approved 6-1 (8-19-04 public hearing)
5. Navigability Determinations, Wisconsin Department of Natural Resources, Walworth County and the Geneva Lake Environmental Agency, Towns of Geneva, Linn, and Walworth – approved 6-0 (8-19-04 public hearing)
6. The Town of Richmond (Atty. Terry Race, App.), Town of Richmond – Rezone all Town lake access points to P-1 and the Town Hall property to P-2 – approved 4-0 (7-15-04 public hearing)

A motion was offered by Supervisor Kuhnke, seconded by Supervisor Stacey, to concur with the Report of the County Zoning Agency on items 1, 2, 3, 4, 5, & 6 above. Items 3 and 4 were pulled out of the motion. Items 1, 2, 5, and 6 were approved by voice vote. Discussion ensued on item 3. Item 3 was approved by voice vote. Discussion ensued on item 4. Item 4 was approved by voice vote. The Report of the County Zoning Agency follows below:

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. Michael and Crystal Porter, Town of Troy – Filed a petition on the 7th day of July, 2004, to rezone from R-1 Single-Family Residence District (Unsewered) to A-4 Agricultural Related Manufacturing, Warehousing and Marketing District on the following described lands:

Part of Tax Parcel #LA 77000002

Recommendation: Said petition be denied based on the reasons that the applicant failed to appear at the public hearing and has not answered correspondence from the Land Use and Resource Management Department.

2. Concetta Gerambia and Daniel Hurzeler, Town of Bloomfield – Filed a petition on the 5th day of May, 2004, to rezone from R-2 Single-Family Residence District (Sewered) to B-4 Highway Business District.

Recommendation: Said petition be approved.

3. Dennis Unbehaun, Town of Bloomfield – Filed a petition on the 6th day of July, 2004, to rezone from A-1 Prime Agricultural Land District to C-2 Upland Resource Conservation District.

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

The parcel has a poor production yield and the surrounding land use is already upland conservancy.

4. Paul Joseph, Town of Richmond – Filed a petition on the 7th day of July, 2004, to rezone from C-2 Upland Resource Conservation District to A-2 Agricultural Land District.

Recommendation: Said petition be approved.

5. Navigability Determinations, Wisconsin Department of Natural Resources/Walworth County and the Geneva Lake Environmental Agency, Applicants, Towns of Geneva, Linn, and Walworth – Filed a petition on the 20th day of July, 2004, to reflect navigability determinations conducted by the DNR and Geneva Lake Environmental Agency affecting all properties within 300 feet of all streams flowing to Geneva Lake in Geneva, Linn, and Walworth Townships.

Recommendation: Said petition be approved.

6. Town of Richmond (Atty. Terry Race, App.), Town of Richmond – Filed a petition on the 2nd day of June, 2004, to rezone from R-1 Single-Family Residence District (Unsewered) and A-4 Agricultural-Related Manufacturing, Warehousing, and Marketing District to P-1 Recreational Park District and P-2 Institutional Park 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. Concetta Gerambia and Daniel Hurzeler, Town of Bloomfield – Filed a petition to amend said zoning maps from R-2 Single-Family Residence District (Sewered) to B-4 Highway Business District on the following described lands:

Tax Parcel #MPL 01953

2. Dennis Unbehaun, Town of Bloomfield – Filed a petition to amend said zoning maps from A-1 Prime Agricultural Land District to C-2 Upland Resource Conservation District on the following described lands:

Part of Tax Parcel #MB 1100005

A proposed rezone of a parcel of land located in the Southwest ¼ of Section 11, T1N, R18E, Walworth County, Wisconsin, described as follows: Commencing at the Southwest corner of said Section 11, thence N00°36'57"E 1325.48 feet; thence S89°21'02"E 633.59 feet to the Place of Beginning; thence N00°39'01"E, 549.87 feet; thence S89°26'10"E 682.25 feet; thence S00°43'55"W 551.83 feet; thence N89°21'02"W 681.46 feet to the Place of Beginning, containing 8.63 acres of land.

The parcel has a poor production yield and the surrounding land use is already upland conservancy.

3. Paul Joseph, Town of Richmond – Filed a petition to amend said zoning maps from C-2 Upland Resource Conservation District to A-2 Agricultural Land District on the following described lands:

Part of Tax Parcel #C R 1100005

A parcel of land located in part of the West ½ of Section 11, Town 3 North, Range 15 East, Walworth County, Wisconsin, more particularly described as follows:

Commencing at an iron rebar stake found marking the Northeast corner of the Southeast ¼ of the Northwest ¼ of said Section 11 (T3N,R15E); thence N 89DEG 43MIN 36SEC W, 1001.19 feet to the Point of Beginning; thence S 01DEG 08MIN 51SEC W, 371.25 feet; thence S 66DEG 31MIN 01SEC W, 290.33 feet; thence S 00DEG 38MIN 23SEC W, 840.75 feet; thence S 11DEG 55MIN 03SEC W, 645.69 feet; thence S 12DEG 30MIN 52SEC E, 274.98 feet to the Northerly right of way line of County Trunk Highway "A"; thence along said Highway, S 67DEG 05MIN 20SEC W, 72.05 feet to the East line of Lot 2 of CSM 3637; thence along said Lot 2, N 21DEG 10MIN 55SEC W, 255.96 feet; thence N 14DEG 39MIN 26SEC E, 722.39 feet; thence N 00DEG 49MIN 06SEC E, 1319.91 feet; thence S 89DEG 43MIN 36SEC E, 314.07 feet to the Point of Beginning. Containing 5.69 acres of land more or less.

4. Navigability Determinations, Wisconsin Department of Natural Resources/Walworth County and the Geneva Lake Environmental Agency, Applicants, Towns of Geneva, Linn, and Walworth – Filed a petition to amend said zoning maps affecting:

All properties within 300 feet of all streams flowing to Geneva Lake in Geneva, Linn, and Walworth townships

5. Town of Richmond (Atty. Terry Race, App.), Town of Richmond – Filed a petition to amend said zoning maps from R-1 Single-Family Residence District (Unsewered) and A-4 Agricultural-Related Manufacturing, Warehousing, and Marketing District to P-1 Recreational Park District and P-2 Institutional Park District on the following described lands:

Town Hall (A-4 & R-1 to P-2)

1. Town Hall, A-4 & R-1 to P-2 A parcel of land located in the Northwest ¼ of the Southeast ¼ of Section 17, Town 3 North, Range 15 East, Town of Richmond, Walworth County, Wisconsin, described as follows: Commence at the East ¼ Corner of said Section 17; thence S 64°55'09" W 2173.94 to an iron rod at the Northeast Corner of Tax Parcel CR-17-16A as previously surveyed, said point being the Point of Beginning; thence S 75°37'00" W, along the Northerly line of said Tax Parcel, 164.73 feet; thence N 14°23'00" W, along the Easterly line of Tax Parcel CR-17-23 as previously surveyed, 102.84 feet; thence N 88°45'03" E, along the Southerly lines of Tax Parcel CR-17-17C and State trunk Highway 89, 169.16 feet; thence S 14°23'00" E 64.41 feet to the Point of Beginning. Tax Key No. C R 1700018A

Lake Frontage (R-1 to P-1)

2. Town Landing at Turtle Lake A parcel of land located in the Southeast fractional ¼ of Section 11, T3N, R15E, of Walworth County, Wisconsin, described as follows, to-wit: Commencing at the South ¼ Section corner of said Section 11; thence N 88° - 18' E along the Section line 66 feet; thence N 1° - 54' W 400.00 feet; thence N 36° - 43' E 100.00 feet; thence N 24° - 27' E 270 feet; thence N 32° - 27' E 90 feet to the Place of Beginning; thence continue N 32° - 27' E 66.00 feet; thence S 46° - 04' E 213.40 feet to the shore of Turtle Lake; thence Southerly along the shore 75 feet more or less to a point; thence N 46° - 56' W 222.76 feet to the Place of Beginning.

3. Whitewater Lake Parcel labeled "Public Access to the Lake Dedicated to the Public" The parcel that is labeled "public access to the lake dedicated to the public" THAT IS LOCATED FROM THE ROAD TO Whitewater Lake between Block 6, Lot 1, and Block 3, Lot 13, in the Chapel Hills Subdivision.

5. Whitewater Lake – Parcel labeled "Public Park" The parcel that is labeled "PUBLIC PARK" located north of Oakwood Drive, south of Whitewater Lake, east of Block 1, Lot 17, and west of Block 1, Lot 16 in the Oakwood Heights Subdivision. From R-1 to P-1, between R-3-19 and R-3-14.

6. Whitewater Lake – Parcel labeled "Access Road" The parcel that is labeled "Access Road" that is located south of Krahn Drive, east of Lot 2, west of Lot 3, and north of Whitewater Lake in the Oak Knoll Subdivision. From R-1 to P-1 between COAK-2 and COAK-3.

7. LAKE LORRAINE A part of Linnea Park adjacent to Lots 44 and 45 of Block 1 of Skansen Subdivision, located in Section 9, Town 3 North, Range 15 East, Town of Richmond, Walworth County, Wisconsin; described as follows: Begin at the Northwest Corner of said Lot 44; thence S 17°13'56" E along the westerly line of said Lot 44; 103.32 feet to a set iron rod; thence S 86°48'47" W along the Northerly line of Lake Road 35.20 feet to a set iron rod at the Southeast Corner of Lot 45; thence N 10°06'35" W along the Easterly line of said Lot 45, 101.00 feet to a set iron rod; thence S 86°54'23" W 120.00 feet to the Northwest Corner of Lot 48 to a set iron rod; thence N 9°32'00" W 47.10 feet to a set iron rod on a meander line, said rod being S 9°32'00" E 20.00 feet more or less from the shore of Lake Lorraine; thence N 54°00'00" E along said meander line 74.00 feet to a set iron rod; thence N 66°00'00" E along said meander line 50.00 feet to a set iron rod; thence S 78°00'00" E along said meander line 43.89 feet to a set iron rod, said rod being S 0°52'00" E 20.30 feet more or less from the shore of Lake Lorraine; thence S 0°52'00" E 93.48 feet to the Point of Beginning. Said parcel included all the land between the above described meander line and the shore of Lake Lorraine and contains 0.43 acres of land more or less. Excepting the portion as delineated on the attached SEWRPC map (1/400) showing the wetland boundary staked 3/29/01 which shall be designated as C-4 Lowland Resource Conservation District.

8. Turtle Lake "Alley" The parcel that is labeled "ALLEY" that runs west from Anderson Drive to Turtle Lake between Block C, Lot 13, and Block C, Lot 12 in Crystal Bowl Subdivision. From R-1 to P-1 between CCR70-71 and CCR-69.

NOTE: The description numbered paragraph 4 is not included as it is not in the Town's name.

ATTEST this 12th day of October 2004.

Ann Lohrmann

County Board Chairperson

ATTEST this 12th day of October 2004.

Kimberly S. Bushey

County Clerk

County Zoning Agency

1. Resolution No. 61-10/04 – Filing a Declaratory Judgment regarding the Interpretation of Section 74-221 of the Walworth County Shoreland Zoning Ordinance Addressing Substandard Lots

Supervisor Kuhnke offered a motion, seconded by Supervisor Ketchpaw, to approve Resolution No. 61-10/04. Discussion ensued.

Supervisor Goebel offered a motion to amend the resolution to direct the Corporation Counsel to ask the Wisconsin Attorney General to give us an opinion instead of filing a declaratory judgement at this time. Discussion ensued. Mari Nahn, Deputy Corporation Counsel, said that the opinion is from the

Department of Natural Resources and that the Attorney General is a better first choice to pursue for an opinion.

David Bretl, County Administrator, said that he thinks that the Attorney General opinion is a logical first step. Bretl said that an opinion is free and quick and the Corporation Counsel can request it and get an answer. He said that the Board could still go for the declaratory judgement if they disagreed with the Attorney General's opinion.

On motion by Supervisor Van Dreser, seconded by Supervisor Burwell, the question was called to vote on the amendment.

On motion by Supervisor Goebel, seconded by Supervisor Van Dreser, Resolution No. 61-10/04 was approved as amended by unanimous consent.

Resolution No. 61-10/04

Filing a Declaratory Judgment Regarding the Interpretation of Section 74-221 of the Walworth County Shoreland Zoning Ordinance Addressing Substandard Lots

AMENDED

Moved/Sponsored by: County Zoning Agency

WHEREAS, on September 10, 2004 the Wisconsin Department of Natural Resources issued a letter regarding Walworth County's interpretation of Section 74-221 of the Walworth County Shoreland Zoning Ordinance; and

WHEREAS, the letter from the Wisconsin Department of Natural Resources directs the Walworth County Land Use and Resource Management Department to refrain from issuing zoning permits where pre-platted un-buildable substandard lots would be combined to create a buildable substandard parcel where the buildable parcel is not a "parcel of record"; and

WHEREAS, the Walworth County Land Use and Resource Management Department has allowed pre-platted un-buildable substandard lots to be combined into buildable substandard parcels since the enactment of the Shoreland Zoning Ordinance in 1974; and

WHEREAS, the County Zoning Agency recommends filing a declaratory judgment action in this matter in Walworth County Circuit Court to obtain a ruling as to whether the County may continue to allow pre-platted, un-buildable substandard lots to be combined into buildable substandard parcels;

NOW, THEREFORE, BE IT RESOLVED that the Walworth County Board of Supervisors directs the Walworth County Corporation Counsel Office to ~~file a declaratory judgment action~~ ask the Wisconsin Attorney General for an opinion regarding the appropriate interpretation of the substandard lot provisions of the Walworth County Shoreland Zoning Ordinance.

Ann Lohrmann
County Board Chairman

Kimberly S. Bushey
County Clerk

County Board Meeting Date: October 12, 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

10/5/04
Date

N. Andersen
Deputy County Administrator -
Finance

10/5/04
Date

Policy and Fiscal Note
Resolution No. 61- 10/04

- I. Title: Filing a Declaratory Judgment Regarding the Interpretation of Section 74-221 of the Walworth County Shoreland Zoning Ordinance Addressing Substandard Lots
- II. Purpose and Policy Impact Statement: This resolution directs the Walworth County Corporation Counsel's office to file a declaratory judgment action in regard to the interpretation of Section 74-221 of the Walworth County Shoreland Zoning Ordinance. This interpretation focuses on the combination of existing substandard lots. A copy of the relevant zoning ordinance together with the September 10, 2004 DNR letter is attached.
- III. Budget and Fiscal Impact: It is anticipated that "in-house" legal staff can prosecute this action. Barring only unforeseen circumstances arising during the litigation, it appears that passage of this resolution can be accomplished within the approved 2004 budget.
- IV. Referred to the following standing committees for consideration and date of referral:

Committee: County Zoning Agency Meeting Date: September 17, 2004

Vote: 7-0

County Board Meeting Date: October 12, 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

10/5/04
Date

N. Andersen
Deputy County Administrator -
Finance

10/5/04
Date

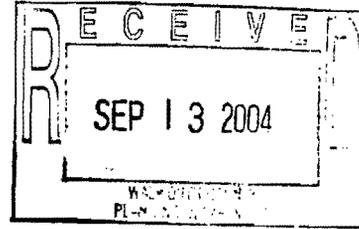


State of Wisconsin \ DEPARTMENT OF NATURAL RESOURCES

Jim Doyle, Governor
Scott Hassett, Secretary

101 S. Webster St.
Box 7921
Madison, Wisconsin 53707-7921
Telephone 608-266-2621
FAX 608-267-3579
TTY Access via relay - 711

September 10, 2004



Michael Cotter and Debora Grube
Walworth County Land Use and Resource Management
Courthouse Annex
W3929 County NN
Elkhorn, WI 53121-4362

Subject: Section 74-221 of the Walworth County Shoreland Zoning Ordinance
Regarding Existing Substandard Lots

Dear Mr. Cotter and Ms. Grube:

Thank you for meeting with me and Carmen Wagner, and representatives of the Town of LaGrange, in Madison on August 31, 2004. We appreciated your willingness to explain how Walworth County Planning & Zoning is administering section 74-221 of the Walworth County Shoreland Zoning Ordinance. The examples that you outlined and the documents that you gave us at the meeting were very helpful.

I'm sending this letter to inform you that the Department of Natural Resources has reviewed the information that you provided to us, and has concluded that Walworth County may legally continue to allow property owners to combine smaller legal substandard lots that they own in order to satisfy the minimum substandard lot requirements in section 74-221 of the Walworth County Shoreland Zoning Ordinance, because the existing ordinance language is somewhat ambiguous. However, the Department believes that it would be preferable for Walworth County to amend section 74-221 to clearly provide that legal substandard lots of record owned by the same person or persons may (or may not) be combined in order to satisfy the minimum substandard lot requirements.

As you know, section 74-221 provides that: "In any residential, conservation, or agricultural district, a one-family detached dwelling and its accessory structures may be erected on **an existing substandard legal lot or parcel of record in the county register of deeds office before the effective date or amendment of this ordinance**, provided such legal lot or parcel meets frontage requirements per section 74 -39 and all the following minimum substandard lot requirements, and further provided that all requirements of the county sanitary ordinance are met: . . ." (emphasis added)

The question that needs to be answered to determine if this provision allows small substandard lots of record to be combined to serve as a building site for a one-family detached dwelling is, in our opinion: What do the terms "lot" and "parcel" mean in the context of section 74-221?

A substandard lot whose legal description was recorded in the county register of deeds office before the effective date of the Walworth County Shoreland Zoning Ordinance could clearly be used for the construction of a “one-family detached dwelling and its accessory structures” if the dimensions of that single lot satisfy the minimum width and area requirements in the table in section 74-221, and the other requirements in section 74-221.

However, what does the phrase “parcel of record” mean? Does the phrase “parcel of record” refer only to tracts of land described in the records in the county register of deeds office that have not been divided into lots? Does “parcel of record” refer to tracts of land in common ownership that are composed of several lots? Does “parcel of record” refer to only an entire tract composed of several lots, or does it also refer to portions of an entire tract in common ownership? (For example, can a tract consisting of six substandard lots in common ownership be considered to be three parcels composed of two substandard lots each?) The Department believes that one thing is clear concerning the term “parcel of record.” In order to be considered a “parcel of record in the county register of deeds office before the effective date or amendment of this ordinance,” the entire “parcel” would have to be owned by the same person or entity at the time that the lots within the parcel or the parcel itself became substandard and would have to be held in common ownership ever since. Otherwise, the lots or groups of lots currently owned by the same person would be considered separate “parcels of record.”

There is no definition of “parcel” in section 74-131 of the Walworth County Shoreland Zoning Ordinance, and because we are not aware of any reported court decision in Wisconsin that deals with this issue, we have consulted the Attorney General’s Opinion that you referred to at our meeting on August 31: 52 Opinions of the Attorney General 411 (November 13, 1963).

In 52 OAG 411, the Attorney General was asked, with respect to the platting of lands under ch. 236, Wis. Stats.: “Where several contiguous, individually described parcels are under one ownership, is each one a ‘parcel or tract of land’ or does the definition apply to the total holdings under one ownership?”

The Attorney General responded that:

“It is my opinion that the total holdings in such case constitutes a single parcel or tract of land for the purposes of subdivisional control and platting requirements under Ch. 236, however, it should be pointed out that there can be parcels within a parcel, as is the case here . . . The smaller units which make up the whole are also parcels of land.” (52 OAG at page 411).

The Attorney General also quotes from several dictionary definitions of “parcel” and “tract of land” and concludes that: “Neither the word ‘parcel’ nor the words ‘tract of land’ are defined in . . . Ch. 236, nor do they have any fixed meaning. They must be construed in a manner to carry out the legislative intent as expressed in the specific section and sec. 236.01, the purpose section of the chapter.” (52 OAG at page 412)

Because the term “parcel” is not defined in the Walworth County Shoreland Zoning Ordinance and because the term is capable of being interpreted differently in different contexts, we think

that the phrase “an existing substandard legal lot or parcel of record” in section 74-221 is ambiguous. The Department recommends that Walworth County amend its Shoreland Zoning Ordinance to clearly define “parcel” to include part of an entire tract in common ownership that is composed of one or more lots, as well as the entire tract in common ownership, if the County wants to continue to administer section 74-221 as it is now.

It is our opinion, that in the interim, before a clarifying amendment is adopted, the County can legitimately rely on the transcript of the County Board meeting relating to the adoption of the original version of section 74-221 in 1974 as evidence of legislative intent, and can interpret the term “parcel of record” to include entire tracts in common ownership, and portions of an entire tract in common ownership consisting of two or more lots of record.

However, the Department believes that the administrative policy summary that you gave us at the meeting on August 31 needs to be amended to more accurately and clearly set out what section 74-221 allows.

Your “Administrative Policy Pertinent To: Combining Substandard Platted Lots” needs to be amended in two places in order to consistent with the requirements of section 74-221 and the explanation of legislative intent found in the 1974 County Board transcript:

(1) The following condition needs to be added to the numbered list that follows the first paragraph of the policy statement:

“4. The lots that are proposed to be combined for the purpose of satisfying the requirements of section 74-221 have been in common ownership since before the effective date of the Walworth County Shoreland Zoning Ordinance (in August 1974) or since the effective date of the amendment to the ordinance that made the lots substandard, if the lot became substandard after the ordinance was originally adopted. (Before substandard platted lots can be combined, the current owner of the lots will have to provide Planning & Zoning with copies of documents recorded in the county register of deeds office that prove that the lots have been in common ownership since August of 1974. The burden of proving eligibility is on the property owner, not the County.)”

(2) The “Clarification” language, dated 3-18-04, should be further clarified by adding the following clause at the end of the second sentence:

“. . . provided that the original size of the lot of record before the effective date of the ordinance or amendment that made the lot substandard shall be used to determine whether or not the lot is buildable under section 74-221.”

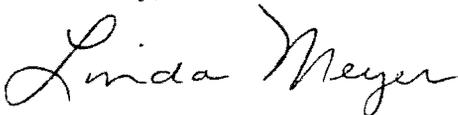
You have asked if section 74-221 would allow Owner # 1 who owns three substandard platted lots of record that total 6,000 square feet in area to sell those lots to Owner # 2 who owns two adjacent substandard platted lots of record that total 4,000 square feet in area, to create one substandard parcel of 10,000 square feet. Our answer is that Owner # 1 could legally sell the three lots to Owner # 2, but the resulting parcel would not satisfy the requirements of section 74-221, and could not be used as a building site for a one-family residence. The 10,000 square foot

parcel that would result from combining the five lots was not a "parcel of record in the county register of deeds office before the effective date or amendment of this ordinance."

You have also asked how separate tax key numbers affect the application of section 74-221. You have asked, for example, if a property owner owns three abutting parcels with separate tax key numbers and each parcel contains two or more substandard lots of record, could a lot or lots from one of the tax key numbered parcels be added to the other two tax key numbered parcels so that, in the end, one tax key numbered parcel is eliminated. We believe that whether or not the property owner would have the right to ask that lots from one tax key numbered parcel be added to another parcel with a different tax key number depends on the provisions in the county ordinance that governs the assignment of tax key numbers. However, in our opinion, it does not matter whether lots that are proposed to be combined in order to satisfy the requirements of section 74-221 have the same tax key number or not. What matters is whether the lots that are proposed to be combined were in the same "parcel of record in the county register of deeds office before the effective date or amendment of this ordinance." We believe that it is reasonable for the County to assume that lots that are currently in parcels with different tax key numbers were not part of the same "parcel of record in the county register of deeds office before the effective date or amendment of this ordinance," but the property owner should be given the opportunity to produce copies of records from the county register of deeds office to prove that the lots were in common ownership when the lots became substandard and have remained in common ownership since then, if the property owner claims that the lots were in the same "parcel of record in the county register of deeds office before the effective date or amendment of this ordinance."

If the changes that we have asked for in this letter are made to the County's administrative policy summary on this issue, the Department of Natural Resources will have no objection to Walworth County's interpretation of section 74-221. Please let me know if you have any questions about the Department's position on this issue. Thank you.

Sincerely,



Linda Meyer
Staff Attorney
Bureau of Legal Services

cc: Carmen Wagner – WT/2
Elizabeth Adelman – 33725 County Road L, Mukwonago, WI 53149

Executive Committee

1. Resolution No. 52-10/04 – Allowing the Claim of JC-KOW Farms Partnership
2. Resolution No. 57-10/04 - Urging the State Legislature to Conduct a Thorough Review of Current Sales Tax Exemptions
3. Resolution No. 58-10/04 - Denying the Claim of Philip and Rhonda Aurit
4. Resolution No. 59-10/04 - Denying the Claim of David F. and Dierdre M. Tanaka
5. Resolution No. 60-10/04 - Approving 2004 and 2005 Funding for Tri-County Business Partnerships. This item was postponed until the November County Board meeting.
6. Ordinance No. 275-10/04 – Amending Section 2-144 of the Walworth County Code of Ordinances, Establishing Standard Meeting Days and Times for Standing Committees of the County Board

Item 5, Resolution No. 60-10/04, was postponed until the November County Board meeting.

Supervisor Grant offered a motion, seconded by Supervisor Russell, to approve items 1 through 4. Discussion ensued. Supervisor Arnold requested an explanation of item 2 and it was separated for voting purposes. Resolution No. 52-10/04, Resolution No. 58-10/04, and Resolution No. 59-10/04 were approved by voice vote. Discussion ensued on item 2. Item 2, Resolution No. 57-10/04 was approved by voice vote with Kuhnke & Van Dreser requesting that their votes be recorded as “No.”

Resolution No. 52-10/04
Allowing the Claim of JC-Kow Farms Partnership

Moved/Sponsored by: Executive Committee

WHEREAS, JC-Kow Farms Partnership (“Claimant”) has submitted a claim for damages to animals based upon Chapter 174 of the Wisconsin Statutes (“Claim”); and,

WHEREAS, the Claimant seeks the sum of \$150 due to the death of a calf by dogs.

NOW, THEREFORE, BE IT RESOLVED that the Walworth County Board of Supervisors hereby allows the claim of JC-Kow Farms Partnership in the amount of \$150, which sum shall be paid to the Claimant from the dog license fund.

BE IT FURTHER RESOLVED that the proper county officials be and hereby are authorized to take such action as may be appropriate to effectuate the intent of this resolution and that the county clerk and finance director be directed to pay this claim.

Ann Lohrmann
County Board Chairperson

Kimberly S. Bushey
County Clerk

Action Required: Majority X Two-thirds _____ Other _____

County Board Meeting Date: October 12, 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

9/21/04
Date

N. Andersen
Finance Director

9/21/04
Date

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

Policy and Fiscal Note
Resolution No. 52-10/04

- I. Title: Allowing the Claim of JC-Kow Farms Partnership
- II. Purpose and Policy Impact Statement: The purpose of this resolution is to allow the claim of JC-Kow Farms Partnership.
- III. Budget and Fiscal Impact: This claim is in the amount of \$150, which will be paid from the dog license fund.

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

Committee: Executive Meeting Date: September 16, 2004

Vote: 6 - 0

County Board Meeting Date: October 12, 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	9/21/04	N. Andersen	9/21/04
County Administrator/ Corporation Counsel	Date	Finance Director	Date

Resolution No. 58-10/04
Denying the claim of Philip and Rhonda Aurit

Moved/Sponsored by: Executive Committee

WHEREAS, Philip Aurit and Rhonda Aurit filed a claim against the Walworth County Board of Adjustment seeking review of the Board's denial of a variance request; and

WHEREAS, the executive committee has reviewed the claim and recommended denial of the same;

NOW, THEREFORE, BE IT RESOLVED by the Walworth County Board of Supervisors that the claim of Philip and Rhonda Aurit be and the same is hereby denied and that the County Clerk be directed to serve a Notice of Disallowance upon the claimant.

Ann Lohrmann
County Board Chairperson

Kimberly S. Bushey
County Clerk

Action Required: Majority X Two-thirds _____ Other _____

County Board Meeting Date: October 12, 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	10/5/04	N. Andersen	10/5/04
County Administrator/ Corporation Counsel	Date	Deputy County Administrator - Finance	Date

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

Policy and Fiscal Note
Resolution No. 58-10/04

- I. Title: Denying the claim of Philip and Rhonda Aurit
- II. Purpose and Policy Impact Statement: The purpose of this resolution is to deny the claim by Philip and Rhonda Aurit appealing a decision by the Board of Adjustment.
- 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: Executive Meeting Date: September 16, 2004

Vote: 6 - 0

County Board Meeting Date: October 12, 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	10/5/04	N. Andersen	10/5/04
County Administrator/ Corporation Counsel	Date	Deputy County Administrator - Finance	Date

Resolution No. 59-10/04
Denying the claim of David F. and Dierdre M. Tanaka

Moved/Sponsored by: Executive Committee

WHEREAS, David F. Tanaka and Dierdre M. Tanaka have filed a claim against Walworth County seeking to overturn a decision of the Walworth County Board of Adjustment; and

WHEREAS, the executive committee has reviewed this matter and recommends disallowance of the claim;

NOW, THEREFORE, BE IT RESOLVED by the Walworth County Board of Supervisors that the claim of David F. Tanaka and Dierdre M. Tanaka be and the same is hereby denied and that the County Clerk be directed to serve a Notice of Disallowance upon the claimant.

Ann Lohrmann
County Board Chairperson

Kimberly S. Bushey
County Clerk

Action Required: Majority X Two-thirds _____ Other _____

County Board Meeting Date: October 12, 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

10/4/04
Date

Nicki Andersen (pw)
Finance Director

10/4/04
Date

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

Policy and Fiscal Note
Resolution No. 59-10/04

- I. Title: Denying the claim of David F. Tanaka and Dierdre M. Tanaka
- II. Purpose and Policy Impact Statement: The purpose of this resolution is to deny the claim by David F. Tanaka and Dierdre M. Tanaka appealing a decision by the Board of Adjustment.
- 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: Executive Meeting Date: September 16, 2004

Vote: 6 - 0

County Board Meeting Date: October 12, 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

10/4/04
Date

Nicki Andersen (pw)
Finance Director

10/4/04
Date

Resolution No. 57-10/04

Urging the State Legislature to Conduct a Thorough Review of Current Sales Tax Exemptions

Moved/Sponsored by: Executive Committee

WHEREAS, the State of Wisconsin imposes a sales tax and permits counties to impose an optional sales tax; and,

WHEREAS, over the years numerous exemptions from sales tax have been enacted by the state legislature; and,

WHEREAS, having considered the matter and reviewed the many sales tax exemptions, the Walworth County Board of Supervisors has determined that it would be sound public policy to review the many exemptions.

NOW, THEREFORE, BE IT RESOLVED by the Walworth County Board of Supervisors that the board requests the proper state officials to review current sales tax exemptions and propose any changes which may be necessary to ensure that the exemptions are equitable and consistent with sound public policy.

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

Ann Lohrmann
County Board Chairperson

Kimberly S. Bushey
County Clerk

Action Required: Majority X Two-thirds _____ Other _____

County Board Meeting Date: October 12, 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	10/4/04	Nicki Andersen (pw)	10/4/04
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. 57-10/04

- I. Title: Urging the State Legislature to Conduct a Thorough Review of Current Sales Tax Exemptions
- II. Purpose and Policy Impact Statement: This is an advisory resolution requesting the State of Wisconsin to review sales tax exemptions.
- 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: Executive Meeting Date: September 16, 2004

Vote: 6 – 0

County Board Meeting Date: October 12, 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	10/4/04	Nicki Andersen (pw)	10/4/04
County Administrator/ Corporation Counsel	Date	Finance Director	Date

Supervisor Weber offered a motion, seconded by Supervisor Grant, to approve item 6, Ordinance No. 275-10/04. Supervisor Grant offered a motion, seconded by Supervisor Arnold, to amend Ordinance No. 275-10/04, by deleting line 33 and replacing it with the following: "ii. Decisions. 9:00 AM on the Friday which immediately follows the third Thursday of each month." The amendment was approved by voice vote. Supervisor Grant offered a motion, seconded by Supervisor Arnold, to amend Ordinance No. 275-10/04 on page 2, line 2 as follows: delete line 2 on Page 2 and replace it with the following phrase: "date or time after notifying the County Board Chairperson." The amendment was approved by voice vote.

Supervisor Wagie-Troemel offered a motion, seconded by Supervisor Burwell, to amend Ordinance 275-10/04 on line 21, changing the day and time of the Human Resources Committee meeting from 2:00 PM on Wednesday to 10:00 a.m. on Monday. The amendment was approved by voice vote.

Supervisor Hawkins offered a motion, seconded by Supervisor Waelti, to amend line 27, after “8:00 AM on Thursday” adding the words the week “following the regularly scheduled monthly County Board meeting.” The amendment was approved by voice vote. On motion by Supervisor Hawkins, seconded by Supervisor Waelti, lines 23, 25, and 29 were also amended adding the words the week before the phrase “following the regularly scheduled monthly County Board meeting.”

Ordinance 275-10/04 was approved as amended. No opposition was heard.

ORDINANCE NO. 275 – 10/04
AMENDING SECTION 2-144 OF THE WALWORTH COUNTY CODE OF ORDINANCES,
ESTABLISHING STANDARD MEETING DAYS AND TIMES
FOR STANDING COMMITTEES OF THE COUNTY BOARD
AMENDED

THE WALWORTH COUNTY BOARD OF SUPERVISORS DOES ORDAIN AS FOLLOWS:

PART I: That Article II, Section 2-144 of Chapter 2 of the Walworth County Code of Ordinances is hereby amended so as to create paragraph (d) thereof to read as follows:

“Sec. 2-144

(d) Meetings, when held. To provide predictability to the public, media and supervisors wishing to attend standing committee meetings and to ensure adequate staff support of committee meetings, the following rules shall apply:

1. Except as provided in 2 and 3, meetings of the standing committees shall be held in accordance with the following schedule:
 - a) Agriculture and Extension Education committee – 12:00 PM on Monday following the regularly scheduled monthly County Board meeting;
 - b) Land Conservation committee – 1:00 PM on Monday following the regularly scheduled monthly County Board meeting;
 - c) Public Works committee – 3:00 PM on Monday following the regularly scheduled monthly County Board meeting;
 - d) Children with Disabilities Education Board – 6:00 PM on Monday following the regularly scheduled monthly County Board meeting;
 - e) Human Resource committee – ~~2:00 PM on Wednesday~~ 10:00 AM on Monday following the regularly scheduled monthly County Board meeting;
 - f) Executive committee – 4:00 PM on Wednesday the week following the regularly scheduled monthly County Board meeting;
 - g) Health and Human Service Board – 6:00 PM on Wednesday the week following the regularly scheduled monthly County Board meeting;
 - h) Lakeland Health Care Center Board of Trustees – 8:00 AM on Thursday the week following the regularly scheduled monthly County Board meeting;
 - i) Finance committee – 9:00 AM on Thursday the week following the regularly scheduled monthly County Board meeting;
 - j) County Zoning Agency
 - i. Public hearings – 6:00 PM on the third Thursday of each month.
 - ii. Decisions – 9:00 AM on the ~~third Friday of each month~~ Friday which immediately follows the third Thursday of each month.
2. In the event business needs necessitate additional committee meetings, said meetings shall be scheduled for Monday of the week preceding the regular monthly County Board or on the date of the County Board meeting.
3. Upon a finding of an emergency, a committee chair may schedule a meeting at a different date or time after ~~consultation with~~ notifying the County Board chairperson.

David A. Bretl
County Administrator/
Corporation Counsel

10/6/04
Date

N. Andersen
Deputy County Administrator -
Finance

10/8/04
Date

Finance Committee

1. Resolution No. 54-10/04 – Transferring An Amount Not to Exceed \$20,000 from the Contingency Fund to Study Long Range Use of the Lakeland Health Care Center Facility
2. Resolution No. 56-10/04 – Transferring the Sum of \$145,858 From the Contingency Fund to the Appropriate Public Works Account for all Necessary Equipment and Complete Installation of the Courthouse Chiller

A motion was offered by Supervisor Schaefer, seconded by Supervisor Waelti, to approve Resolution No. 54-10/04. Discussion ensued. On motion by Supervisor Van Dreser, seconded by Supervisor Downing, Resolution No. 54-10/04 was approved by unanimous consent.

Resolution No. 54-10/04
Transferring an Amount Not To Exceed \$20,000 from the Contingency Fund
to Study Long Range Use of the Lakeland Health Care Center Facility

Moved/Sponsored by: Finance Committee

WHEREAS, the County Board has approved construction of a new 120-bed skilled nursing care facility (New Facility); and,

WHEREAS, the New Facility will be operational in 2006; and,

WHEREAS, the public works committee recommends that the County begin planning now as to what, if any, use can be made of the existing Lakeland Health Care Center (Existing Facility); and

WHEREAS, time is of the essence regarding a decision as to whether the Existing Facility can be reused because if the Existing Facility is to be razed, certain mechanical equipment can be reused; and

WHEREAS, interest has been expressed by a number of public service agencies in leasing portions of the Existing Facility; and

WHEREAS, the decision to reuse the Existing Facility in the above-designated manner raises numerous financial and policy issues; and

WHEREAS, a decision to reuse the Existing Facility in this manner is one of several different options for the Existing Facility, including demolition; and

WHEREAS, further study of this issue will permit the Board to make an informed decision at some future date;

NOW, THEREFORE, BE IT RESOLVED by the Walworth County Board of Supervisors that the sum of \$20,000 be and the same is hereby transferred from the county's contingency fund for the purpose of studying re-use of the Existing Facility by public service agencies, including a full accounting of the estimated costs attendant to such re-use.

Ann Lohrmann
County Board Chairperson

Kimberly S. Bushey
County Clerk

Action Required: Majority X Two-thirds _____ Other _____

County Board Meeting Date: October 12, 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	10/5/04	Nicki Andersen (pw)	10/5/04
County Administrator/ Corporation Counsel	Date	Deputy County Administrator - Finance	Date

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

Policy and Fiscal Note
Resolution No. 54-10/04

- I. Title: Transferring an Amount Not To Exceed \$20,000 from the Contingency Fund to Study Long Range Use of the Lakeland Health Care Center Facility
- II. Purpose and Policy Impact Statement: The purpose of this resolution is to transfer the sum of \$20,000 from the contingency fund to study re-use of the existing LHCC as a public/private agency center. A memo outlining the approach is attached hereto.
- III. Budget and Fiscal Impact: This resolution would transfer \$20,000 from the contingency fund for the purpose of obtaining further information regarding re-use of the existing LHCC facility.
- IV. Referred to the following standing committees for consideration and date of referral:

Committee: Finance Meeting Date: September 16, 2004

Vote: 5 - 0

County Board Meeting Date: October 12, 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	10/5/04	Nicki Andersen (pw)	10/5/04
County Administrator/ Corporation Counsel	Date	Deputy County Administrator - Finance	Date

Supervisor Felten offered a motion, seconded by Supervisor Morrison, to approve Resolution No. 56-10/04. On motion by Supervisor Van Dreser, seconded by Supervisor Downing, Resolution No. 56-10/04 was approved by unanimous consent.

Resolution No. 56-10/04
Transferring the Sum of \$145,858.00 from the Contingency Fund to the
Appropriate Public Works Account for all Necessary Equipment and Complete Installation of the
Courthouse Chiller

Moved/Sponsored by: Public Works and Finance Committees

WHEREAS, on September 21, 2004, the Public Works Committee of the Walworth County Board of Supervisors awarded a bid to Johnson Controls, Inc. in the amount of \$145,858.00 to replace the failed chiller at the current Walworth County Courthouse; and,

WHEREAS, on September 23, 2004, the County Finance Committee recommended the transfer of \$145,858.00 from the County's contingency fund to cover the costs of the equipment and installation of a new chiller for the courthouse located in downtown Elkhorn; and

NOW, THEREFORE, BE IT RESOLVED by the Walworth County Board of Supervisors that the sum of \$145,858.00 be and the same is hereby transferred from the contingency fund to the appropriate Public Works account for the purpose of replacing the failed chiller at the Walworth County Courthouse in downtown Elkhorn.

Ann Lohrmann
County Board Chairperson

Kimberly S. Bushey
County Clerk

County Board Meeting Date: October 12, 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	10/8/04	N. Andersen	10/8/04
County Administrator/ Corporation Counsel	Date	Deputy County Administrator - Finance	Date

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

Policy and Fiscal Note
Resolution No. 56-10/04

- I. Title: Transferring the sum of \$145,858.00 from the Contingency Fund to the appropriate Public Works account for the necessary equipment and complete installation of the Courthouse Chiller.
- II. Purpose and Policy Impact Statement: The purpose of this resolution is to transfer funds from the contingency fund to replace the failed chiller at the Walworth County Courthouse in downtown Elkhorn.
- III. Budget and Fiscal Impact: \$355,000.00 was included in the County's contingency fund for 2004. To date, the County has \$261,143.00 remaining in the contingency fund. The existing chiller is beyond repair and if it isn't replaced, there will be no air conditioning at the downtown Courthouse.
- IV. Referred to the following standing committees for consideration and date of referral:

Committee: Public Works	Meeting Date: September 21, 2004
Vote: 6-0	
Committee: Finance	Meeting Date: September 23, 2004
Vote: 6-0	

County Board Meeting Date: October 12, 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

10/8/04
Date

N. Andersen
Deputy County Administrator -
Finance

10/8/04
Date

Health & Human Services

1. Resolution No. 53-10/04 -- 2005 Amendment to the Walworth County Aging Plan

Supervisor Felten offered a motion, seconded by Supervisor Ketchpaw, to approve Resolution No. 53-10/04. On motion by Supervisor Van Dreser, seconded by Supervisor Ketchpaw, Resolution No. 53-10/04 was approved by unanimous consent.

Resolution No. 53 – 10/04
2005 Amendment to the Walworth County Aging Plan
for Older People 2003-2005

Moved/Sponsored by: Health and Human Services Board

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

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

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

NOW, THEREFORE, BE IT RESOLVED that the Walworth County Board of Supervisors does hereby approve the 2005 Amendment to the Walworth County Aging Plan for Older People 2003-2005 and the programs listed below be funded by federal and state revenues.

FEDERAL/STATE OLDER AMERICANS ACT

PROGRAM	REVENUE
Administrative/Fiscal Support	\$13,000
Public Information	\$1,844
Benefit/Legal Assistance	\$14,000
Money Management	\$3,500
Residential Repair	\$1,500
Supportive In-Home Care	\$44,980
Congregate Meals	\$164,095
Home-Delivered Meals	\$50,582
Elder Abuse Services	\$29,546
Preventive Health	\$5,426
Family Caregiver Support	\$37,902

STATE SENIOR COMMUNITY SERVICE

Home Delivered Meal Delivery	\$9,074
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STATE ELDERLY BENEFIT SERVICE

Benefit/Legal Assistance

\$28,215

Ann Lohrmann
County Board Chairperson

Kimberly S. Bushey
County Clerk

County Board Meeting Date: October 12, 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	9/30/04	N. Andersen	10/1/04
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. 53-10/04

I. Title:

2005 Amendment to the Walworth County Aging Plan for Older People 2003-2005

II. Purpose and Policy Impact Statement:

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

III. Budget and Fiscal Impact:

Revenue: \$403,664
Expenditures: \$403,664

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

Committee: Health and Human Services Board

Meeting Date: September 20, 2004

Vote: 5 - 0

County Board Meeting Date: October 12, 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	9/30/04	N. Andersen	10/1/04
County Administrator/ Corporation Counsel	Date	Finance Director	Date

Human Resources

1. Ordinance No. 274-10/04 – Amending Sections 15-120, 15-809, and 15-824 of the Walworth County Code of Ordinances Relating to Hours of Operation, Drug Free Workplace and Right to Representation and Creating Section 15-811 Thereof Relating to a Smoke Free Workplace

A motion was offered by Supervisor Morrison, seconded by Supervisor Hilbelink, to approve Ordinance No. 274-10/04. Discussion ensued. Supervisor Grant offered a motion, seconded by Supervisor Arnold, to amend Section 15-811, item b, lines 16 and 17 as follows: “judicial facility by jurors in accordance with ~~procedures~~ the state law and restrictions established by the sheriff.” The amendment was approved by voice vote.

On motion by Supervisor Hawkins, seconded by Supervisor Burwell, Ordinance No. 274-10/04 was amended on line 38 to include the wording “for employees of Lakeland Health Care Center”. On motion by Supervisor Felten, seconded by Supervisor Van Dreser, Ordinance No. 274-10/04 was amended by removing “elected officials” from page 2, line 38. On motion by Supervisor Downing, seconded by Supervisor Hilbelink, Ordinance No. 274-10/04 was amended on line 38, adding the words “but not limited to” after the words “such as.” Lines 37 and 38 were amended to read as follows: “...significant public trust, such as, but not limited to, teachers, ~~elected officials~~, deputy sheriffs, and Lakeland Health Care Center employees, a first offense may...”

On motion by Supervisor Burwell, seconded by Supervisor Kuhnke, Ordinance No. 274-10/04 was further amended on page 1, line 28, by adding the following: c. Land Use & Resource Management business hours shall be 7:00 a.m. to 5:00 p.m. Ordinance No. 274-10/04 was approved as amended by voice vote.

ORDINANCE NO. 274-10/04

AMENDED

AMENDING SECTIONS 15-120, 15-809, AND 15-824 OF THE WALWORTH COUNTY CODE OF ORDINANCES RELATING TO HOURS OF OPERATION, DRUG-FREE WORKPLACE AND RIGHT TO REPRESENTATION AND CREATING SECTION 15-811 THEREOF RELATING TO A SMOKE-FREE WORKPLACE

THE WALWORTH COUNTY BOARD OF SUPERVISORS DOES ORDAIN AS FOLLOWS:

Part I: That Section 15-120 of the Walworth County Code of Ordinances is hereby amended to read as follows (additions shown by underline; deletions shown by ~~strikethrough~~):

“Sec. 15-120. Policy.

- (a) It is the policy of the County that all County departments, ~~except those identified in subsection 15-120(b)~~, shall provide services to the public between the hours of 8:00 a.m. and 5:00 p.m., Monday through Friday, excluding those holidays observed by the County. Each County department head shall determine staffing for their departments sufficient to meet the public's need for services during these hours.
- (b) Any changes in the hours that a County department is open to serve the public exception to subsection 15-120(a) shall be made by the Walworth County Board following:
 1. Presentation of the request to alter business hours and the justification therefor by the County Department proposing the change; and
 2. Review of the request by the Human Resources Committee.

In granting any such exception, the County Board shall take into consideration customer service needs, the workflow between departments, and operating efficiencies.
Exceptional business hours are authorized for the following departments:

- a. Lakeland School business hours shall be 7:30 a.m. to 5:00 p.m.
- b. Public Works business hours shall be 6:00 a.m. to 3:30 p.m.
- c. Land Use & Resource Management business hours shall be 7:00 a.m. to 5:00 p.m.
- (c) The County administrator may authorize a temporary change in business hours for a specific purpose and for a time-specific period when the change better meets operational needs.
- (d) ~~The human resources~~ employee relations director shall administer this division in conformance with collective bargaining agreements and the Fair Labor Standards Act.”

Part II: That Section 15-809 of the Walworth County Code of Ordinances is hereby amended to read as follows (additions shown by underline; deletions shown by ~~strikethrough~~):

“Sec. 15-809. Drug- and alcohol-free workplace.

- (a) Policy. The County shall maintain a drug- and alcohol-free workplace in conformance with the Drug-Free Workplace Act (41 U.S.C. 701 et seq.) and ~~regulations promulgated thereunder.~~this section.
- (b) ~~Employees shall be notified that~~ The following are violations of the County's Drug- and Alcohol-Free Workplace policy :
 - 1. Use of alcohol on County property, or working while under the influence of alcohol.
 - 2. The unlawful manufacture, distribution, dispensing, possession, or use of a controlled substance on County property or being under the influence of any controlled substance while working. Nothing in the preceding sentence shall be considered to prohibit an employee from working while taking medications as prescribed by a health care provider licensed to prescribe such medications. prohibited in the workplace and shall In determining specify the actions that will be taken against employees for violation of ~~such prohibition.~~ this policy, the department head shall take into account the following factors:
 - (i) The nature of the position held by the employee and the public's expectation of trust and integrity in the position;
 - (ii) How the violation was discovered;
 - (iii) The employee's length of service with the County;
 - (iv) Any prior discipline for the same or a related offense;
 - (v) The employee's prior disciplinary history; and
 - (vi) Such other factors as are relevant to the circumstances of the offense, the employee and the degree of discipline.
 - 3. In most instances, the first violation will result in immediate suspension from the job and a referral to the employee assistance plan , with successful completion of measures recommended to avoid a repeat violation (such as drug or alcohol rehabilitation) as a requirement to return to work. However, in positions of significant public trust, such as, but not limited to, teachers, ~~elected officials, and~~ deputy sheriffs, and Lakeland Health Care Center employees, a first offense may result in more serious discipline, up to and including discharge.

- (c) Employees shall be notified, as a condition of employment, that they must report any conviction under a criminal drug statute for violations occurring on or off County premises while conducting County business. A report of a conviction must be made to the director within five calendar days after the conviction.”

Part III: That Section 15-811 of the Walworth County Code of Ordinances is hereby created to read as follows:

“Sec. 15-811. Smoke-free workplace.

- (a) Policy. It is the policy of the County to comply with all applicable federal and state regulations regarding smoking in the workplace. The County will regulate smoking in the workplace to provide a smoke-free work environment, while recognizing the rights of employees to use tobacco products in a legal manner. This section shall apply to County employees and all other persons using County buildings, facilities or vehicles.
- (b) Smoking Restrictions. Except as provided below, smoking shall be prohibited in all County-owned buildings and vehicles.
1. Smoking is permitted in the enclosed, outdoor jurors’ smoking lounge located in the ~~judicial facility in accordance with procedures and restrictions established by the sheriff~~ judicial facility by jurors in accordance with the state law and restrictions established by the sheriff.
 2. Smoking is permitted in the Lakeland Health Care Center only by residents admitted to that facility prior to October 1, 1993 and only in accordance with administrative policies adopted by the Lakeland Health Care Center Administrator.
- (c) Violations. Any person who willfully violates this policy after being advised by an agent of the County that smoking in the area is prohibited is subject to a civil forfeiture as set forth in s.101.123(8)(a) Wis. Stats. In addition, any employee who violates smoking restrictions may be subject to disciplinary action.”

Part IV: That Section 15-824 of the Walworth County Code of Ordinances is hereby amended to read as follows (additions shown by underline; deletions shown by ~~strike through~~):

“Sec. 15-824. Right to representation.

- (a) An employee who is represented by a union shall have the right to request representation at any meeting in which the employee has a reasonable belief that he or she may be subject to discipline or other adverse consequences resulting from what he or she says. The meeting need not be unreasonably delayed because of the unavailability of the employee's preferred representative. An employee who is interviewed as a witness only shall not be entitled to representation.”

PART V: This Ordinance shall become effective upon passage.

PASSED and ADOPTED by the Walworth County Board of Supervisors this 12th day of October, 2004.

Ann Lohrmann
County Board Chairperson

Kimberly S. Bushey
Attest: County Clerk

County Board Meeting Date: October 12, 2004

Action Required: X Majority Vote 2/3 Vote Other

Policy and Fiscal Note is attached.

2. Resolution No. 62-10/04 – Approving Early Implementation of the Reorganization Plan Included in the 2005 Preliminary Budget

Supervisor Polyock offered a motion to approve Resolution No. 55-10/04 and Resolution No. 62-10/04. On motion by Supervisor Grant, seconded by Supervisor Hilbelink, Resolution No. 55-10/04 and Resolution No. 62-10/04 were approved by unanimous consent.

Resolution No. 55-10/04
Approving a Change in Hours of Work for the Public Works Department

Moved/Sponsored by: Human Resource Committee.

WHEREAS Section 15-120 of the Walworth County Code of Ordinances establishes business hours for County departments of 8:00 AM to 5:00 PM; and,

WHEREAS, said ordinance provides that upon presentation of appropriate justification and recommendation of the human resources committee, the County Board may establish different hours; and

WHEREAS, the Public Works director has requested that the hours of public service for that department be established as 6:00 AM to 3:30 PM for the following reasons:

- The standard workday under the collective bargaining agreement with Walworth County Public Works highway employees commences at 7:00 AM.
- Downsizing of administrative support staff and management makes it inefficient to staff hours of public service beyond 3:30 PM.
- There is very little public demand for services beyond 3:30 PM.

NOW, THEREFORE, BE IT RESOLVED that the recommendation of the human resources committee to establish hours of public service for the Public Works department from 6:00 AM to 3:30 PM be and the same is hereby approved.

Ann Lohrmann
County Board Chairperson

Kimberly S. Bushey
County Clerk

Action Required: Majority X Two-thirds _____ Other _____

County Board Meeting Date: October 12, 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	10/5/04	Nicki Andersen (pw)	10/7/04
County Administrator/ Corporation Counsel	Date	Deputy County Administrator - Finance	Date

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

Policy and Fiscal Note
Resolution No. 55-10/04

- I. Title: Approving a Change in Hours of Work for the Public Works Department
- II. Purpose and Policy Impact Statement: The purpose of this resolution is to approve a change in the hours of work for employees of the Public Works department.

III. Is this a budgeted item and what is its fiscal impact: There is no fiscal impact anticipated as the result of passage of this resolution.

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

Committee: Human Resources Date: July 15, 2004

Vote: 3 - 0

County Board Meeting Date: October 12, 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	10/5/04	Nicki Andersen (pw)	10/7/04
County Administrator/ Corporation Counsel	Date	Deputy County Administrator - Finance	Date

Resolution No. 62 - 10/04
Approving Early Implementation of the Reorganization Plan
Included in the 2005 Preliminary Budget

Moved/Sponsored by: Public Works Committee

WHEREAS, the public works director has proposed a reorganization of the Public Works department for 2005; and

WHEREAS, the reorganization plan is included in the 2005 preliminary budget; and,

WHEREAS, the Public Works director requests early implementation of said reorganization plan;

NOW, THEREFORE, BE IT RESOLVED by the Walworth County Board of Supervisors that the attached reorganization plan be and the same is hereby approved.

Ann Lohrmann
County Board Chairperson

Kimberly S. Bushey
County Clerk

Action Required: Majority X Two-thirds _____ Other _____

County Board Meeting Date: October 12, 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	10/12/04	N. Andersen	10/12/04
County Administrator/ Corporation Counsel	Date	Deputy County Administrator - Finance	Date

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

Policy and Fiscal Note
Resolution No. 62 - 10/04

- I. Title: Approving Early Implementation of the Reorganization Plan
Included in the 2005 Preliminary Budget
- II. Purpose and Policy Impact Statement: Funding for the Public Works reorganization plan was included in the preliminary 2005 budget. Authorization of this resolution would implement the reorganization plan effective upon adoption of this resolution.
- III. Budget and Fiscal Impact: Early implementation of the reorganization plan will be budget neutral or reflect a slight savings for 2004.
- IV. Referred to the following standing committees for consideration and date of referral:

Committee: Public Works Meeting Date: September 21, 2004
Vote: 6 – 0

Committee: Finance Meeting Date: September 23, 2004
Vote: 6 – 0

County Board Meeting Date: October 12, 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	10/12/04	N. Andersen	10/12/04
County Administrator/ Corporation Counsel	Date	Deputy County Administrator - Finance	Date

Closed Session

On motion by Supervisor Polyock, seconded by Supervisor Downing, the Board convened in closed session pursuant to § 19.85 (1) (g) Wis. Stats., for the purpose of conferring with legal counsel for the governmental body who is rendering oral or written advice concerning strategy to be adopted by the body with respect to litigation in which it is or is likely to become involved. Discussion regarding proposed remedies for design problems at the Justice Center, budget transfers to accomplish proposed remedies and legal action to recover costs. A roll call vote was held. Total vote: 25; Ayes: 24 – Arnold, Downing, Felten, Goebel, Grant, Guido, Hawkins, Hilbelink, Ketchpaw, Kuhnke, Lein, Lightfield, Morrison, Muzatko, Parker, Polyock, Russell, Schaefer, Stacey, Van Dreser, Waelti, Wagie-Troemel, Weber, Lohrmann; Noes: 0; Absent: 1 – Burwell.

The Board reconvened in open session on motion by Supervisor Van Dreser, seconded by Supervisor Goebel. Resolution No. 64-10/04 was distributed to the Board.

On motion by Supervisor Van Dreser, seconded by Supervisor Downing, Resolution No. 64-10/04 – Authorizing Staff to Remedy Design Problems at the Judicial Center and to Pursue Legal Action Against Owen Ayres and Associates and Transferring Money from the General Fund to Remedy Said Design Problems, was approved by voice vote. No opposition was heard.

Resolution No. 64-10/04
Authorizing Staff To Remedy Design Problems at the Judicial Center
And To Pursue Legal Action Against Owen Ayres and Associates
And Transferring Money from the General Fund to Remedy Said Design Problems

BE IT RESOLVED by the Walworth County Board of Supervisors that the Public Works Director be and is hereby authorized to retain professional and construction services necessary to remedy design problems in the County judicial center.

BE IT FURTHER RESOLVED that the County Corporation Counsel be and is hereby authorized to pursue legal action against Owen Ayres and Associates.

BE IT FURTHER RESOLVED that the sum of \$430,000 be transferred from the general fund for the purpose of remedying said design deficits and pursuing litigation against Ayres.

Ann Lohrmann
County Board Chairperson

Kimberly S. Bushey
County Clerk

Action Required: Majority _____ Two-thirds X Other _____

County Board Meeting Date: October 12, 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	10/12/04	N. Andersen	10/12/04
County Administrator/ Corporation Counsel	Date	Deputy County Administrator - Finance	Date

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

Policy and Fiscal Note
Resolution No. 64-10/04

- I. Title: Authorizing Staff To Remedy Design Problems at the Judicial Center And To Pursue Legal Action Against Owen Ayres and Associates And Transferring Money from the General Fund to Remedy Said Design Problems
- II. Purpose and Policy Impact Statement: Appropriating additional funds will facilitate a timely resolution to the design problems at the Judicial Center and allow the County to proceed with the relocation of court functions. Delay in relocating departments will result in additional operating costs. This resolution will authorize staff to proceed with legal action against the project architect, Owen Ayres and Associates.
- III. Budget and Fiscal Impact: The County has received a cost estimate to remedy design problems at the Judicial Center of \$400,000. In addition, this resolution will allocate \$30,000 for additional legal services, for a total appropriation of \$430,000. Assuming use of general fund balance specified in the preliminary budget is approved, appropriating an additional \$430,000 will reduce the general fund balance to 19.80% of the sum of general fund revenues plus tax appropriation. County policy establishes an acceptable rate of 15-20%; therefore, it falls within the allowable range.
- IV. Referred to the following standing committees for consideration and date of referral:

Committee: Public Works

Meeting Date: October 12, 2004

Vote:

County Board Meeting Date: October 12, 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	10/12/04	N. Andersen	10/12/04
County Administrator/ Corporation Counsel	Date	Deputy County Administrator - Finance	Date

Reports of Special Committees

There were no Reports of Special Committees.

Chairperson's Report

Chairperson Lohrmann announced that the Public Budget Hearing would be held Thursday, October 28, 2004 at 6:00 p.m.

Adjournment

On motion by Supervisor Muzatko, seconded by Supervisor Morrison, the meeting was adjourned at 10:07 p.m.

Kimberly S. Bushey
County Clerk

STATE OF WISCONSIN)
)SS
COUNTY OF WALWORTH)

I, Kimberly S. Bushey, County Clerk in and for the County aforesaid, do hereby certify that the foregoing is a true and correct copy of the proceedings of the County Board of Supervisors for the October 12, 2004 meeting.

WALWORTH COUNTY BOARD OF SUPERVISORS
PUBLIC BUDGET HEARING
OCTOBER 28, 2004

The Walworth County Board of Supervisors meeting was called to order at 6:00 p.m. by Chairperson Lohrmann at the Walworth County Courthouse, 100 W. Walworth St., Elkhorn, Wisconsin. Roll call was read with all Supervisors present except Supervisors Arnold, Hawkins, Hilbelink, Morrison, Polyock, Schaefer, and Stacey. A quorum was established.

Supervisor Nancy Russell delivered the invocation.

On motion by Supervisor Goebel, seconded by Supervisor Russell, the agenda was approved as presented.

Public Comment

There was no Public Comment at this time.

Motion to Convene as "Committee of the Whole"

On motion by Supervisor Ketchpaw, seconded by Supervisor Waelti, the Board convened as a "Committee of the Whole." Chairperson Lohrmann turned the chair over to Supervisor Nancy Russell, Chair of the Finance Committee.

Supervisor Russell asked County Administrator Bretl to give a presentation of the Executive Summary. Bretl welcomed members of the public, department heads and employees to the Preliminary Budget Hearing. Bretl said that tonight is a preliminary budget hearing. It is an opportunity for the public to understand the budget and to have input into the budget process. The budget will be adopted at the November 9, 2004 County Board meeting. Bretl gave an overview of the budget process, which starts as early as February for some departments.

Bretl said that in past budgets, significant items were included such as the combining of the public works and highway and the administration office. In this budget we have made significant steps in reducing the rise in taxes. Bretl said that creating adequate reserves is a component of building a strong foundation for the budget. One of the goals we have had is to create adequate insurance reserves for our self-funded program and this budget accomplishes that. Retirement health insurance coverage is available at employee cost to virtually all workers. In the past we had a "pay as you go" attitude for health insurance. In the 2005 budget, action is being taken now to create a lock box for that obligation. Bretl said that another first step is in creating a nursing home reserve in the 2005 budget.

Bretl said that the second component of building a strong foundation in this budget is to improve our tax base. In terms of sales tax and property tax, we have increased the

funding for the tourism convention bureau and economic development has been incorporated into the budget. This budget is the first to adopt a "TABOR like" formula but the question is, can we sustain that and make sure we can replicate the reduced tax levy in 2006.

Bretl turned the meeting over to Nicki Andersen, Finance Director, and the finance staff. Andersen addressed the Board. Andersen said that the power point presentation for tonight will explain to the public and the board members what makes up the legal portion of the budget, how we get from the point of adopting a budget to setting the levy, and actually issuing a tax bill.

Peggy Watson, Budget Manager, presented a Power Point presentation. Watson said that the presentation will show how we put the budget together, the process we follow, show how your County tax is calculated on your tax bill, and how it impacts the taxpayer. Watson said that the budget is a legal document and is used for planning and fiscal control. Watson said that in March the Finance Committee set a 2005 budget goal. That goal was that the growth on the levy could be no more than a 4.7% increase over the current year. Watson said that the Finance Committee based their goal on an index cap based on the change in the consumer price index and the increase of new construction within the County.

Watson explained that the budget is broken up into three components governed by State statutes: debt, library, and other operating. Watson outlined the components of the 2005 budget expenditures as follows: wages and benefits 48%; purchased services 19%; other operating 24%; and capital 9%. She explained each of these categories. Watson said that the revenue side of the 2005 budget is composed of the following: tax levy 35%; taxes 7%; Federal/State aid 20%; program income 29%; and other financing 9%. Watson explained each of these categories. She said that the budget has to be balanced between revenues and expenditures, and the tax levy is the difference between revenues and expenditures, or the amount needed to balance the budget.

Watson said that 35% of the 2005 proposed budget is financed by the tax levy. The tax levy is comprised of the following components: operating levy, debt levy, and library levy. Watson said that the proposed levy increase over 2004 is 4.68%, just under the 4.7% levy set by the Finance Committee. The County levy is apportioned using equalized values less Tax Increment Districts. Equalized value is based on the property assessment by the local assessor. Watson said that the fair market value on your tax bill would be your equalized value.

Watson explained the difference between a tax levy and a mill rate. She said that the tax levy in conjunction with equalized values establishes a mill rate. The mill rate is the tax charged per \$1,000 of equalized value, expressed in dollars and cents. Watson said the operating mill rate proposed for 2005 is \$4.026210. Watson distributed an example of a tax bill and demonstrated how the taxes are calculated. Watson said that the only line that we are talking about tonight is the "County of Walworth" line on the tax bill.

Watson said that the 2005 Preliminary Budget is available for review in the County Clerk's and Finance offices.

Supervisor Russell said that this is a time for the Supervisors to listen and it is important that we hear the public comments at this time. The last opportunity for Supervisors to submit budget amendments is tomorrow, October 29. The Finance Department will help Supervisors prepare budget amendments.

The Walworth County Budget Appropriation Summary 2005 Preliminary Budget was distributed to the Supervisors. Supervisor Russell read the name of each County department and the percent of change in each department's budget from 2004.

The following public comments were received on components of the budget:

Dell Gigante, N7791 Bell School Road, Burlington, asked about the \$160,000 in the Clerk of Court's budget for inmate television. Bretl said that a significant use of that would be to prevent a transfer of inmates from State facilities. As it stands right now, if an inmate has a motion hearing, two Deputies would transport inmates from other facilities to our facility.

Dell Gigante asked if the \$10 fee for septic tank notification is still included in the budget. Michael Cotter, Director of LURM, addressed the Board. The fee for \$10 covers a state mandate in regard to septic tank maintenance. Although it covers only part of the expenses, we did not increase the fee for 2005. Mr. Gigante said the budget includes expenses and does not think a fee should be charged as he believes it is a tax on tax.

Bret Strong, N9159 Maple Street, East Troy, addressed the Board regarding the Sheriff's budget. Mr. Strong said again that Washington County budget is \$6 million less than our budget and that county has a larger population. He also felt that Walworth County's Sheriff Department budget should be much less.

Mariette Nowak, N9053 Swift Lake Drive, East Troy, addressed the Board. Ms. Nowak said she is a member of the Park Advisory Board. Ms. Nowak said she is disappointed that there is no money included in this budget for parks. Ms. Nowak said that there have been surveys conducted and the citizens of the County have indicated that they want the natural environment protected. Ms. Nowak urged the Supervisors to aggressively pursue the protection of parks and open space.

Dan Kilkenny, N3616 Elm Ridge Road, Delavan, addressed the Board. Mr. Kilkenny said he resides in the Town of Darien. Mr. Kilkenny said that he attended a Land Conservation Committee meeting and an issue came up on parkland acquisition. He said that there was a chart discussed at that meeting that showed the parkland ratio in Walworth County and it was relatively low. Mr. Kilkenny said he agrees with the individuals who completed the surveys in support of parkland funding for Walworth County. It is important for the County to participate instead of relying on the townships.

Mr. Kilkenny said that the County might be able to utilize grants to help with this program. He said he knows budgets are tight and he would prefer that money be put aside for parkland instead of new furniture in the common areas for the Lakeland Health Care Center facility. Mr. Kilkenny said he would be willing to have taxes increased for that purpose. He said that setting aside money for parkland is something that should be done now because land development in the County is rapidly increasing.

The Board then heard general comments from the public.

Dell Gigante addressed the Board. Mr. Gigante said that there would not be a problem with the budget going up 4.7% if retirement income would go up 4.7%. The retirees' income does not go up. Mr. Gigante said that there are thousands of families in Walworth County living from paycheck to paycheck. He said we are allowing the employees to keep their health insurance while many citizens in the county cannot afford their own health insurance. Mr. Gigante said he commends the drop in the levy but thinks it should be lower.

Bret Strong, Walworth County Chairman of Citizens for Responsible Government, addressed the Board. Strong said he has seen much of our agricultural lands disappear and we should watch our green space. Strong also spoke about Citizens for Responsible Government. He also commended the Board for keeping the levy at 4.7%. Mr. Strong said he would like the Supervisors to go out and investigate counties similar to ours. He said that we are deeply in debt compared to other counties with the same size population as us. Strong said he is for Lakeland School but he thinks things are moving too fast for such a large project. The Board should make decisions that benefit the school as well as the taxpayers and they should be considered carefully. The Citizens for Responsible Government is directly involved in the tax freeze movement. Mr. Strong said that the Citizens for Responsible Government group is for TABOR and he firmly believes the tax freeze will happen.

Supervisor Russell asked three times if there were any other citizens wishing to speak on the budget. There were none.

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

Chairperson's Report

Chairperson Lohrmann reminded the Supervisors that the meeting to deliberate and approve the budget would be held Tuesday, November 9, 2004, at 6:00 p.m.

Adjournment

The meeting adjourned at 7:30 p.m. on motion by Supervisor Ketchpaw, seconded by Supervisor Grant.

Kimberly S. Bushey
County Clerk

STATE OF WISCONSIN)

)SS

COUNTY OF WALWORTH)

I, Kimberly S. Bushey, County Clerk in and for the County aforesaid do hereby certify that the foregoing is a true and correct copy of the proceedings of the County Board of Supervisors for the October 28, 2004 Public Budget Hearing.

THE NOVEMBER 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.

County Board Supervisor Allan Polyock delivered a message regarding the invocation. Polyock gave a history of why we have invocations and how it all came about.

All Supervisors were present except Supervisors Morrison and Wagie-Troemel. A quorum was established.

Amendments, Withdrawals, and Approval of Agenda

On motion by Supervisor Russell, seconded by Supervisor Burwell, the agenda was amended as follows: 1) move Land Conservation Committee item 1, Ordinance No. 280-11/04, to immediately precede Finance Committee item 5, Ordinance No. 284-11/04; and 2) move the entire Finance Committee section for consideration following the County Zoning Agency Report of Proposed Zoning Amendments and before the Executive Committee.

On motion by Supervisor Goebel, seconded by Supervisor Weber, the agenda was amended further by moving Unfinished Business item 1, Resolution 60-10/04, to the Finance Committee section to be considered immediately after item 7 and before item 8.

On motion by Supervisor Guido, seconded by Supervisor Russell, the agenda was amended by moving the closed session to immediately after the Report of the Land Conservation Committee.

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

Approval of the Minutes

On motion by Supervisor Ketchpaw, seconded by Supervisor Downing, the minutes of the October 12, 2004 Committee of the Whole meeting and the minutes of the October 12, 2004 Walworth County Board of Supervisors regular meeting were approved.

Special Order of Business

Christine Jordan, Veterans Service Officer, addressed the Board to recognize the contribution of Veterans. Jordan said that Veterans Day began as Armistice Day to commemorate the end of World War I. In 1954 the 83rd Congress changed Armistice Day to recognize Veterans Day to assure that America set aside one day a year to recognize the sacrifice and service of all Veterans. Jordan said that there are approximately 8,200 Veterans in Walworth County. These Veterans all have performed the ultimate in public service, that being military service. These are men and women who sacrificed their own liberty to defend the liberty of the country and the liberty of others around the world. Jordan also recognized the contribution of women in today's military. She said that the Army is composed of 17% women today. Jordan said that on Veterans Day and every day we pay respect to our Veterans for their duty and sacrifice. Jordan closed with a quote from Abraham Lincoln, "Honor the soldier and sailor everywhere who bravely bears his country's cause."

Comment Period by Members of the Public

Julie Forseth, Burlington, representing Friends of Lakeland School, addressed the Board and gave an update on the donations that have been received recently. Ms. Forseth said that the National Mutual Benefit Company donated \$2,500 and Shirley Shrine, daughter of Sheridan Ellsworth, the founder of Lakeland School, donated \$10,000 for the Endowment Fund. Ms. Forseth invited everyone to the Waffle Breakfast with Santa fundraiser, which was scheduled for Saturday, December 4, 2004.

Appointments/Elections

1. Community Partner Advisory Group
 - James D'Alessandro, Elton Feffer, Yvonne Fiskum, Mary Vander Veen, Rollin Cooper, Marilyn Kienbaum, John Newhouse, Barb Papcke, Dianne Kegley, Letha Kuecker, Chris Stebnitz, Kathleen Tober, Gen Reed, Hoss Rehberg
2. Economic Development Advisory Committee
 - Carol Coccia, Town of Delavan
 - Kevin Brunner, City of Whitewater
3. Wisconsin River Rail Transit Commission
 - William H. Sills III – Term to Expire March 31, 2007

Supervisor Muzatko offered a motion, seconded by Supervisor Schaefer, to approve the appointments as recommended by the Executive Committee. Discussion ensued. Supervisor Guido offered a motion to send the applications of James D'Alessandro, Community Partner Advisory Group, and Carol Coccia, Economic Development Advisory Committee, back to the Executive Committee for further consideration. The motion failed for lack of a second. A roll call vote was held. Total vote: 25; Ayes: 22 – Arnold, Burwell, Downing, Felten, Goebel, Grant, Hawkins, Hilbelink, Ketchpaw, Kuhnke, Lein, Lightfield, Muzatko, Parker, Polyock, Russell, Schaefer, Stacey, Van Dreser, Waelti, Weber, Lohrmann; Noes: 1 – Guido; Absent: 2 – Morrison, Wagie-Troemel. The appointments were approved as presented.

Communications and Matters to Be Referred

1. Claims Received After Agenda Mailing – There were no claims.
2. Claims – There were no claims.
3. Correspondence from Wisconsin Department of Administration with Final 2004 State Population Estimates will be referred to the Executive Committee.
4. Report of the County Clerk Concerning Communications Received by the Board and Recommended to be Placed on File was included with the agenda packet.

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:

- Communication from Magill Construction will be referred to the Public Works Committee.
- Communication from Supervisor Dorothy Burwell regarding the consolidation of all park activities under one committee will be referred to the Public Works and the Land Conservation committees.
- Notice of Interest to Serve as a Citizen Representative for the Community Partner Advisory Group from Hoss Rehberg – The Ag and Extension, Education Committee recommended the appointment of Mr. Rehberg as well as 13 other applicants to the Executive Committee. Mr. Rehberg's form was not forwarded with the other applications and was not received in time for the agenda packet mailing. His name is listed on this evening's agenda as one of 14 citizens recommended by the Executive Committee.
- Communication from County Zoning Agency to the Board of Adjustment regarding the Board of Adjustment's reluctance to hold a public meeting with the towns will be placed on file.

- The Walworth County Land Use and Resource Management Department Land Conservation Division, Spring, 2005 Tree Program brochure and order form – Additional order forms are available in the County Clerk’s office.
- Oconto County Resolution 90-2004 regarding Highway Funding was previously referred to committee and will be placed on file.

The following items were placed on file in the County Clerk’s office:

- Agricultural Impact Statement, USH 14: Darien Drainage Project Walworth County
- Communication from American Transmission Company regarding the Public Service Commission of Wisconsin’s public hearing on a proposal by American Transmission Company to upgrade the electric transmission system in Delavan and Darien

5. Report of County Clerk Concerning Zoning Gone Into Effect

- Paul Joseph, Town of Richmond
- Concetta Gerambia and Daniel Hurzeler, Town of Bloomfield
- Dennis Unbehaun, Town of Bloomfield
- Town of Richmond (Atty. Terry Race, App.), Town of Richmond
- Wisconsin Department of Natural Resources/Walworth County and the Geneva Lake Environmental Agency, Applicants (Navigability Determinations), Towns of Geneva, Linn, and Walworth

6. Report of County Clerk Concerning Zoning Petitions (To be referred to the County Zoning Agency)

- David J. and Janis M. Laurine, Town of Bloomfield, A-1 to A-2
- Accolade Enterprises, LLP (Brad Hollister, Part.), Town of Bloomfield, B-1 & R-2 to R-3
- Daniel C. Gifford and Alexander R. Gifford, Town of Bloomfield, A-2 to C-2
- Estate of Jack Ehrhardt (Justin Ehrhardt), Town of Delavan, R-2 to B-2
- Allen and LaVonne Dorr, Town of Richmond, A-1 to C-2
- Eugene J. and Donna M. Frodl, Town of Whitewater, A-1 to C-2
- Text Amendment to Walworth County Code of Ordinances – Subdivisions, Chapter 58, Sec. 58-1, Definitions – Outlot
- Text Amendment to Walworth County Code of Ordinances – Zoning and Shoreland, Chapter 74, Division 4 – Conditional Uses, Secs. 74-61/74-188, 74-64/74-191, 74-65/74-192, and Division 6 – Signs, Secs. 74-83/74-212
- Text Amendment to Walworth County Code of Ordinances – Zoning and Shoreland, Chapter 74, Division 4 – Conditional Uses, Secs. 74-58/74-185, 74-59/74-186, and Division 12 – Changes and Amendments, 74-126/74-258

Unfinished Business

Resolution No. 60-10/04 – Approving 2004 and 2005 Funding for Tri-County Business Partnerships, was postponed at the October 12, 2004 County Board meeting. This item was moved to consider between items 7 and 8 of the report of the Finance Committee.

New Business

Reports of Standing Committees

County Zoning Agency Report of Proposed Zoning Amendments

1. Kenneth Held, Town of Lyons, Rezone 1.56 acres of A-1 to A-4, approved 6-0 (6-17-04 public hearing)

2. WPW Broadcasting, Inc. (Douglas G. Olson, App.), Town of Richmond, Rezone 1 acre of A-1 & B-2 to A-5, denied 6-0 (7-15-04 public hearing)
3. Matt Shinkus (Eric Shinkus, App.), Rezone 2.21 acres of A-1 & C-4 to A-5 and .59 acres of C-4 to A-1, approved 6-0 (8-19-04 public hearing)
4. Dave and Mary Ennis, Town of Darien, Rezone 1.29 acres of B-4 to P-1, approved 6-0 (9-16-04 public hearing)
5. Deborah Blackwell, Town of Delavan, Rezone 1.69 acres of A-1 to A-5, approved 6-0 (9-16-04 public hearing)
6. Beverly A. Turzy, Town of Bloomfield, Rezone 2.6 acres of R-2 & B-2 to R-4, approved 6-0 (9-16-04 public hearing)
7. Randall S. and Rebecca A. Martin, Town of Geneva, Rezone 5.03 of A-2 to C-2, approved 6-0 (9-16-04 public hearing)
8. Text Amendment to Walworth County Code of Ordinances, Chapter 58 (Subdivisions), Walworth County, Wisconsin, Section 58-3.3, Dedication and reservation of lands, approved 6-0 (9-16-04 public hearing)

A motion offered by Supervisor Kuhnke, seconded by Supervisor Goebel, to concur with the Report of the County Zoning Agency on items 1 through 8 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. Kenneth Held, Town of Lyons – Filed a petition on the 5th day of May, 2004, to rezone from A-1 Prime Agricultural Land District to A-4 Agricultural Related Manufacturing, Warehousing and Marketing District.

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

It is an existing farmstead and not under agricultural production.

2. WPW Broadcasting, Inc. (Douglas G. Olson, App.), Town of Richmond – Filed a petition on the 2nd day of June, 2004, to rezone from A-1 Prime Agricultural Land District and B-2 General Business District to A-5 Agricultural-Rural Residential District.

Part of Tax Parcel #CA115000001

Part of Lot 1 of Certified Survey Map No. 1150, recorded in Vol. 5 of Certified Survey Maps of Walworth County on Page 196 and located in the Southeast ¼ of Section 8, Town 3 North, Range 15 East, Town of Richmond, Walworth County, Wisconsin, described as follows: Begin at the Northwest Corner of said Lot 1; thence North 88°58'43" East, along the North line of said Lot 1, 212.87 feet; thence South 4°30'45" East, along an East line of said Lot 1, 95.93 feet; thence South 1°02'04" East, 62.00 feet; thence South 76°36'16" West 130.42 feet; thence South 89°00'00" West 110.00 feet to the East line of

State Trunk Highway 89; thence North 4°31'03" West, along said East line, 186.00 feet to the Point of Beginning. Intending to rezone 0.923 acres (40,198 sq. ft.) of land, more or less.

Recommendation: Said petition be denied based on Board of Adjustment denial of the related variance regarding tower height vs separation distance from an existing residence.

3. Matt Shinkus (Eric Skinkus, App.), Town of Sharon – Filed a petition on the 7th day of July, 2004, to rezone 2.21 acres from A-1 Prime Agricultural Land District and C-4 Lowland Resource Conservation District to A-5 Agricultural-Rural Residential District and .59 acres from C-4 Lowland Resource Conservation District (Shoreland) to A-1 Prime Agricultural Land District.

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

The majority of the rezone area is a treed slope.

4. Dave and Mary Ennis, Town of Darien – Filed a petition on the 4th day of August, 2004, to rezone from B-4 Highway Business District to P-1 Recreational Park District.

Recommendation: Said petition be approved.

5. Deborah Blackwell, Town of Delavan – Filed a petition on the 4th day of August, 2004, to rezone from A-1 Prime Agricultural Land District to A-5 Agricultural-Rural Residential District.

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

The parcel is a farm separation that has not been historically farmed.

6. Beverly A. Turzy, Town of Bloomfield – Filed a petition on the 4th day of August, 2004, to rezone from R-2 Single-Family Residence District (Sewered) and B-2 General Business District to R-4 Multiple-Family Residence District (Sewered or Unsewered).

Recommendation: Said petition be approved.

7. Randall S. and Rebecca A. Martin, Town of Geneva – Filed a petition on the 7th day of July, 2004, to rezone from A-2 Agricultural Land District to C-2 Upland Resource Conservation District.

Recommendation: Said petition be approved.

8. County Zoning Agency, Walworth County – Filed a petition on the 20th day of August, 2004, to amend the text of the Walworth County Code of Ordinances, Chapter 58 (Subdivisions), Walworth County, Wisconsin, Section 58-3.3, Dedication and reservation of lands, paragraph 2.

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. Kenneth Held, Town of Lyons – Filed a petition to amend said zoning maps from A-1 Prime Agricultural Land District to A-4 Agricultural Related Manufacturing, Warehousing and Marketing District on the following described lands:

Part of Tax Parcel #N LY 900001

Part of the Northwest ¼ of the Northeast ¼ of Section 9, Township 2 North, Range 18 East of the Fourth Principal Meridian in the Township of Lyons, Walworth County, Wisconsin and being described as follows: Commence at the North ¼ corner of said Section 9; thence North 89°17'29" East 319.50 feet; thence South 00°54'33" East 225.02 feet; thence North 89°05'27" East 207.58 feet to the Place of Beginning of this description; thence North 89°21'14" East 179.40 feet; thence North 01°41'25" West 32.57 feet; thence North 88°22'36" East 36.32 feet; thence South 00°25'32" East 209.56 feet; thence South 88°28'45" West 1.24 feet; thence South 01°31'15" East 135.48 feet; thence South 89°33'31" West 214.61 feet; thence North 00°44'40" West 311.09 feet to the Place of Beginning. Containing 1.56 acres of land more or less.

It is an existing farmstead and not under agricultural production.

2. Matt Shinkus (Eric Skinkus, App.), Town of Sharon – Filed a petition to amend said zoning maps from A-1 Prime Agricultural Land District and C-4 Lowland Resource Conservation District to A-5 Agricultural-Rural Residential District (2.21 Acres) and C-4 Lowland Resource Conservation District (Shoreland) to A-1 Prime Agricultural Land District (.59 Acres) on the following described lands:

Part of Tax Parcel #A S 600009A

Parcel "A" – C-4 to A-1

A parcel of land currently zoned C-4 to be rezoned to A-1 zoning: Located in part of the Northeast ¼ of the Southwest ¼ of Section 6, Town 1 North, Range 15 East, Walworth County, Wisconsin, more particularly described as follows: Commencing at a concrete monument found marking the East ¼ corner of said Section 6; (T1N, R15E); thence S 87DEG 13MIN 38SEC W, 2663.92 feet to a concrete monument found marking the center section of said Section 6; thence S 00DEG 27MIN 04SEC E, 660.97 feet along the East line of said Southwest ¼ to the East 1/16 corner of said southwest ¼; thence along the South line of the North ½ of said Northeast ¼, S 87DEG 30MIN 44SEC W, 456.93 feet; thence N 02DEG 29MIN 16SEC W, 180.00 feet; thence S 87DEG 30MIN 44SEC W, 398.61 feet to the Point of Beginning; thence continue S 87DEG 30MIN 44SEC W, 24.97 feet; thence N 15DEG 02MIN 27SEC W, 195.20 feet; thence N 61DEG 21MIN 15SEC W, 67.21 feet; thence N 10DEG 21MIN 15SEC W, 67.21 feet; thence S 81DEG 47MIN 23SEC E, 172.71 feet; thence S 04DEG 23MIN 58SEC W, 278.00 feet to the Point of Beginning. Containing 25,903 square feet (0.59 acres) of land, more or less.

Parcel "B" – A-1 & C-4 to A-5

A parcel of land currently zoned C-4 and A-1 to be rezoned to A-5 zoning: Located in part of the Northeast ¼ of the Southwest ¼ of Section 6, Town 1 North, Range 15 East, Walworth County,

Wisconsin, more particularly described as follows: Commencing at a concrete monument found marking the East ¼ corner of said Section 6; (T1N, R15E); thence S 87DEG 13MIN 38SEC W, 2663.92 feet to a concrete monument found marking the center section of said Section 6; thence S 00DEG 27MIN 04SEC E, 660.97 feet along the East line of said Southwest ¼ to the East 1/16 corner of said Southwest ¼; thence along the South line of the North ½ of said Northeast ¼, S 87DEG 30MIN 44SEC W, 456.93 feet to the Point of Beginning; thence continue, S 87DEG 30MIN 44SEC W, 588.24 feet; thence N 05DEG 38MIN 11SEC E, 35.63 feet; thence N 23DEG 00MIN 00SEC E, 120.91 feet; thence S 68DEG 05MIN 02SEC E, 62.20 feet; thence N 37DEG 15MIN 04SEC E, 79.70 feet; thence N 87DEG 30MIN 44SEC E, 423.58 feet; thence S 02DEG 29MIN 16SEC E, 180.00 feet to the Point of Beginning. Containing 96,070 square feet (2.21 acres) of land, more or less.

The majority of the rezone area is a treed slope.

3. Dave and Mary Ennis, Town of Darien – Filed a petition to amend said zoning maps from B-4 Highway Business District to P-1 Recreational Park District on the following described lands:

Part of Tax Parcel #BA143400001

Part of Lot 1 of Certified Survey Map No. 1434, being a division of the Northeast ¼ of the Southwest ¼ of Section 35, Town 2 North, Range 15 East, in the Town of Darin, Walworth County, Wisconsin, bounded and described as follows:

Commencing at the Southeast corner of the Southeast ¼ of said Section 35; thence South 88°49'54" West 991.11 feet to a point on the centerline of US Highway 14; thence North 48°40'36" West along said centerline 3090.17 feet to a point; thence South 41°19'24" West along the Southeasterly line of Lot 1 of Certified Survey Map No. 1434 for a distance of 157.95 feet to the point of beginning of said lands to be described; thence South 41°19'24" West continuing along said Southeasterly line 231.05 feet to a point; thence North 48°40'36" West along the Southwesterly line of said Lot 1 for a distance of 413.30 feet to a point; thence South 82°51'55" East 411.18 feet to a point; thence south 48°40'36" East 73.18 feet to the point of beginning. The above text describes 1.290 acres of land.

4. Deborah Blackwell, Town of Delavan – Filed a petition to amend said zoning maps from A-1 Prime Agricultural Land District to A-5 Agricultural-Rural Residential District on the following described lands:

Tax Parcel #FA107400001

The parcel is a farm separation that has not been historically farmed.

5. Beverly A. Turzy, Town of Bloomfield – Filed a petition to amend said zoning maps from R-2 Single-Family Residence District (Sewered) and B-2 General Business District to R-4 Multiple-Family Residence District (Sewered or Unsewered) on the following described lands:

Tax Parcel #MB 1600008B

6. Randall S. and Rebecca A. Martin Town of Geneva – Filed a petition 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 #JA239400002

Part of Lot 2 of Certified Survey Map No. 2394, located in the Northwest ¼ of the Southeast ¼ of Section 2, Town 2 North, Range 17 East, Town of Geneva, Walworth County, Wisconsin, described as follows: Commence at the East ¼ corner of said Section 2; thence South 89°57'48" West, along the North line of said Southeast ¼ of Section 2, 1998.06 feet to the Northeast corner of said Lot 2 and the

Point of Beginning; thence South 0°58'40" East, along the East line of said Lot 2, 714.47 feet; thence South 88°28'36" West, along the South line of said Lot 2, 305.00 feet; thence North 0°58'32" West 722.38 feet to said North line of the Southeast ¼ Section 2; thence North 89°57'48" East, along said North line, 305.00 feet to the Point of Beginning. Intending to rezone 5.030 acres (219,099 sq. ft.) of land, more or less.

7. County Zoning Agency, Walworth County – Filed a petition to amend the text of the Walworth County Code of Ordinances, Chapter 58 (Subdivisions), Walworth County, Wisconsin, Section 58-3.3, Dedication and reservation of lands, paragraph 2 as follows:

Additions are underscored, deletions are crossed out.

Whenever a tract of land to be subdivided embraces all or any part of a proposed public playground, park, school site, open space site, or other public land, other than streets, highways, drainage ways, other public ways or public access to navigable lakes or streams designated in the adopted regional and county comprehensive plans or adopted plan components of the county, or other adopted municipal plan, these proposed public lands ~~shall~~ may be made part of the plat if agreed to on behalf of the subdivider. If agreed to, the subdivider shall reserve such proposed public lands for a period not to exceed three years, unless extended by mutual agreement, for acquisition by the public agency having jurisdiction.

ATTEST this 9th day of November 2004.

Ann Lohrmann

County Board Chairperson

ATTEST this 9th day of November 2004.

Kimberly S. Bushey

County Clerk

Finance Committee

1. Ordinance No. 276-11/04 – Repealing and Recreating Section 30-286 of the Walworth County Code of Ordinances Relative to Fees

On motion by Supervisor Felten, seconded by Supervisor Ketchpaw, Ordinance No. 276-11/04 was approved by voice vote.

ORDINANCE NO. 276-11/04

REPEALING AND RECREATING SECTION 30-286 OF THE WALWORTH COUNTY CODE OF ORDINANCES RELATIVE TO FEES

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

PART 1: THAT Sec. 30-286 of the Walworth County Code of Ordinances is repealed and recreated to read as follows (changes to the current schedule are shown by underline and strike-through):

“Sec. 30-286. Consolidated fee Schedule.

There is hereby imposed the fees set forth in the following county consolidated fee schedule.

Walworth County
Consolidated Fee Schedule

Description	Fee	Last Revised	Authority
Child w/Disabilities Education Board			
Lunch fees	\$1.25 E.C.; \$1.50 prim/int; \$1.75 jr/sr high \$1.50 E.C.; \$1.75 prim./int.; \$2.00 jr./sr. high; \$2.25 adult	Nov-04	Wis. School Laws 120.13(10)
Pool rental	\$30.00/hour weekday; \$45.00/hour weekend \$35.00/hour weekday; \$50.00/hour weekend	Nov-04	Wis. School Laws 120.10(6), 120.13(25)
Gym/lunchroom rental	\$20.00/hr. weekday, \$15.00/hr. each additional hour; \$35.00/hr. weekend, \$35.00 each additional hour	Jan-03	Wis. School Laws 120.10(6), 120.13(25)
Kitchen rental	\$20.00/hour	Jan-03	Wis. School Laws 120.10(6), 120.13(25)
Classroom rental	\$15.00/day	Jan-03	Wis. School Laws 120.10(6), 120.13(25)
Student fee: activity fee	\$6.00 \$8.50	Nov-04	Wis. School Laws FOCUS 5/94
Student fee: snacks/milk	\$4.00	Jan-03	Wis. School Laws FOCUS 5/94
Student fee: swim fee	\$4.00	Jan-03	Wis. School Laws FOCUS 5/94
Student fee: transportation/field trip	\$6.00 \$8.50	Nov-04	Wis. School Laws 121.54(7)
Clerk of Courts			
Appeal--Record	\$101.00 total - \$17.50 county; \$83.50 state	Jan-03	Wis. Stats. § 814.61(8) (am)1
Appeal--New trial	\$116.00 total - \$25.00 county; \$91.00 state	Jan-03	Wis. Stats. § 814.61(8)(am)2
Appeal--Court of appeals	\$15.00 plus postage	Oct-03	Wis. Stats. § 814.61(9); Ord 246-10/03
Photocopies	\$1.25/page county	Jan-03	Wis. Stats. § 814.61(9)
Certificate	\$5.00/certification county	Jan-03	Wis. Stats. § 814.61(5)(a)
Certified copies	\$5.00/certification and \$1.25/page, county (includes attestation & comparisons)	Jan-03	Wis. Stats. § 814.61(5), (10), OAG 4-84
Certifying and transmitting documents (includes appeals/change of venue/FJ)	\$15.00 + postage, county	Jan-03	Wis. Stats. § 814.61(9)
Change of venue--Civil	\$75.00 total - \$30.00 county; \$45.00 state	Jan-03	Wis. Stats. § 814.61(2)
Transmitting record	\$15.00 county	Jan-03	Wis. Stats. § 814.61(9)
Change of venue--Family and paternity	\$95.00 total - \$30.00 county; \$20.00 FCS; \$45.00 state	Jan-03	Wis. Stats. § 814.61(1)(b), (2)
Change of venue--Family w/support/maintenance	\$105 total - \$40.00 county; \$20.00 FCS; \$45.00 state	Jan-03	Wis. Stats. § 814.61(13)

Grandparent visitation-- New action	\$156.00 as below under family	Jan-03	Wis. Stats. § 814.61(1)(a)
Grandparent visitation--Post judgment	\$30.00 motion as stated below under family	Jan-03	Wis. Stats. § 814.61(7)(a)
Grandparent visitation-- Guardianship	\$60.00 total--\$30.00 county; \$30.00 state	Jan-03	Wis. Stats. § 814.66(1m)
Change of venue--Small claims	\$22.00 total - \$10.20 county; \$11.80 state	Jan-03	Wis. Stats. § 814.61(2)
Change of venue-- Transmitting	\$15.00	Jan-03	Wis. Stats. § 814.61(9)
Civil action (>\$5,000)	\$214.00 total - \$30.00 county; \$154.00 state	Jan-03	Wis. Stats. § 814.61(1)(a)
Civil action (<\$5,000)	\$123.00 total - \$30.00 county; \$84.00 state	Jan-03	Wis. Stats. § 814.61(1)(a)
Civil--No dollar amount claimed	\$136.00 total - \$30.00 county; \$84.00 state	Jan-03	Wis. Stats. § 814.61(1)(a); 634(1)(a)
Condemnation appeals-- Certiorari	\$101.00 total - \$17.50 county; \$83.50 state	Jan-03	Wis. Stats. § 814.61(8)(am)
Condemnation appeals-- New trial	\$116.00 total - \$32.50 county; \$83.50 state	Jan-03	Wis. Stats. § 814.61(8)(am)2
Motion to reopen	\$50.00/motion/discretion of Court, See OAG 1-00	Jan-03	Wis. Stats. § 814.07
Jury fee per juror	\$6.00	Jan-03	Wis. Stats. § 814.61(4)
Receiving and disbursing funds	\$10.00 or 0.5%	Jan-03	Wis. Stats. § 814.61(12)
Withdraw funds per transaction	\$10.00	Jan-03	Wis. Stats. § 814.61(12)
Contempt proc./deposit	\$10.00	Jan-03	Wis. Stats. § 814.61(12)(c)
Public defender copies	Actual, necessary, and direct	Jan-03	Wis. Stats. § 814.61(10)(b)
Deposition	\$5.00	Jan-03	State; Ord 231-11/02
Docketing fee	\$5.00 county	Jan-03	Wis. Stats. § 814.61(5)(b)
Execution--Issue	\$5.00 county	Jan-03	Wis. Stats. § 814.61(5)(a)
Mediation	\$200.00 county	Jan-03	Wis. Stats. § 814.615(1)(a)1 & 2
Motion to revise judgment	\$30.00 total - \$15.00 county; \$15.00 state	Jan-03	Wis. Stats. § 814.61(7)(a)
Mtn.--Legal cust./Phys. placement	\$50.00 total - \$12.50 county; \$25.00 FCS; \$12.50 state	Jan-03	Wis. Stats. § 814.61(7)(b)
Divorce or paternity--Reg.- support/maint.-requested	\$166.00 total - 40.00 county; \$20.00 CFS; \$94.00 state	Jan-03	Wis. Stats. § 814.61(1)(a) & (b)
Divorce or paternity--No support/maint.-requested	\$156.00 total - \$40.00 county; \$20.00 CFS; \$96.00 state	Jan-03	Wis. Stats. § 814.61(1)(a) & (b)
Custody/phy. plcmt. study	\$300.00 county	Jan-03	Wis. Stats. § 814.615(1)(a)3
Updated study	\$100.00 county	Jan-03	State; Ord 231-11/02
Foreign judgment	\$15.00 county	Jan-03	Wis. Stats. § 814.61(6)
Franchise tax warrant	\$5.00 county	Jan-03	Wis. Stats. § 814.61(5)(b)
Garnishment (>\$5,000)	\$159.00 total - \$7.50 county; \$151.50 state	Jan-03	Wis. Stats. § 814.62(1)

Garnishment (<\$5,000)	\$68.00 total - \$7.50 county; \$60.50 state	Jan-03	Wis. Stats. § 814.62(1)
Minor settlement	\$10.00 or 0.5%	Jan-03	Wis. Stats. § 814.61(12)
Notary cert.	\$10.00	Jan-03	Wis. Stats. § 814.61(5)
Commission, file	\$5.00	Jan-03	Wis. Stats. § 814.61(5)
Occupational license	\$40.00	Jan-03	Wis. Stats. § 814.61(14)
Search fee-COC	\$5.00	Jan-03	Wis. Stats. § 814.61(11)
Search fee--Probate	\$4.00	Jan-03	Wis. Stats. § 814.66(1)(j)
Pro-se packet--Post judgment	\$20.00 county	Jan-03	Ord 231-11/02
Par after sep	\$25.00 county	Jan-03	Ord 231-11/02
Par after sep--Instructor	\$25.00	Jan-03	Ord 231-11/02
Interest on judgment	5% or 12%	Jan-03	Ord 231-11/02
Small claims--Commence	\$70.00 total - \$10.20 county; \$59.80 state	Jan-03	Wis. Stats. § 814.62(3)(a)
Small claims cross claim	\$101.00 total - \$25.80 county; \$75.20 state	Jan-03	Wis. Stats. § 814.62(3)(b)
Demand for jury trial	\$89.00 total - \$53.00 jury demand and % \$36.00 jury fee	Jan-03	Wis. Stats. § 814.62(3)(e) & 814.61(4)
Small claims mailing fee	\$2.00 per person	Jan-03	Wis. Stats. § 814.62(4)
Tax warrant	\$5.00	Jan-03	Wis. Stats. § 814.61(5)(b)
Withdraw/satisfaction/judgment	\$5.00	Jan-03	Wis. Stats. § 814.61(5)(b)
Third party complt.--Large clm.	\$184.00 total - \$20.00 county; \$164.00 state	Jan-03	Wis. Stats. § 814.61(3)
Third Party complt.--Small clm.	\$93.00 total - \$10.20 county; \$82.80 state	Jan-03	Wis. Stats. § 814.61(3)
Transcript--Judgmt. Docket	\$5.00	Jan-03	Wis. Stats. § 814.61(5)(a) and (b)
Trust fund	\$10.00 or 0.5%	Jan-03	Wis. Stats. § 814.61(12)
Wage earner action	\$19.00 total - \$10.00 county; \$9.00 state	Jan-03	Wis. Stats. § 814.62(2)
Writ	\$5.00	Jan-03	Wis. Stats. § 814.61(5)(a)
NSF fee per check	\$28.00	Oct-03	Ord 231-11/02; 246-10/03
Ct. appointed attorney fees	Actual amount at \$50.00/hr, county	Jan-03	Ord 231-11/02
GAL fees	\$60.00/hr., \$500.00 up- front charge	Oct-03	Ord 231-11/02; 246-10/03
Juvenile recoupment-- Attorney fee	\$250/\$400 - 25% county; 75% state	Jan-03	Wis. Stats. § 48.275 & 938.275
Witness fees	Actual amount	Jan-03	Wis. Stats. § 814.67
Clerk of courts fees	100% county	Jan-03	Ord 231-11/02
Criminal fines	Actual amount - 50% county; 50% state	Jan-03	Wis. Stats. § 814.6
Driver improvement	Actual amount - 70.80% county; 29% state	Jan-03	Wis. Stats. § 346.665
Driver improvement 10-17- 97	Actual amount - 37.60% county; 62.40% state	Jan-03	Wis. Stats. § 346.665
Forfeiture actions	Actual amount - 50% county; 50% state	Jan-03	Wis. Stats. § 814.6
Interpreter fees	Actual amount - 100% county	Jan-03	Ord 231-11/02

Jail assessment fee	Actual amount - 100% county	Jan-03	Wis. Stats. § 302.46
Comm. service fee	Actual amount - 100% county	Jan-03	Ord 231-11/02
Criminal bail forfeiture	Actual amount - 100% county	Jan-03	Ord 231-11/02
Criminal fines	Actual amount - 10% county; 90% state	Jan-03	Wis. Stats. § 814.6
Conservation forfeiture	Actual amount - 10% county; 90% state	Jan-03	Ord 231-11/02
Juvenile fine/forfeiture	Actual amount - 100% county	Jan-03	Ord 231-11/02
Juvenile conservation	Actual amount - 10% county; 90% state	Jan-03	Ord 231-11/02
Juvenile F/F co. ordinance	Actual amount - 100% county	Jan-03	Ord 231-11/02
F/F Wisconsin and University	Actual amount - 100% county	Jan-03	Ord 231-11/02
Planning and zoning order	Actual amount - 100% county	Jan-03	Ord 231-11/02
F/F county ordinance	Actual amount - 100% county	Jan-03	Ord 231-11/02
F/F state	Actual amount - 50% county; 50% state	Jan-03	Ord 231-11/02
F/F university police	Actual amount - 10% county; 90% state	Jan-03	Ord 231-11/02
Traffic/Crim. forft.	Actual amount - 50% county; 50% state	Jan-03	Ord 231-11/02
F/F county	Actual amount - 100% county	Jan-03	Ord 231-11/02
Coroner			
Cremation permit	\$150.00	Jan-03	Wis. Stats. § 979.10
County Clerk			
Marriage license	\$80.00 total - \$35.00 county; \$20.00 family court; \$25.00 state; \$10.00 waiver if applicable	Aug-04	Wis. Stats. § 765.05
Annual subscription - Co. board agenda	\$18.00	Jan-03	Code Sec. 30-286
Annual Subscription - Co. board packet	\$100.00	Jan-03	Code Sec. 30-286
County Directory (person outside normal distribution or replacements)--Hand delivered	\$1.00	Oct-03	Code Sec. 30-286
County Directory (person outside normal distribution or replacements)--Mailed	\$2.00	Oct-03	Code Sec. 30-286
District Attorney			
Photocopy charge	\$1.25 per page	Nov-04	Note to reviser: Insert new Cty Ordinance # here

Finance			
<u>Payroll garnishments (excluding fed/state tax debts)</u>	<u>\$3.00 per pay period</u>	<u>Nov-04</u>	Note to reviser: Insert new Cty Ordinance # here
<u>Check reissuance fee</u>	<u>\$30.00</u>	<u>Nov-04</u>	Note to reviser: Insert new Cty Ordinance # here
General			
<u>Photocopies (not listed separately for specific department)</u>	<u>\$0.10</u>	<u>Oct-03</u>	<u>Ord 246-10/03</u>
Health and Human Services			
Child s48.295 problems exam	\$170.00/hour	Jan-03	Wis. Stats. § 48.295
Child s48.33 disposition exam	\$170.00/hour	Jan-03	Wis. Stats. § 48.295
Juvenile s938.295 problems exam	\$170.00/hour	Jan-03	Wis. Stats. § 938.295(1)
Juvenile s938.33 disposition exam	\$170.00/hour	Jan-03	Wis. Stats. § 938.295(1)
Civil commitment--Final commitment	\$170.00/hour	Jan-03	Wis. Stats. § 51.20(18)(a)
Civil commitment--Probable cause	\$170.00/hour	Jan-03	Wis. Stats. § 51.20(18)(a)
Civil commitment--Recommitment	\$170.00/hour	Jan-03	Wis. Stats. § 51.20(18)(a)
Custody study	\$300.00/hour	Jan-03	Wis. Stats. § 814.615(1)(a)2
Guardianship comprehensive evaluation	\$360.00/study	Jan-03	Wis. Stats. § 55.045
Successor guardianship comprehensive eval.	\$200.00/study	Jan-03	Wis. Stats. § 55.045
Domestic violence assessment	\$150.00/assessment	Jan-03	
Public health--Flu shot	\$20.00/shot	Oct-03	Fed Reg Vol 53 No 102; Ord 246-10/03
Public health--Adult hepatitis B	\$28.50/shot	Jan-03	Fed Reg Vol 53 No 102
Public health--Child hepatitis B	\$8.00/shot <u>\$5.00/shot</u>	Nov-04	Fed Reg Vol 53 No 102
Public health--Pneumonia	\$30.00/shot	Oct-03	Fed Reg Vol 53 No 102; Ord 246-10/03
Public health--Adult TB skin test	\$13.00/test <u>\$10.00/test</u>	Nov-04	Fed Reg Vol 53 No 102
Public health--Child TB skin test	\$5.00/test	Jan-03	Fed Reg Vol 53 No 102
Public health--Adult tetanus	\$13.00/shot <u>\$10.00/shot</u>	Nov-04	Fed Reg Vol 53 No 102
Public health--Child tetanus	\$5.00/shot	Jan-03	Fed Reg Vol 53 No 102
Public health--Child, other	\$5.00/shot	Jan-03	Fed Reg Vol 53 No 102
Public health--Child under age 3	\$5.00 per child	Oct-03	Fed Reg Vol 53 No 102; Ord 246-10/03
Public health--Pregnancy test	\$5.00 per test	Oct-03	Fed Reg Vol 53 No 102; Ord 246-10/03
Assessment--AODA	\$125.00/assessment	Jan-03	Wis. Stats. § 51.42

Assessment--OWI	\$200.00/assessment	Jan-03	Wis. Stats. § 51.42
Counseling--CADC III AODA	\$22.75/hour	Jan-03	Wis. Stats. § 51.42
Counseling--MH/AODA Bachelor's	\$84.00/hour	Jan-03	Wis. Stats. § 51.42
Counseling--MH/AODA Master's (ind.)	\$103.00/hour	Jan-03	Wis. Stats. § 51.42
Counseling--MH/AODA Master's (grp.)	\$27.00/hour	Jan-03	Wis. Stats. § 51.42
MD psychiatrist (grp.)	\$54.00/hour	Jan-03	Wis. Stats. § 51.42
MD psychiatrist (ind.)	\$209.00/hour	Jan-03	Wis. Stats. § 51.42
MD psychiatrist (assessment)	\$209.00/hour	Jan-03	Wis. Stats. § 51.42
PhD psychologist (assessment)	\$145.00/hour	Jan-03	Wis. Stats. § 51.42
PhD psychologist (grp.)	\$42.00/hour	Jan-03	Wis. Stats. § 51.42
PhD psychologist (ind)	\$145.00/hour	Jan-03	Wis. Stats. § 51.42
Registered nurse (Clozaril)	\$40.00/medication mgt. session	Jan-03	Wis. Stats. § 51.42
Registered nurse (set-up)	\$40.00/medication mgt. session	Jan-03	Wis. Stats. § 51.42
Registered nurse (Haloperidol)	\$40.00/injection	Jan-03	Wis. Stats. § 51.42
Registered nurse (Prolixin Decanoat)	\$40.00 injection	Jan-03	Wis. Stats. § 51.42
Registered nurse (injection, other)	\$37.50/injection 40.00/injection	Nov-04	Wis. Stats. § 51.42
Friendly visitor	\$3.00/hour	Jan-03	Wis. Stats. § 46.82(3)(a)(1)
Peer counseling	\$3.00/hour	Jan-03	Wis. Stats. § 46.82(3)(a)(1)
Transportation--Lakeland Health Care Ctr.	\$20.00/ride	Jan-03	Wis. Stats. § 85.21(4)(c)1
Transportation--Medical (Wauk., Milw., Mad.)	\$30.00/ ride	Jan-03	Wis. Stats. § 85.21(4)(c)1
Transportation--Medical	\$3.00/ride	Jan-03	Wis. Stats. § 85.21(4)(c)1
Transportation--Medical (Janesville)	\$15.00/ride	Jan-03	Wis. Stats. § 85.21(4)(c)1
Transportation--Medical assistance	\$1.18/mile	Jan-03	Wis. Stats. § 85.21(4)(c)1
Transportation--Senior Center	\$3.00/ride	Jan-03	
Transportation-- Shopping/nutrition	\$3.00/ride	Jan-03	Wis. Stats. § 85.21(4)(c)1
Transportation--W2	\$1.30/mile	Jan-03	IM, Chap 5, Pt B, 2.21.0
Information Systems/Land Information			
Copies:			
<u>Letter - 8 1/2 x 11</u>	<u>\$0.50</u>	<u>Nov 04</u>	Ord 231-11/02, Note to reviser: Insert new Cty Ordinance # here
<u>Legal - 8 1/2 x 14</u>	<u>\$0.75</u>	<u>Nov 04</u>	Ord 231-11/02, Note to reviser: Insert new Cty Ordinance # here

<u>Ledger - 11 x 17</u>	<u>\$1.00</u>	<u>Nov 04</u>	Ord 231-11/02, Note to reviser: Insert new Cty Ordinance # here
<u>Plat Book page</u>	<u>\$1.50</u>	<u>Nov 04</u>	Ord 231-11/02, Note to reviser: Insert new Cty Ordinance # here
<u>18 x 18</u>	<u>\$1.75</u>	<u>Nov 04</u>	Ord 231-11/02, Note to reviser: Insert new Cty Ordinance # here
<u>18 x 24</u>	<u>\$2.25</u>	<u>Nov 04</u>	Ord 231-11/02, Note to reviser: Insert new Cty Ordinance # here
<u>24 x 36</u>	<u>\$4.50</u>	<u>Nov 04</u>	Ord 231-11/02, Note to reviser: Insert new Cty Ordinance # here
<u>Data</u>	<u>\$100.00/data set</u>	<u>Nov 04</u>	Note to reviser: Insert new Cty Ordinance # here
<u>Maps:</u>		<u>Nov 04</u>	Ord 231-11/02, Note to reviser: Insert new Cty Ordinance # here
<u>Topographic</u>	<u>\$10.00, \$20.00 (glossy)</u>	<u>Nov 04</u>	Note to reviser: Insert new Cty Ordinance # here
<u>Orthophotography</u>	<u>\$10.00</u> <u>\$20.00 (glossy)</u>	<u>Nov 04</u>	Ord 231-11/02, Note to reviser: Insert new Cty Ordinance # here
<u>Cadastral</u>	<u>\$10.00, \$20.00 (glossy)</u>	<u>Nov 04</u>	Note to reviser: Insert new Cty Ordinance # here
<u>Zoning</u>	<u>\$10.00</u> <u>\$20.00 (glossy)</u>	<u>Nov 04</u>	Ord 231-11/02, Note to reviser: Insert new Cty Ordinance # here
<u>Supervisory Districts</u>	<u>\$10.00, \$20.00 (glossy)</u>	<u>Nov 04</u>	Note to reviser: Insert new Cty Ordinance # here
<u>Reports:</u>		<u>Nov 04</u>	Ord 231-11/02, Note to reviser: Insert new Cty Ordinance # here
<u>Municipality</u>	<u>\$20.00</u>	<u>Nov 04</u>	Ord 231-11/02, Note to reviser: Insert new Cty Ordinance # here
<u>Subdivision</u>	<u>\$5.00</u>	<u>Nov 04</u>	Ord 231-11/02, Note to reviser: Insert new Cty Ordinance # here
<u>Print Screens</u>	<u>\$1.00/page</u>	<u>Nov-04</u>	Note to reviser: Insert new Cty Ordinance # here
<u>Labels:</u>		<u>Nov 04</u>	Ord 231-11/02, Note to reviser: Insert new Cty Ordinance # here
<u>Municipality</u>	<u>\$30.00</u>	<u>Nov 04</u>	Ord 231-11/02, Note to reviser: Insert new Cty Ordinance # here
<u>Subdivision</u>	<u>\$8.00</u>	<u>Nov 04</u>	Ord 231-11/02, Note to reviser: Insert new Cty Ordinance # here

Lakeland Health Care Center			
<u>Medical Records</u>	<u>\$0.45/page</u>	<u>Jan-03</u>	Wis. Stats. § 908.03(6m)
<u>Photocopies</u>	<u>\$0.05/page</u>	<u>Jan-03</u>	Note to reviser: Insert new Cty Ordinance # here
<u>Fax</u>	<u>\$1.00/page</u>	<u>Jan-03</u>	Note to reviser: Insert new Cty Ordinance # here
Land Use & Resource Mgmt			
Zoning permit--New single-family residence	\$200.00	Jan-03	Wis. Stats. § 59.69; Code Ch 74
Zoning permit--Two-family and multiple-family residence	\$200.00/unit	Jan-03	Wis. Stats. § 59.69; Code Ch 74
Zoning permit--Residential additions, alterations	\$110.00	Jan-03	Wis. Stats. § 59.69; Code Ch 74
Zoning permit--Residential decks and pools	\$65.00	Jan-03	Wis. Stats. § 59.69; Code Ch 74
Zoning permit--Accessory structure 700 sq. ft. or less	\$75.00	Jan-03	Wis. Stats. § 59.69; Code Ch 74
Zoning permit--Accessory structure 700 sq. ft. to 1200 sq. ft.	\$85.00	Jan-03	Wis. Stats. § 59.69; Code Ch 74
Zoning permit--Accessory structure 1201 sq. ft. through 2500 sq. ft.	\$110.00	Jan-03	Wis. Stats. § 59.69; Code Ch 74
Zoning permit--Accessory structure greater than 2500 sq. ft.	\$135.00	Jan-03	Wis. Stats. § 59.69; Code Ch 74
Zoning permit--Recreation vehicle (condo campground)	\$85.00	Jan-03	Wis. Stats. § 59.69; Code Ch 74
Zoning permit--Business, commercial and industrial uses	Minimum of \$100.00 or \$0.15/sq. ft. of base floor area	Jan-03	Wis. Stats. § 59.69; Code Ch 74
Zoning permit--Telecommunication towers, antennas, and accessory str.	\$245.00	Jan-03	Wis. Stats. § 59.69; Code Ch 74
Zoning permit--Hotel, motel	\$80.00 base fee + \$15.00/unit	Jan-03	Wis. Stats. § 59.69; Code Ch 74
Zoning permit--Churches, schools, and other public facilities	\$245.00	Jan-03	Wis. Stats. § 59.69; Code Ch 74
Zoning permit--Sign permits	\$80.00	Jan-03	Wis. Stats. § 59.69; Code Ch 74
Zoning permit--Tree cutting permits	\$80.00	Jan-03	Wis. Stats. § 59.69; Code Ch 74
Zoning permit--Shoreyard stairway, retaining wall	\$80.00	Jan-03	Wis. Stats. § 59.69; Code Ch 74
Zoning permit--Pond permits	\$80.00	Jan-03	Wis. Stats. § 59.69; Code Ch 74
Zoning permit--All other zoning permits	\$80.00	Jan-03	Wis. Stats. § 59.69; Code Ch 74

Zoning permit--Revision fee	\$80.00	Jan-03	Wis. Stats. § 59.69; Code Ch 74
Zoning permit--Farmland separations	\$60.00	Jan-03	Wis. Stats. § 59.69; Code Ch 74
Zoning permit--Lot line adjustments	\$60.00	Jan-03	Wis. Stats. § 59.69; Code Ch 74
Zoning permit--Zoning ordinance(s)	\$25.00	Jan-03	Wis. Stats. § 59.69; Code Ch 74
Zoning permit--Shoreyard mitigation	\$110.00	Jan-03	Wis. Stats. § 59.69; Code Ch 74
Zoning requests	\$30.00	Jan-03	Wis. Stats. § 59.69; Code Ch 74
Zoning copies	\$0.50	Jan-03	Wis. Stats. § 59.69; Code Ch 74
Public hearing fee-- Conditional use hearing: residential	\$350.00	Jan-03	Wis. Stats. § 59.696
Public hearing fee-- Conditional use hearing: agricultural	\$350.00	Jan-03	Wis. Stats. § 59.696
Public hearing fee-- Conditional use hearing: recreational and related uses	\$350.00	Jan-03	Wis. Stats. § 59.696
Public hearing fee-- Conditional use hearing: mineral extraction (M-3)	\$625.00	Jan-03	Wis. Stats. § 59.696
Public hearing fee-- Conditional use hearing: sanitary landfill (M-4)	\$1,250.00	Jan-03	Wis. Stats. § 59.696
Public hearing fee-- Conditional use hearing: commercial and other industrial <5,000 sq. ft. gross floor area	\$350.00; additional \$100.00 fee may apply if development includes residential use	Jan-03	Wis. Stats. § 59.696
Public hearing fee-- Conditional use hearing: commercial and other industrial with 5,000-- 10,000 sq. ft. gross floor area	\$450.00; additional \$100.00 fee may apply if development includes residential use	Jan-03	Wis. Stats. § 59.696
Public hearing fee-- Conditional use hearing: Commercial and other industrial >10,000 sq. ft. gross floor area	\$650.00; additional \$100.00 fee may apply if development includes residential use	Jan-03	Wis. Stats. § 59.696
Public hearing fee-- Conditional use hearing: floodplains, wetland and park uses	\$350.00	Jan-03	Wis. Stats. § 59.696
<u>Conditional use amendment</u>	<u>\$100.00</u>	<u>Nov-04</u>	Note to reviser: Insert new Cty Ordinance # here
Public hearing fee--Board of adjustment hearings	\$275.00	Jan-03	Wis. Stats. § 59.696

Public hearing fee--Rezone hearing: residential	\$350.00 for 1 unit, plus \$100.00 per each additional unit	Jan-03	Wis. Stats. § 59.696
Public hearing fee--Rezone hearing: industrial developments--mineral extraction	\$625.00 plus \$55.00 per acre unless previously assessed	Jan-03	Wis. Stats. § 59.696
Public hearing fee--Rezone hearing: industrial developments--sanitary landfill	\$1,250.00 plus \$110.00 per acre unless previously assessed	Jan-03	Wis. Stats. § 59.696
Public hearing fee--Rezone hearing: commercial and other industrial <5,000 sq. ft. gross floor area	\$350.00 plus \$100.00 per unit residential use fee when applicable	Jan-03	Wis. Stats. § 59.696
Public hearing fee--Rezone hearing: commercial and other industrial, 5,000 to 10,000 sq. ft. gross floor area	\$450.00 plus \$100.00 per unit residential use fee when applicable	Jan-03	Wis. Stats. § 59.696
Public hearing fee--Rezone hearing: commercial and other industrial >10,000 sq. ft. gross floor area	\$650.00 plus \$100.00 per unit residential use fee when applicable	Jan-03	Wis. Stats. § 59.696
Public hearing fee--Rezone hearing: wetland and park districts	\$350.00	Jan-03	Wis. Stats. § 59.696
Public hearing fee--communications tower	<u>\$1,000.00</u>	<u>Nov-04</u>	Note to reviser: Insert new Cty Ordinance # here
Renewal – telecommunications	<u>\$350.00</u>	<u>Nov-04</u>	Note to reviser: Insert new Cty Ordinance # here
Renewal – salvage yard	<u>\$100.00</u>	<u>Nov-04</u>	Note to reviser: Insert new Cty Ordinance # here
Renewal – campground	<u>\$100.00</u>	<u>Nov-04</u>	Note to reviser: Insert new Cty Ordinance # here
Sanitary permit: conventional private sewage system	\$335.00	Jan-03	Wis. Stats. § 145; Code Ch 70
Sanitary permit: holding tank (new)	\$600.00	Jan-03	Wis. Stats. § 145; Code Ch 70
Sanitary permit: holding tank (replacement)	\$600.00	Jan-03	Wis. Stats. § 145; Code Ch 70
Sanitary permit: sanitary privy	\$365.00	Jan-03	Wis. Stats. § 145; Code Ch 70
Sanitary permit: mound system (new)	\$560.00	Jan-03	Wis. Stats. § 145; Code Ch 70
Sanitary permit: mound system (replacement)	\$560.00	Jan-03	Wis. Stats. § 145; Code Ch 70
Sanitary permit: in-ground pressure distribution system or at-grade system	\$440.00	Jan-03	Wis. Stats. § 145; Code Ch 70

Sanitary permit: experimental or alternate design system <3,000 gallon daily wastewater flow	\$500.00	Jan-03	Wis. Stats. § 145; Code Ch 70
Sanitary permit: large scale systems >3,000 gallon daily flow	\$750.00	Jan-03	Wis. Stats. § 145; Code Ch 70
Sanitary permit: large scale systems >5,000 gallon daily flow	\$1,125.00	Jan-03	Wis. Stats. § 145; Code Ch 70
Sanitary permit: large scale systems >8,000 gallon daily flow	\$1,500.00	Jan-03	Wis. Stats. § 145; Code Ch 70
Sanitary permit: re-connection to existing system	\$260.00	Jan-03	Wis. Stats. § 145; Code Ch 70
Sanitary permit: replacement of treatment tank only	\$260.00	Jan-03	Wis. Stats. § 145; Code Ch 70
Sanitary permit: minor repair of existing system	\$260.00	Jan-03	Wis. Stats. § 145; Code Ch 70
Sanitary permit: renewal, transfer, or revision	\$70.00	Jan-03	Wis. Stats. § 145; Code Ch 70
<u>Sanitary permit: minor repair</u>	<u>\$100.00</u>	<u>Nov-04</u>	Note to reviser: Insert new Cty Ordinance # here
Sanitary ordinance appeal	\$260.00	Jan-03	Wis. Stats. § 145; Code Ch 70
<u>Sanitation information requests</u>	<u>\$30.00</u>	<u>Nov-04</u>	Note to reviser: Insert new Cty Ordinance # here
<u>Sanitation monthly maintenance report</u>	<u>\$20.00</u>	<u>Nov-04</u>	Note to reviser: Insert new Cty Ordinance # here
Soil investigation	\$100.00	Jan-03	Wis. Stats. § 145; Code Ch 70
Septic tank maintenance	\$10.00	Jan-03	Wis. Stats. § 145; Code Ch 70
County private sewage system and sanitation ordinance	\$10.00	Jan-03	Wis. Stats. § 145; Code Ch 70
Wisconsin fund application	\$150.00	Jan-03	Wis. Administrative Code/Comm. 87
<u>Development plan amendment proposal</u>	<u>\$250.00</u>	<u>Nov-04</u>	Note to reviser: Insert new Cty Ordinance # here
Plat review fee: certified survey map--One lot or outlot plat	\$350.00	Jan-03	Wis. Stats. § 236.45; Code Ch 58
Plat review fee: Certified survey map--Two lots and/or outlots	\$400.00	Jan-03	Wis. Stats. § 236.45; Code Ch 58
Plat review fee: certified survey map--Three lots and/or outlots	\$450.00	Jan-03	Wis. Stats. § 236.45; Code Ch 58

Plat review fee: certified survey map--Four lots and/or outlots	\$500.00	Jan-03	Wis. Stats. § 236.45; Code Ch 58
Plat review fee: re-application fee	\$100.00	Jan-03	Wis. Stats. § 236.45; Code Ch 58
Plat review fee: preliminary subdivision plat--Preliminary fee	\$500.00; plus lot fee of \$50.00/lot and outlot fee of \$50.00/outlot	Jan-03	Wis. Stats. § 236.45; Code Ch 58
Plat review fee: preliminary subdivision plat--Re-application fee	\$100.00	Jan-03	Wis. Stats. § 236.45; Code Ch 58
Plat review fee: final subdivision plat--Final fee	\$300.00; plus lot fee of \$50.00/lot and outlot fee of \$50.00/outlot	Jan-03	Wis. Stats. § 236.45; Code Ch 58
Plat review fee: final subdivision plat--Re-application fee	\$100.00	Jan-03	Wis. Stats. § 236.45; Code Ch 58
Plat review fee: preliminary condominium plat	\$500.00; plus unit fee of \$50.00/unit	Jan-03	Wis. Stats. § 236.45; Code Ch 58
Plat review fee: condominium plat--Re-application fee	\$100.00	Jan-03	Wis. Stats. § 236.45; Code Ch 58
Plat review fee: final condominium plat	\$500.00; plus unit fee of \$25.00/unit \$300.00; plus unit fee of \$50.00/unit	Nov-04	Wis. Stats. § 236.45; Code Ch 58
Plat review fee: final condominium plat--Re-application fee	\$100.00	Jan-03	Wis. Stats. § 236.45; Code Ch 58
Rural building number fee	\$25.00	Jan-03	Wis. Stats. § 54(4)&(4m)
Erosion control and stormwater--Single-family residences, residential add.	\$150.00	Jan-03	Code Ch 26, Art I
Erosion control and stormwater--Storage structures, garages, boathouses, etc.	\$120.00	Jan-03	Code Ch 26, Art I
Erosion control and stormwater--Multi-family residential greater than 2 units	\$80.00/unit	Jan-03	Code Ch 26, Art I
Erosion control and stormwater--Retaining walls or concrete stairways	\$120.00	Jan-03	Code Ch 26, Art I
Erosion control and stormwater--Decks/post holes only	\$50.00	Jan-03	Code Ch 26, Art I
Erosion control and stormwater--Post hole stairway	\$100.00	Jan-03	Code Ch 26, Art I
Erosion control and stormwater--Post hole excavation/decks	\$100.00	Jan-03	Code Ch 26, Art I

Erosion control and stormwater--Residential	\$100.00	Jan-03	Code Ch 26, Art I
<u>Tree cutting – exemption verification</u>	<u>\$150.00</u>	<u>Nov-04</u>	Note to reviser: Insert new Cty Ordinance # here
Land disturbance and construction--2000--25,000 sq. ft. including parking	\$250.00	Jan-03	Code Ch 26, Art I
Land disturbance and construction--Under 2000 sq. ft. including parking	\$150.00	Jan-03	Code Ch 26, Art I
Land disturbance and construction--Greater than 25,000 sq. ft.	\$250.00 + 0.005/square foot	Jan-03	Code Ch 26, Art I
Land disturbance activities--Grading, filling or excavating up to 25,000 sq. ft.	\$120.00	Jan-03	Code Ch 26, Art I
Land disturbance activities--Grading, filling or excavating greater than 25,000 sq. ft.	0.005/square foot	Jan-03	Code Ch 26, Art I
Land disturbance activities--Road construction up to 25,000 sq. ft.	\$100.00	Jan-03	Code Ch 26, Art I
Land disturbance activities--Road construction greater than 25,000 sq. ft.	0.005/square foot	Jan-03	Code Ch 26, Art I
Land disturbance activities--Pond construction less than 25,000 sq. ft.	\$150.00	Jan-03	Code Ch 26, Art I
Land disturbance activities--Pond construction greater than 25,000 sq. ft.	0.005/square foot	Jan-03	Code Ch 26, Art I
Land disturbance activities--Utilities greater than 300 linear feet	0.075/linear foot	Jan-03	Code Ch 26, Art I
Land disturbance activities--Nonmetallic erosion control and stormwater	0.003/square foot = \$130.68/acre	Jan-03	Code Ch 26, Art I
Nonmetallic reclamation ordinance--Unclaimed acres 1--5 acres	\$450.00 total - \$420.00 county; \$30.00 DNR	Jan-03	Code Ch 6, Art IV
Nonmetallic reclamation ordinance--Unclaimed acres 6-10 acres	\$600.00 total - \$540.00 county; \$60.00 DNR	Jan-03	Code Ch 6, Art IV
Nonmetallic reclamation ordinance--Unclaimed acres 11 to 15 acres	\$750.00 total - \$660.00 county; \$90.00 DNR	Jan-03	Code Ch 6, Art IV
Nonmetallic reclamation ordinance--Unclaimed acres 16 to 25 acres	\$1,000.00 total - \$880.00 county; \$120.00 DNR	Jan-03	Code Ch 6, Art IV

Nonmetallic reclamation ordinance--Unclaimed acres 26 to 50 acres	\$1,100.00 total--\$960.00 county; \$140.00 DNR	Jan-03	Code Ch 6, Art IV
Nonmetallic reclamation ordinance--Unclaimed acres 51 acres or larger	\$1,200.00 total - \$1,050.00 county; \$150.00 DNR	Jan-03	Code Ch 6, Art IV
<u>Nonmetallic reclamation ordinance – one-time plan review fee 1-25 acres</u>	<u>\$900.00</u>	<u>Nov-04</u>	Note to reviser: Insert new Cty Ordinance # here
<u>Nonmetallic reclamation ordinance – one-time plan review fee 26-50 acres</u>	<u>\$1,200.00</u>	<u>Nov-04</u>	Note to reviser: Insert new Cty Ordinance # here
<u>Nonmetallic reclamation ordinance – one-time plan review fee 51 acres</u>	<u>\$1,500.00</u>	<u>Nov-04</u>	Note to reviser: Insert new Cty Ordinance # here
<u>Nonmetallic reclamation ordinance – expedited reclamation plan review</u>	<u>Add \$500.00</u>	<u>Nov-04</u>	Note to reviser: Insert new Cty Ordinance # here
<u>Nonmetallic reclamation ordinance – for plan modification</u>	<u>\$550.00</u>	<u>Nov-04</u>	Note to reviser: Insert new Cty Ordinance # here
<u>Farmland Preservation Certificate</u>	<u>\$15.00</u>	<u>Nov-04</u>	Note to reviser: Insert new Cty Ordinance # here
Animal waste storage ordinance--Permit storage facility	\$200.00	Jan-03	Code Ch 6, Art IV
Animal waste storage ordinance--Nutrient mgmt. plan review/conditional use	\$125.00	Jan-03	Code Ch 6, Art IV
<u>Public Works</u>			
<u>Driveway Construction</u>	<u>\$600.00</u>	<u>Jan-02</u>	Wis. Stats. § 86.07; 86.16(2)
<u>Driveway Permit</u>	<u>\$100.00</u>	<u>Nov-04</u>	Wis. Stats. § 86.07; 86.16(2)
<u>Driveway Paving</u>	<u>\$100.00</u>	<u>Nov-04</u>	Wis. Stats. § 86.07; 86.16(2)
<u>Utility-ROW Permits</u>	<u>\$100.00</u>	<u>Nov-04</u>	Wis. Stats. § 66.047; 182.0175
<u>Utility-Boring Permits</u>	<u>\$300.00</u>	<u>Nov-04</u>	Wis. Stats. § 66.047; 182.0175
<u>Wide Load</u>	<u>\$20.00</u>	<u>Jan-02</u>	Wis. Stats. § 348.05
<u>Overweight</u>	<u>\$500.00</u>	<u>Jan-02</u>	Wis. Stats. § 348.05
<u>Natureland Park Shelter rental</u>	<u>\$30.00</u>	<u>Jan-02</u>	Wis. Stats. § 27.075(1)59.07
<u>Natureland Park Log Cabin rental</u>	<u>\$60.00</u>	<u>Jan-02</u>	Wis. Stats. § 27.075(1)59.07
<u>Yearly Trail Pass</u>	<u>\$15.00; \$4.50 state, \$10.50 county</u>	<u>Nov-04</u>	Wis. Stats. § 27.01(8)
<u>Daily Trail Pass</u>	<u>\$4.00; \$1.20 state, \$2.80 county</u>	<u>Nov-04</u>	Wis. Stats. § 27.01(8)

Register of Deeds			
Recorded documents-- Deeds, mortgages, land contracts, satisfactions, etc.	\$11.00 for first page; \$2.00 each additional page	Jan-03	Wis. Stats. § 59.43(2)(ag)
Recorded documents-- Termination of decedent's interest	\$25.00	Jan-03	Wis. Stats. § 59.43(2)(i)
Copies of recorded documents	\$2.00 for first page; \$1.00 each additional page; additional \$1.00 fee for certified copies	Jan-03	Wis. Stats. § 59.43(2)(b)
Filed plats--Cemetery, condominium and subdivision	\$50.00	Jan-03	Wis. Stats. § 59.43(2)(h)
Filed plats--Transportation project plats	\$25.00	Jan-03	Wis. Stats. § 59.43(2)(k)
Vital records--Birth certificate	\$12.00 for first copy; \$3.00 each additional copy per order	Jan-03	Wis. Stats. § 69.22(1)(c)
Vital records--Death certificate	\$7.00 for first copy; \$3.00 each additional copy per order	Jan-03	Wis. Stats. § 69.22(1)(a)
Vital records--Marriage certificate	\$7.00 for first copy; \$3.00 each additional copy per order	Jan-03	Wis. Stats. § 69.22(1)(a)
Realty related--UCC 1 financing statement (fixture filing only)	\$11.00 for first page; \$2.00 each additional page per filing	Jan-03	Wis. Stats. § 59.43(2)(e)
Realty related--UCC 3 financing statement amendment (fixture filing only)	\$11.00 for first page; \$2.00 for each additional page per filing	Jan-03	Wis. Stats. § 59.43(2)(e)
Copies of realty related UCC filings	\$2.00 for first page; \$1.00 each additional page; additional \$1.00 certification fee	Jan-03	Wis. Stats. § 59.43(2)(b)
UCC searches	\$15.00 per debtor name	Jan-03	DFI-CCS 1.10 (1)(g)
Federal tax liens--Searches	\$15.00 per taxpayer name searched	Oct-03	Wis. Stats. § 409.525; Ord 246-10/03
Federal tax liens--Copies	\$2.00 for first page; \$1.00 each additional page; additional \$1.00 certification fee	Jan-03	Wis. Stats. § 59.43(2)(b)
CDs of images of daily recordings	\$500.00 per month to receive daily CD images of recorded documents	Apr-00	Wis. Stats. § 59.43(2)(c)
Miscellaneous--Print screen	\$1.00 per screen	Jan-01	Code Sec. 30-286
Miscellaneous--Census records	\$1.00 per 8 1/2" × 14" sheet	Jan-03	Code Sec. 30-286
Miscellaneous--Green bar indexes	\$10.00 per month covered in report plus \$0.25 per sheet	Jan-03	Code Sec. 30-286

Miscellaneous--Subdivision plat copies	\$4.50 per full sheet	Jan-03	Wis. Stats. § 236.25(5)
Sheriff			
Accident report	\$2.00	Jan-03	Wis. Stats. § 19.35(3)(a)
Bond fee: charge for bond taken at LEC for other departments	\$15.00 <u>\$20.00</u>	Nov-04	Wis. Stats. § 814.705; Ord 231-11/02
Copy: certificate reprints; report copies	\$1.00 first page; \$0.25 each additional page	Jan-03	Wis. Stats. § 19.35(3)(a)
Service of process	\$20.00/person <u>\$30.00/person/per attempt</u> ; mileage \$ 36.5/mile; postage \$1.00; notary \$0.50	Nov-04	Wis. Stats. § 814.705; Ord 231-11/02
Photo reprints	\$10.00 8×10; \$5.00 5×7; \$2.50 4×6	Jan-03	Wis. Stats. § 19.35(3)(a)
Massage permits	\$50.00 individual; \$200.00 establishment	Jan-03	Ord 162-06/95
Police escorts; house moves; traffic control	\$50.00/hr per officer <u>\$60.00/hr per officer</u>	Nov-04	Ord 231-11/02
Range use	\$100.00/day; \$500.00/yr; \$1,000 out of county <u>\$30.00/hour</u>	Nov-04	Note to reviser: Insert new Cty Ordinance # here
Huber Dorm	\$16.00/day; \$112.00/week	Jan-02	Wis. Stats. § 303.08; Ord 231-11/02
False alarms (per calendar year)	\$10.00 1st response; \$20.00 2nd response; \$30.00 3rd response; \$40.00 4th response	Jan-03	Ord. 22-79
Jail charge	\$15.00/day municipal prisoners; \$55.00/day out-of-county prisoners; \$62.00/day federal inmates	Jan-02	Wis. Stats. § 303.18; Ord 231-11/02
Storage	\$5.00/day outside; \$10.00/day inside	Jan-03	Ord 231-11/02
<u>Jail booking fee</u>	<u>\$20.00/person</u>	<u>Jan-05</u>	Note to reviser: Insert new Cty Ordinance # here
Treasurer			
County map	\$6.95	Jan-04	Ord 231-11/02
Copies	\$1.00	Pre 1988	Ord 231-11/02
Plat book	\$25.00	Jan-04	Ord 231-11/02; 246-10/03
Special sale list	\$2.00	Jan-03	Ord 231-11/02
In rem sale list	\$5.00	Jan-03	Ord 231-11/02
Nontaxable plat book	\$23.70	Jan-04	Ord 246-10/03
Tax Searches	\$0.50	Jan-03	Ord 231-11/02
Small county map	\$0.25	Jan-03	Ord 231-11/02
Certificates	\$1.00	Pre 1988	Ord 231-11/02
Returned check fee	\$28.00	Jan-03	Ord 231-11/02
Faxed copies	\$1.00	Jan-03	Ord 231-11/02

<u>UW-Extension</u>			
<u>4-H Member Enrollment Fees</u>	<u>\$12.00/member – \$3.00 Sr Ldrs, \$3.00 Jr Ldrs, \$1.50 WI 4-H Foundation, \$1.00 insurance, \$3.50 4-H literature)</u>	<u>Nov-04</u>	Note to reviser: Insert new Cty Ordinance # here
<u>4-H Cloverbud Enrollment Fees</u>	<u>\$4.00/member)\$1.50 WI 4-H Foundation, \$1.00 insurance; \$1.50 county UWEX)</u>	<u>Nov-04</u>	Note to reviser: Insert new Cty Ordinance # here
<u>4-H Camp Fees</u>	<u>\$90.00/member; \$45.00/counselor, \$0.00/adult volunteer</u>	<u>Nov-04</u>	Note to reviser: Insert new Cty Ordinance # here
<u>4-H Horse Program Fees</u>	<u>\$15.00/member (\$14.00 Horse & Pony Comm, \$1.00 high risk ins)</u>	<u>Nov-04</u>	Note to reviser: Insert new Cty Ordinance # here
<u>4-H Softball Fees</u>	<u>\$1.00/member high risk ins; \$15.00/team of 4 or more; \$5.00/team of 1-3 (Jr Ldrs Assoc)</u>	<u>Nov-04</u>	Note to reviser: Insert new Cty Ordinance # here
<u>Explorers Day Camp Fees</u>	<u>\$6.00 per participant (Sr Ldrs Assoc)</u>	<u>Nov-04</u>	Note to reviser: Insert new Cty Ordinance # here
<u>Kids' College Fees</u>	<u>\$4.00 per class</u>	<u>Nov-04</u>	Note to reviser: Insert new Cty Ordinance # here
<u>Shooting Sports Fees</u>	<u>\$4.00 per event</u>	<u>Nov-04</u>	Note to reviser: Insert new Cty Ordinance # here
<u>Drama Fest Fee</u>	<u>\$10.00/entry</u>	<u>Nov-04</u>	Note to reviser: Insert new Cty Ordinance # here
<u>Bowling Tournament Fees</u>	<u>\$6.75/person; \$5.00 Jr/Sr Ldr for tournament (Jr Ldrs Assoc)</u>	<u>Nov-04</u>	Note to reviser: Insert new Cty Ordinance # here
<u>4-H Cookbook Sale</u>	<u>\$12.00/book (Sr Ldrs Assoc Futures Comm)</u>	<u>Nov-04</u>	Note to reviser: Insert new Cty Ordinance # here
<u>Better Kid Care Workshops</u>	<u>\$7.00/wksp; \$30.00 for series of 5 workshops</u>	<u>Nov-04</u>	Note to reviser: Insert new Cty Ordinance # here
<u>Nature of Kids Program</u>	<u>\$25.00 for a three-session series</u>	<u>Nov-04</u>	Note to reviser: Insert new Cty Ordinance # here
<u>Pesticide Applicators Training and EPA fees</u>	<u>\$30.00 (\$15.00 for PTA-state, \$15.00 for EPA-county)</u>	<u>Nov-04</u>	Note to reviser: Insert new Cty Ordinance # here
<u>Field Soil Test</u>	<u>\$7.00 + shipping & handling (UWEX-Coop Ext)</u>	<u>Nov-04</u>	Note to reviser: Insert new Cty Ordinance # here
<u>Forest Minerals Test</u>	<u>\$22.00 + shipping & handling (UWEX-Coop Ext)</u>	<u>Nov-04</u>	Note to reviser: Insert new Cty Ordinance # here
<u>Forest Sample</u>	<u>\$20.00 + shipping & handling (UWEX-Coop Ext)</u>	<u>Nov-04</u>	Note to reviser: Insert new Cty Ordinance # here
<u>Forest Texture</u>	<u>\$20.00 + shipping & handling (UWEX-Coop Ext)</u>	<u>Nov-04</u>	Note to reviser: Insert new Cty Ordinance # here

<u>Lawn/Garden Test</u>	<u>\$15.00 + shipping & handling (UWEX-Coop Ext)</u>	<u>Nov-04</u>	Note to reviser: Insert new Cty Ordinance # here
<u>Mineral Test</u>	<u>\$15.00 + shipping & handling (UWEX-Coop Ext)</u>	<u>Nov-04</u>	Note to reviser: Insert new Cty Ordinance # here
<u>Plant Analysis</u>	<u>\$18.00 + shipping & handling (UWEX-Coop Ext)</u>	<u>Nov-04</u>	Note to reviser: Insert new Cty Ordinance # here
<u>Shipping and Handling for all Tests and Analysis</u>	<u>\$3.00 shipping & handling (county UWEX)</u>	<u>Nov-04</u>	Note to reviser: Insert new Cty Ordinance # here
<u>SE Wisconsin Winter Grazing Seminar</u>	<u>\$10.00 registration fee</u>	<u>Nov-04</u>	Note to reviser: Insert new Cty Ordinance # here
<u>Sale of extension bulletins</u>	<u>Per UWEX Madison price list + tax & postage</u>	<u>Nov-04</u>	Note to reviser: Insert new Cty Ordinance # here

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

PASSED and ADOPTED by the Board of Supervisors of Walworth County Wisconsin this 9th day of November, 2004.

County Board Meeting Date: November 9, 2004

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

Ann Lohrmann
County Board Chair

Kimberly S. Bushey
County Clerk

Policy and Fiscal Note is attached.

Reviewed and approved pursuant to Section 2-91 of the Walworth County Code of Ordinances:

David A. Bretl	11/2/04	N. Andersen	11/2/04
County Administrator/ Corporation Counsel	Date	Finance Director	Date

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

Policy and Fiscal Note
Ordinance No. 276-11/04

- I. Title: Amending Section 30-286 of the Walworth County Code of Ordinances Relative to Fees.
- II. Purpose and Policy Impact Statement: In conjunction with compilation of the annual budget, departments have reviewed fees charged for services. Based upon that review departments have recommended implementation of new fees or revisions to existing fees. All fees have been detailed in the body of the revision to section 30-286.
- III. Is this a budgeted item and what is its fiscal impact? The fiscal impact associated with passage of this ordinance has been incorporated into the preliminary 2005 budget.
- IV. Referred to the following standing committees for consideration and date of referral:

Committee: Finance Committee

Date: October 21, 2004

Vote: 4-1

County Board Meeting Date: November 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	11/2/04	N. Andersen	11/2/04
County Administrator/ Corporation Counsel	Date	Finance Director	

2. Ordinance No. 277-11/04 – Creating Section 30-287 of the Walworth County Code of Ordinances Relating to Fees for Reissuance of Checks

On motion by Supervisor Russell, seconded by Supervisor Waelti, Ordinance No. 277-11/04 was approved by voice vote.

ORDINANCE NO. 277-11/04

CREATING SECTION 30-287 OF THE WALWORTH COUNTY CODE OF ORDINANCES RELATING TO FEES FOR REISSUANCE OF CHECKS

THE WALWORTH COUNTY BOARD OF SUPERVISORS DOES ORDAIN AS FOLLOWS:

PART I: That Section 30-287 of the Walworth County Code of Ordinances is hereby created to read as follows:

“Sec. 30-287. Fee for reissuance of checks.

(a) In the event a payee requests finance director to reissue any check, the payee shall first pay the fee set forth in section 30-286. This fee may be waived, in accordance with procedures established under section 30-1(c), in the event it is demonstrated, by the greater weight of the evidence, that:

- (1) The payee never received the original check; and
- (2) The payee’s failure to receive the original check was not caused by the payee’s negligence.”

PART II: This Ordinance shall become effective upon passage.

PASSED and ADOPTED by the Walworth County Board of Supervisors this 9th day of November, 2004.

Ann Lohrmann
County Board Chairperson

Kimberly S. Bushey
Attest: County Clerk

County Board Meeting Date: November 9, 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

11/1/04
Date

N. Andersen
Finance Director

11/1/04
Date

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

Ordinance No. 277-11/04
Fiscal Note and Policy Impact Statement

- I. Title: Creating Section 30-287 of the Walworth County Code of Ordinances Relating to Fees For Reissuance of Checks
- II. Purpose and Policy Impact Statement: The purpose of this ordinance is to require a fee from the payee for any reissuance of county checks.
- III. Is this a budgeted item and what is its fiscal impact: Passage of this ordinance will increase revenue, depending on the number of requests received for check reissuance,. This ordinance will allow the county to recover expenses it incurs in reissuing checks.
- IV. Referred to the following standing committee(s) for consideration and date of referral:

Committee: Finance Date: October 21, 2004

Vote: 4 - 1

County Board Meeting Date: November 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

11/1/04
Date

N. Andersen
Finance Director

11/1/04
Date

3. Ordinance No. 278-11/04 – Amending Sections 30-69 and 30-83 of the Walworth County Code of Ordinances Relating to Contracts and Purchasing
4. Ordinance No. 279-11/04 – Creating Chapter 62, Article IV of the Walworth County Code of Ordinances Relating to Tax Incremental Financing Districts

Supervisor Goebel offered a motion, seconded by Supervisor Ketchpaw, to approve items 3 and 4. Supervisor Goebel asked for separate consideration of items 3 and 4. Discussion ensued on Ordinance No. 278-11/04. Ordinance No. 278-11/04 was approved by voice vote.

ORDINANCE NO. 278–11/04

AMENDING SECTION 30-69 AND 30-83 OF THE WALWORTH COUNTY CODE OF
ORDINANCES RELATING TO CONTRACTS AND PURCHASING

THE WALWORTH COUNTY BOARD OF SUPERVISORS DOES ORDAIN AS FOLLOWS:

PART I: That Section 30-69 of the Walworth County Code of Ordinances is hereby amended to read as follows (additions shown by underline; deletions shown by strike-through):

“Sec. 30-69. Contract review and signature.

(a) The following reviews shall be completed prior to signature of any contract, whether providing for the expenditure of funds or not:

1. The applicable department head shall attest to the sufficiency of the contract for its intended purpose and that sufficient funds are available to meet the obligations of the contract;

~~2. The corporation counsel shall attest to the legality and sufficiency of the contract, for the intended purpose;~~

~~3. The finance director shall attest that sufficient funds are available to meet the obligations of the contract and to certify and compliance with this chapter; and~~

~~4. The employee relations director shall, for employment agreements, attest to compliance with chapter 15 of conformance with benefit plan document provisions,~~

(b) The county clerk shall sign the following contracts:

1. Purchase of real property
2. Purchase of personal property
3. Lease of real property
4. Lease of personal property
5. All contracts of ~~\$10,000.00~~ \$25,000.00 or more.

Department heads or the county administrator shall sign contracts under ~~\$10,000.00~~ \$25,000.00.

(c) Change orders or amendments shall require the same approval as the original contract.

PART II: That Section 30-83 of the Walworth County Code of Ordinances is amended so as to repeal paragraph (h) thereof to read as follows (additions shown by underline; deletions shown by strike-through):

(h) Unless otherwise provided herein, the finance committee shall award bids ~~in excess of \$10,000.00~~ \$25,000.00 or more for the purchase of goods and services.

PART III: This Ordinance shall become effective upon passage.

PASSED and ADOPTED by the Walworth County Board of Supervisors this 9th day of November, 2004.

Ann Lohrmann
County Board Chairperson

Kimberly S. Bushey
Attest: County Clerk

County Board Meeting Date: November 9, 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

11/1/04
Date

N. Andersen
Finance Director

11/1/04
Date

Kuhnke, Lein, Lightfield, Muzatko, Parker, Russell, Schaefer, Stacey, Van Dreser, Waelti, Weber, Lohrmann; Noes: 3 – Guido, Hawkins, Polyock; Absent: 2 – Morrison, Wagie-Troemel. Ordinance 279-11/04 was approved.

ORDINANCE NO. 279 – 11/04

CREATING CHAPTER 62, ARTICLE IV OF THE WALWORTH COUNTY CODE OF ORDINANCES RELATING TO TAX INCREMENTAL FINANCING DISTRICTS

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

PART I: That Article IV of Chapter 62 of the Walworth County Code of Ordinances is hereby created to read as follows:

“Article IV - Tax Incremental Financing Districts

Sec. 62-101. Joint Review Board

(a). A Joint Review Board, consisting of a representative of overlying tax districts and a citizen member, must be convened to approve any tax incremental finance district. Tax Incremental Financing Districts include the following jurisdictions that have the power to levy taxes on the property within the tax incremental district (TID):

- (1) the technical college district
- (2) the school district (one high school, one elementary)
- (3) the municipality
- (4) the County

(b) The county representative will base their vote to approve or deny the creation, or amendment thereof, of a proposed tax incremental financing district based on the following criteria.

- (1) Whether the development expected in the TID would occur without the use of tax incremental financing.
- (2) Whether the economic benefits of the TID, as measured by increased employment, business and personal income and property value, are insufficient to compensate for the cost of the improvements.
- (3) Whether the benefits of the proposal outweigh the anticipated tax increments to be paid by the owners of the property in the overlying taxing districts.

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 9th day of November, 2004.

Ann Lohrmann
County Board Chairman

Kimberly S. Bushey
Attest: County Clerk

County Board Meeting Date: November 9, 2004

Action Required: ___ Majority Vote X 2/3 Vote ___ Other

Supervisor Russell asked that the Board recognize Phil Davis, Chair of the Park Advisory Board, N9365 Beulah Park Road, East Troy. Mr. Davis said that the Park Advisory Board was given the charge of looking for opportunities and facilitating the development of parks throughout the County. Mr. Davis said that one of the biggest problems the Parks Board has had is that when the land is available, we do not have the money set aside to take advantage of the opportunity. He said we have to buy land when it is available and to do that, we have to have a contingency fund or lock box set aside. Mr. Davis recommended that the Board approve the ordinance presented by the Land Conservation Committee.

Supervisor Muzatko recognized Gerald Emmerich, N8466 Pickerel Lake Road, East Troy, member of the Park Advisory Board, to address the Supervisors. Mr. Emmerich read his remarks to the Supervisors. He gave a history of the County's involvement in the Parks and Open Space Plan. Mr. Emmerich said that he urges the Board to support the amendment to Chapter 30 of the County Code, which would authorize the creation of a non-lapsing account for park and open space acquisition – a fund that would accept budgeted county funds as well as private contributions. He said the Parks Advisory Board also encourages the County Board to budget funds for this account in the future.

Discussion ensued. Bretl said that this ordinance amends an ordinance already in place for acquisition of land for highway purposes. Bretl said that Ordinance No. 280-11/04 would not affect the highway portion of Section 30-263.

On motion by Supervisor Van Dreser, seconded by Supervisor Ketchpaw, the question was called. Supervisor Guido voted "no." A roll call vote was held to approve Ordinance 280-11/04. Total vote: 25; Ayes: 16 – Arnold, Burwell, Downing, Goebel, Guido, Hilbelink, Ketchpaw, Lein, Lightfield, Muzatko, Parker, Polyock, Russell, Van Dreser, Weber, Lohrmann; Noes: 7 – Felten, Grant, Hawkins, Kuhnke, Schaefer, Stacey, Waelti; Absent: 2 – Morrison, Wagie-Troemel. Ordinance No. 280-11/04 was approved.

ORDINANCE NO. 280-11/04

AMENDING CHAPTER 30, ARTICLE VI, SECTION 30-263 OF THE WALWORTH COUNTY CODE OF ORDINANCES RELATING TO ACQUISITION OF REAL PROPERTY

THE WALWORTH COUNTY BOARD OF SUPERVISORS DOES ORDAIN AS FOLLOWS:

PART I: That Article VI of Chapter 30 of the Walworth County Code of Ordinances is hereby amended to read as follows (additions shown by underline; deletions shown by strike-through):

"Sec. 30-263. Acquisition of real property.

- (a) All real property shall be acquired in the name of the county in accordance with this section.
- (b) Real property may be acquired for the following purposes: ~~of~~

1. Mitigating conditions, appurtenant to county highways, that pose a threat to public health or safety based upon recommendation of the public works committee.

2. Creating parks or maintaining open space.

- (c) The county shall solicit funding for the acquisition of real property from non-county sources in an effort to minimize the county's financial impact.
- (d) The county shall designate non-lapsing funds in an amount not to exceed 1.5 percent of the prior year's adopted road construction budget for the purpose of acquiring unanticipated highway right-of-way that meet the qualifications of section 30-263(b)1. The funds may be replenished annually, ensuring that a

minimum of \$30,000.00 is available. The funds will be kept in a segregated, non-interest bearing account within the highway fund.

(e) The County shall designate a non-lapsing account to achieve the purpose set forth in (b) 2. Said account shall be for the sole purpose of holding privately donated funds and any future county budgeted funds and shall be a segregated interest-bearing account.

PART II: That this Ordinance shall become effective upon passage.

PASSED and ADOPTED by the Walworth County Board of Supervisors this 9th day of November, 2004.

Ann Lohrmann
County Board Chairperson

Kimberly S. Bushey
Attest: County Clerk

County Board Meeting Date: November 9, 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	11/2/04	N. Andersen	11/2/04
County Administrator/ Corporation Counsel	Date	Deputy County Administrator - Finance	Date

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

Ordinance No. 280-11/04
Fiscal Note and Policy Impact Statement

- I. Title: Amending Chapter 30, Article VI, Section 30-263 of the Walworth County Code of Ordinances Relating to Acquisition of Real Property
- II. Purpose and Policy Impact Statement: The purpose of this ordinance is to create a "locked box" to fund the acquisition of land for parks or open space in the County.
- III. Is this a budgeted item and what is its fiscal impact: Passage of this ordinance will have no budget impact. Tax money would not be permitted to be included into this account. Only privately raised funds would be used. Therefore, passage of this ordinance would not have an impact on county taxes.
- IV. Referred to the following standing committee(s) for consideration and date of referral:

Committee: Land Conservation Committee Date: October 18, 2004

Vote: 6 - 0

County Board Meeting Date: November 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

11/2/04
Date

N. Andersen
Deputy County Administrator - Date
Finance

5. Ordinance No. 284-11/04 – Amending Chapter 30, Article VI, Section 30-263 of the Walworth County Code of Ordinances Relating to Acquisition of Real Property But Limiting Funding to Private Sources

On motion by Supervisor Ketchpaw, seconded by Supervisor Downing, Ordinance No. 284-11/04 was placed on file.

ORDINANCE NO. 284-11/04
PLACED ON FILE

AMENDING CHAPTER 30, ARTICLE VI, SECTION 30-263 OF THE WALWORTH COUNTY
CODE OF ORDINANCES RELATING TO ACQUISITION OF REAL PROPERTY BUT LIMITING
FUNDING TO PRIVATE SOURCES

THE WALWORTH COUNTY BOARD OF SUPERVISORS DOES ORDAIN AS FOLLOWS:

PART I: That Article VI of Chapter 30 of the Walworth County Code of Ordinances is hereby amended to read as follows (additions shown by underline; deletions shown by strike-through):

“Sec. 30-263. Acquisition of real property.

(a) All real property shall be acquired in the name of the county in accordance with this section.

(b) Real property may be acquired for the following purposes: ~~of~~

1. Mitigating conditions, appurtenant to county highways, that pose a threat to public health or safety based upon recommendation of the public works committee.

2. Creating parks or maintaining open space.

(c) The county shall solicit funding for the acquisition of real property from non-county sources in an effort to minimize the county's financial impact.

(d) The county shall designate non-lapsing funds in an amount not to exceed 1.5 percent of the prior year's adopted road construction budget for the purpose of acquiring unanticipated highway right-of-way that meet the qualifications of section 30-263(b)1. The funds may be replenished annually, ensuring that a minimum of \$30,000.00 is available. The funds will be kept in a segregated, non-interest bearing account within the highway fund.

(e) The County shall designate a non-lapsing account to achieve the purpose set forth in (b) 2. Said account shall be for the sole purpose of holding privately donated funds.

PART II: That this Ordinance shall become effective upon passage.

PASSED and ADOPTED by the Walworth County Board of Supervisors this 9th day of November, 2004.

Ann Lohrmann
County Board Chairperson

Kimberly S. Bushey
Attest: County Clerk

County Board Meeting Date: November 9, 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	11/4/04	Nicki Andersen (pw)	11/5/04
County Administrator/ Corporation Counsel	Date	Deputy County Administrator - Finance	Date

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

Ordinance No. 284 - 11/04
Fiscal Note and Policy Impact Statement

- I. Title: Amending Chapter 30, Article VI, Section 30-263 of the Walworth County Code of Ordinances Relating to Acquisition of Real Property but Limiting Funding to Private Sources
- II. Purpose and Policy Impact Statement: The purpose of this ordinance is to create a “locked box” to fund the acquisition of land for parks or open space in the County.
- III. Is this a budgeted item and what is its fiscal impact: Passage of this ordinance will have no budget impact. Tax money would not be permitted to be included into this account. Only privately raised funds would be used. Therefore, passage of this ordinance would not have an impact on county taxes.
- IV. Referred to the following standing committee(s) for consideration and date of referral:

Committee: Finance Date: September 23, 2004

Vote: 6 - 0

County Board Meeting Date: November 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	11/4/04	Nicki Andersen (pw)	11/5/04
County Administrator/ Corporation Counsel	Date	Deputy County Administrator - Finance	Date

6. Ordinance No. 285-11/04 – Amending Section 30-170 of the Walworth County Code of Ordinances Relating to Funding Retiree Health Insurance Benefits

On motion by Supervisor Hilbelink, seconded by Supervisor Russell, Ordinance No. 285-11/04 was approved by voice vote. Supervisor Polyock requested that his vote be recorded as “No.”

ORDINANCE NO. 285–11/04

AMENDING SECTION 30-170 OF THE WALWORTH COUNTY CODE OF ORDINANCES
RELATING TO FUNDING RETIREE HEALTH INSURANCE BENEFITS
THE WALWORTH COUNTY BOARD OF SUPERVISORS DOES ORDAIN AS FOLLOWS:

PART I: That Section 30-170(a)1 of the Walworth County Code of Ordinances is hereby amended to read as follows (additions shown by underline; deletions shown by strike-through):

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	11/5/04	Nicki Andersen (pw)	11/5/04
County Administrator/ Corporation Counsel	Date	Finance Director	Date

7. Resolution No. 66-11/04 – Establishing Official County Bond Amounts for the Walworth County Constitutional Officers 2005-2006

On motion by Supervisor Ketchpaw, seconded by Supervisor Grant, Resolution No. 66-11/04 was approved by voice vote.

Resolution No. 66-11/04

Establishing Official County Bond Amounts for the Walworth County Constitutional Officers 2005-2006

Moved/Sponsored by: Finance Committee

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

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

Title	Statutory Requirement Chapter 59.21	County
County Clerk	Not less than \$2000.	\$ 5,000
County Treasurer	If bond is furnished by individual sureties, not less than the amount nor exceeding twice the amount of all taxes directed by the County Board to be levied therein and to be received by the treasurer during the ensuing year, with 3 or more sureties; or, if the bond is furnished by a surety company in an amount not less than 10% of all taxes directed by county Board to be levied therein, and to be received by the treasurer during the ensuing year, or \$500,000 whichever is smaller.	\$500,000
Sheriff	Not less than \$5,000 nor more than \$25,000, with not less than three sureties.	\$ 10,000
Coroner	Not less than \$500 nor more than \$10,000 with not less than two sureties.	\$ 500
Clerk of Circuit Courts	Not less than \$5,000 with two or more sureties.	\$ 50,000
Register of Deeds	In counties containing less than 150,000 population, \$3,000 with 2 or more sureties.	\$ 10,000

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

Ann Lohrmann
County Board Chairperson

Kimberly S. Bushey
County Clerk

Action Required: Majority X Two-thirds _____ Other _____

County Board Meeting Date: November 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	10/29/04	N. Andersen	11/1/04
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. 66-11/04

- I. Title: Establishing Official County Bond Amounts for the Walworth County Constitutional Officers 2005-2006
- II. Purpose and Policy Impact Statement: Pursuant to Wisconsin Statute 59.21 the County Board is required by law to set the official bond amounts.
- III. Budget and Fiscal Impact: The fiscal impact of setting bonds in the aforementioned amounts is approximately \$870.00. This is a two year bond and one half of this amount (\$435) has been included in the proposed 2005 Budget. It is anticipated the remaining \$435 will be included in the 2006 budget.
- IV. Referred to the following standing committees for consideration and date of referral:

Committee: Finance Meeting Date: October 21, 2004

Vote: 5 - 0

County Board Meeting Date: November 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	10/29/04	N. Andersen	11/1/04
County Administrator/ Corporation Counsel	Date	Finance Director	Date

Resolution No. 60-10/04 – Approving 2004 and 2005 Funding for Tri-County Business Partnerships was postponed from the October 12, 2004 County Board meeting.

A motion was offered by Supervisor Ketchpaw, seconded by Supervisor Weber, to approve Resolution No. 60-10/04. Discussion ensued. On motion by Supervisor Goebel, seconded by Supervisor Ketchpaw, lines 40 and 42 of Resolution No. 60-10/04 were amended as follows: line 40, “the sum of ~~\$9,503~~ \$4,426 be carried forward from the county’s economic development budget...” and line 42, “...remainder in the amount ~~\$9,857~~ \$4,426 to be paid for from other sources.” Discussion ensued.

Supervisor Waelti offered a motion, seconded by Supervisor Hilbelink to amend Resolution No. 60-10/04 by adding the following: Be it Further Resolved that TCBP submit a report to the County Board by August 1, 2005, outlining measurable success of the program in the report, for 2006 budget purposes.

Supervisor Weber recognized Paul Schumacher of Mt. Pleasant, Wisconsin. Mr. Schumacher addressed the Board and gave an explanation of the cluster development program in Kenosha, Racine, and Walworth County. He said we are trying to put efforts into all three counties. Mr. Schumacher said we are developing three clusters: manufacturing, medical device manufacturing, and IT. Mr. Schumacher said that each of the clusters has developed their own mission, objective statements, and put together teams to obtain these objectives. He said one objective is to obtain more Federal contracts.

On motion by Supervisor Burwell the question was called. Supervisor Waelti's amendment was approved by voice vote.

A motion was offered by Supervisor Van Dreser, seconded by Supervisor Waelti, to approve Resolution No. 60-10/04 as twice amended by unanimous consent. Unanimous consent failed. A roll call vote was held. Total vote: 25; Ayes: 22 – Arnold, Burwell, Downing, Felten, Goebel, Grant, Guido, Hawkins, Hilbelink, Ketchpaw, Kuhnke, Lein, Lightfield, Parker, Polyock, Russell, Schaefer, Stacey, Van Dreser, Waelti, Weber, Lohrmann; Noes: 1 – Muzatko; Absent: 2 – Morrison, Wagie-Troemel. Resolution No. 60-10/04, as twice amended, was approved.

Resolution No. 60-10/04
Approving 2004 and 2005 Funding for Tri-County Business Partnerships
AMENDED

Moved/Sponsored by: Executive Committee, Finance Committee

WHEREAS, the Tri-county Business Partnership (TCBP) was founded in August 2003; and

WHEREAS, the purpose of the TCBP is to assist existing businesses in the tri-county region by starting industry clusters in the areas of information technology, manufacturing, and medical devices and providing a networking and information resources; and,

WHEREAS, the TCBP has been providing services to businesses in the three-county region since 2003; and,

WHEREAS, the Tri-County Workforce Development Board has adopted TCBP as a key economic development strategy for the region; and,

WHEREAS, the TCBP has been funded from a variety of sources in the three-county region; and,

WHEREAS, the TCBP has estimated Walworth County's portion of membership dues from September 1, 2003 to August 31, 2004 to be in the amount of \$16,440; and,

WHEREAS, the sum of \$9,440 was paid by the Walworth County Workforce Development Board for this period of time; and

WHEREAS, the sum of \$7,000 was paid by private county businesses; and,

WHEREAS, TCBP has requested membership dues from the County Board in the amount of \$5,497 for the period from September 1, 2004, through December 31, 2004; and,

WHEREAS, the executive committee directed that the sum of \$5,497 be paid from the economic development purchased services account, number 1023-6114, to pay for 2004 dues; and,

WHEREAS, the executive committee recommends that the sum of \$9,857 in said account, 1023-6114, be carried forward to 2005 and paid to TCBP for 2005 membership dues; and

WHEREAS, it is recommended that the TCBP obtain the balance of its funding from other sources;

NOW, THEREFORE, BE IT RESOLVED by the Walworth County Board of Supervisors that the sum of ~~\$9,503~~ \$4,426 be carried forward from the county's economic development budget, account number 1023-6114, to partially fund Walworth County's TCBP dues for 2005, with the remainder in the amount ~~\$9,857~~ \$4,426 to be paid for from other sources.

BE IT FURTHER RESOLVED that TCBP submit a report to the County Board by August 1, 2005, outlining measurable success of the program in the report, for 2006 budget purposes.

Ann Lohrmann
County Board Chairperson

Kimberly S. Bushey
County Clerk

Action Required: Majority _____ Two-thirds X Other _____

County Board Meeting Date: October 12, 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	10/5/04	Nicki Andersen (pw)	10/5/04
County Administrator/ Corporation Counsel	Date	Deputy County Administrator - Finance	Date

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

Policy and Fiscal Note
Resolution No. 60-10/04

- I. Title: 2004 and 2005 Funding for Tri-County Business Partnerships
- II. Purpose and Policy Impact Statement: The purpose of this resolution is to approve funding for Walworth County's portion of the dues for Tri-County Business Partnerships for the period from January 1 through December 31, 2005 (\$9,503), from the existing funds in the 2004 economic development budget (1023-6114). It is the recommendation of this resolution that the remaining portion of Walworth County's dues (\$9,857) be paid by the Walworth County Workforce Development Board and other private sources.
- III. Budget and Fiscal Impact: Passage of this resolution will approve use of funds currently available in the 2004 budget and carry them forward to fund the TCBP effort in 2005, as follows:

Economic Development
001-1023-6114
Balance as of 8/31/04 - \$19,209

\$5,497 Walworth County dues to TCBP for September 1 through December 31, 2004, previously approved by the executive committee.

\$9,503 Walworth County dues to TCBP for January 1 through December 31, 2005, previously approved by the executive committee.

Approximate remaining balance on 12/31/04 - \$4,209

Passage of this resolution will not add to the 2005 tax levy.

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

Committee: Executive Meeting Date: September 16, 2004
Vote: 6 – 0, in favor

Committee: Finance Meeting Date: September 23, 2004
Vote: 5 – 1, against

County Board Meeting Date: October 12, 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	10/5/04	Nicki Andersen (pw)	10/5/04
County Administrator/ Corporation Counsel	Date	Deputy County Administrator - Finance	Date

8. Resolution No. 67-11/04 – Adopting the 2005 Appropriation for the Walworth County Budget and CIP Plan

Supervisor Russell offered a motion, seconded by Supervisor Downing, to approve Resolution No. 67-11/04, including the amendments. The amendments were voted on separately.

The following are the proposed Budget Amendments as of November 5, 2004:

Budget Amendment A, Allocation of Post Employment Health Insurance Benefit, to allocate \$300,000 in the Contingency Fund to individual departments for post employment Health Insurance Benefit, was approved by voice vote.

Revised Budget Amendment B, Reduction in 2005 General Transportation Aids Revenue – Mr. Bretl said that a revision was distributed to the Supervisors this evening. To offset reduction in transportation aids, reduce road construction by \$40,604. The revised Budget Amendment B was approved by voice vote.

Budget Amendment C, Adjustment to Pay Rate/F.T.E.s – Substitute Teachers, was approved by voice vote.

Budget Amendment D, Information Systems Reduction of Small Items of Equipment – a reduction of \$30,000 due to better pricing on replacement computers, was approved by voice vote.

Budget Amendment E, Economic Development Increase in Purchased Services – Supervisor Goebel distributed an amendment to Budget Amendment E, which outlined restrictions on the use of the \$100,000 increase in Economic Development Purchased Services for 2005. Supervisor Goebel offered a motion to approve the amendment, seconded by Supervisor Guido. Discussion ensued. Supervisor Russell offered a motion, seconded by Supervisor Goebel, to amend item 4., c) as follows: "...on or before May 1, 2005, the funds designated in "b" "4" will lapse into the general fund." Bretl explained the amendment to Budget Amendment E. The amendment was approved by voice vote.

On motion by Supervisor Van Dreser, seconded by Supervisor Burwell, the question was called. Budget Amendment E, as amended, was approved by voice vote.

Budget Amendment F, Parks Acquisition/Sheriff's Department Position Elimination -- Supervisor Ketchpaw offered a motion, seconded by Supervisor Weber, to amend Budget Amendment F to reduce the current Account Clerk II position in the Sheriff's Department from full-time to part-time and to use the sum saved, \$21,629, for parks acquisition. Discussion ensued.

Sheriff Dave Graves and Kevin Williams, Emergency Management Director, addressed the Board. Graves said he would appreciate the Board's reconsideration of this matter and let him keep the full-time Account Clerk II position. The position would be helping out the Emergency Management Director with paperwork for applying for grants and complying with grant regulations.

Williams explained that Emergency Management has secured over \$1 million dollars in grants in the last two years. The full-time Account Clerk II position would be a great benefit in writing the future grants and with the work that needs to be done in our County to train people to comply with grant regulations.

Chairperson Lohrmann called for a vote on the amendment to Budget Amendment F, which is to reduce the full-time position to part-time and use the saved \$21,629 for park acquisition. A roll call vote was held. Total vote: 25; Ayes: 7 -- Downing, Goebel, Ketchpaw, Lightfield, Muzatko, Parker, Weber; Noes: 16 -- Arnold, Burwell, Felten, Grant, Guido, Hawkins, Hilbelink, Kuhnke, Lein, Polyock, Russell, Schaefer, Stacey, Van Dreser, Waelti, Lohrmann; Absent: 2 -- Morrison, Wagie-Troemel. The amendment to Budget Amendment F failed.

The Board took a short break.

Discussion ensued on Budget Amendment F after the break.

On motion by Supervisor Russell, seconded by Supervisor Hilbelink, the question was called. A roll call vote was held to approve Budget Amendment F. Total vote: 25; Ayes: 10 -- Burwell, Goebel, Guido, Hilbelink, Lightfield, Muzatko, Polyock, Russell, Weber, Lohrmann; Noes: 13 -- Arnold, Downing, Felten, Grant, Hawkins, Ketchpaw, Kuhnke, Lein, Parker, Schaefer, Stacey, Van Dreser, Waelti; Absent: 2 -- Morrison, Wagie-Troemel. The motion to approve Budget Amendment F failed.

Budget Amendment G, Lakeland Health Care Center Position Changes, was approved by voice vote.

Discussion ensued on Resolution No. 67-11/04 as amended by the budget amendments approved earlier. Andersen said that the net impact of the changes made tonight is zero and Resolution No. 67-11/04 is accurate as presented. Andersen said that the CIP would be changed to reflect Budget Amendment B approved tonight and the FTEs will also be adjusted in Resolution No. 70-11/04. Resolution No. 67-11/04 as amended was approved by voice vote. Supervisor Polyock requested that his vote be recorded as "No."

Resolution No. 67-11/04
Adopting the 2005 Appropriation of the Walworth County Budget and CIP Plan

Moved/Sponsored by: Walworth County Finance Committee

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

WHEREAS, the Walworth County Finance Committee met with the Administrator to review funding for county programming and has prepared the "2005 Walworth County Preliminary Budget"; and,

WHEREAS, the Finance Committee submitted the proposed budget to the Walworth County Board of Supervisors for its review on October 12, 2004; and,

WHEREAS, the County Board has considered the merits of the proposed budget and amendments thereto and is prepared to adopt the final 2005 Walworth County Budget.

NOW, THEREFORE, BE IT RESOLVED by the Walworth County Board of Supervisors that the "2005 Walworth County Preliminary Budget," a copy of which is incorporated herein by reference, and as amended by Exhibit A, attached hereto, is hereby approved and adopted as the 2005 Walworth County Budget.

BE IT FURTHER RESOLVED that the 2005 budget is adopted and approved at the department level of detail as contained in the budget document.

BE IT FURTHER RESOLVED that the 5-year Capital Improvement Plan is adopted and approved as presented in Exhibit B, with a funding commitment for year 2005 only, unless authorized by previous County Board resolution.

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

Ann Lohrmann
County Board Chairman

Kimberly S. Bushey
County Clerk

County Board Meeting Date: November 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	11/2/04	N. Andersen	11/2/04
County Administrator/ Corporation Counsel	Date	Deputy County Administrator/ Finance Director	Date

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

Policy and Fiscal Note
Resolution No. 67-11/04

- I. Title: Adopting the 2005 Appropriation of the Walworth County Budget and CIP Plan
- II. Purpose and Policy Impact: The purpose of this resolution is to adopt the 2005 appropriation to support the Walworth County operating budget for 2005 and 5-year Capital Improvement Plan with a commitment of funding for 2005 only, unless authorized by previous County Board resolution.
- III. Budget and Fiscal Impact: Adoption of this resolution will set the legal budget limits for Walworth County for fiscal year 2005.
- IV. Referred to the following standing committees for consideration and date of referral:

Committee: Finance Meeting Date: October 21, 2004

Vote: 5-0

County Board Meeting Date: November 9, 2004

WALWORTH COUNTY
 AMENDMENTS TO 2005 PRELIMINARY BUDGET
 For Consideration on November 9, 2004

Exhibit A

Adopted 11/9/2004

Equalized Value	\$9,921,906,100.00	
Library Levy	\$1,124,319.00	
Debt Service Levy	\$6,051,593.00	
Operating Levy (includes charitable & penal)	\$39,907,938.00	
Total Levy / Mill Rate	\$47,083,850.00	4.745444

Proposed Amendments:	Debt Service Levy Impact	Library Levy Impact	Operating Levy Impact	Board Action	Mill Rate Change
A Allocation of Post Employment Health Insurance Benefit			0	Approved	0.000000
B Reduction in 2005 General Transportation Aids Revenue			0	Approved	0.000000
C Adjustment to Pay Rate/F.T.E.s - Substitute Teachers			0	Approved	0.000000
D Information Systems Reduction of Small Items of Equipment			(30,000)	Approved	(0.003024)
E Economic Development Increase in Purchased Services - Amended with restrictions			30,000	Approved	0.003024
F Parks Acquisition/Sheriff's Department Position Elimination			0	Failed	0.000000
G Lakeland Health Care Center Position Changes			0	Approved	0.000000
H					0.000000
I					0.000000
J					0.000000
K					0.000000
L					0.000000
M					0.000000
N					0.000000
O					0.000000
P					0.000000
Q					0.000000
R					0.000000
S					0.000000
T					0.000000
Total Amendments	0	0	0		0.000000

Library Levy	\$1,124,319.00	0.113317
Debt Service Levy	\$6,051,593.00	0.609922
Operating Levy	\$39,907,938.00	4.022205
Total Levy / Mill Rate	\$47,083,850.00	4.745444
State Tax/Charges	\$2,048,473.58	
Municipal Tax by County	\$0.00	
Total	\$49,132,323.58	

NA: 11/9/2004
 A:\FOR 11-9-04 -- Res 68-11-04 Establish 2005 tax levy - LINKS.xls\Amendments

Walworth County Capital Improvement Funding Summary
Adopted Budget

Exhibit B

Project	2005	2006	2007	2008	2009	Total
Road Construction	2,259,396	2,400,000	2,500,000	2,500,000	2,500,000	12,159,396
Lakeland Health Care Center	7,600,000	6,400,000	-	-	-	14,000,000
Remodel Existing Courthouse	290,000	-	-	-	-	290,000
Remodel West Wing Cthse per Agreement	150,000	-	-	-	-	150,000
Replacement of Courthouse PBX	265,500	-	-	-	-	265,500
Neaxmail AD-64 VM	55,550	-	-	-	-	55,550
Demo Former Huber Facility	-	300,000	-	-	-	300,000
Demolition of Co Structures @ Annex Complex	-	-	500,000	-	-	500,000
Financial Systems Upgrade	-	1,400,600	1,000,600	-	-	2,401,200
Demolition of Existing LHCC	-	-	700,000	-	-	700,000
Elevator Replacement HHS	-	-	-	400,000	-	400,000
School Facility	50,000	-	8,000,000	7,000,000	-	15,050,000
Radio Trunking System	-	-	-	-	2,000,000	2,000,000
All Other Capital Requests	1,879,595	1,928,480	1,327,830	1,885,015	1,445,010	8,465,930
TOTAL	12,550,041	12,429,080	14,028,430	11,785,015	5,945,010	56,737,576

Funding Source	2005	2006	2007	2008	2009	Total
Bond Issuance	9,800,000	8,300,000	9,500,000	9,000,000	3,700,000	40,300,000
Board of Commissioners of Public Lands	-	-	-	-	-	-
Use of General Funds	799,784	800,000	1,900,000	-	300,000	3,799,784
Use of Public Works Funds	639,000	700,000	700,000	700,000	700,000	3,439,000
Jail Assessment - Annual Operations	128,500	50,000	50,000	50,000	50,000	328,500
Information Systems Funds	-	-	-	-	-	-
Land Information Funds	10,000	-	-	-	-	10,000
Other Existing Funds	11,266	-	-	-	-	11,266
Grant/Other Financing	124,560	-	-	-	-	124,560
Tax Levy	1,036,931	-	-	-	-	1,036,931
To Be Determined	-	2,579,080	1,878,430	2,035,015	1,195,010	7,687,535
TOTAL	12,550,041	12,429,080	14,028,430	11,785,015	5,945,010	56,737,576

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

David A Bretl	11/2/04	N. Andersen	11/2/04
County Administrator/ Corporation Counsel	Date	Deputy County Administrator/ Finance Director	Date

9. Resolution No. 68-11/04 – Establishing the Tax Levy to Support the 2005 Budget Appropriation

On motion by Supervisor Russell, seconded by Supervisor Waelti, Resolution No. 68-11/04 was approved by voice vote. Supervisor Polyock requested that his vote be recorded as “No.”

Resolution 68-11/04
Establishing the Tax Levy to Support the 2005 Budget Appropriation

Moved/Sponsored by: Finance Committee

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

WHEREAS, the Walworth County Finance Committee met with the Administrator to review funding for county programming and has prepared the "Walworth County 2005 Preliminary Budget"; and

WHEREAS, the Finance Committee submitted the proposed budget to the Walworth County Board of Supervisors for its review on October 12, 2004, and the County Board has considered the merits of the proposed budget, and amendments thereto, and is prepared to adopt the final 2005 Walworth County budget;

NOW, THEREFORE BE IT RESOLVED by the Walworth County Board of Supervisors in annual session assembled, that there be and hereby is levied and assessed upon all of the taxable property of Walworth County as state, county, and other taxes (excluding library tax) for 2004, the sum of

\$48,008,004.58 and

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

\$1,124,319.00 and

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

County Library Levy	\$1,124,319.00
County Debt Service Levy	\$6,051,593.00
County Operating Levy*	\$39,907,938.00
State Tax/Charges	\$2,048,473.58
Municipal Tax by County	<u>\$0.00</u>
Total	<u>\$49,132,323.58</u>

*Includes Charitable and Penal

Ann Lohrmann
County Board Chairperson

Kimberly S. Bushey
County Clerk

County Board Meeting Date: November 9, 2004

Action Required: Majority Vote 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	11/1/04	N. Andersen	11/1/04
County Administrator/ Corporation Counsel	Date	Deputy County Administrator/ Finance Director	Date

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

Policy and Fiscal Note
Resolution 68-11/04

- I. Title: Establishing the Tax Levy to Support the 2005 Budget Appropriation
- II. Purpose and Policy Impact Statement: The purpose of this resolution is to establish the tax levy, in the amount of \$49,132,323.58 which supports the 2005 budget of Walworth County.
- III. Budget and Fiscal Impact: This is the tax levy required to support Walworth County's 2005 operating budget. The tax levy includes the Library, Debt Service, Operating, State Charges and Municipal Tax by County.
- IV. Referred to the following standing committees for consideration and date of referral:

Committee: Finance Meeting Date: October 21, 2004

Vote: 5-0

County Board Meeting Date: November 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	11/1/04	N. Andersen	11/1/04
County Administrator/ Corporation Counsel	Date	Deputy County Administrator/ Finance Director	Date

Executive Committee

1. Ordinance No. 281-11/04 – Amending Chapters 10 and 26 and Section 30-286 of the Walworth County Code of Ordinances Relating to Assemblies and Mass Gatherings
2. Ordinance No. 282-11/04 – Amending Section 2-144 of the Walworth County Code of Ordinances, Establishing Standard Meeting Days and Times for Standing Committees of the County Board

Supervisor Muzatko offered a motion, seconded by Supervisor Grant, to approve Ordinance No. 281-11/04.

On motion by Supervisor Goebel, seconded by Supervisor Ketchpaw, line 28, page 6, and 41, page 8, were amended to cite proper Code section numbers. Line 28, on page 6, of Ordinance No. 281-11/04 would be changed to read section 30-286 and that the reference on line 41, page 8, which currently reads, "Section 3-186" be changed to read Section 30-286. Ordinance No. 281-11/04 was approved as amended by voice vote.

ORDINANCE NO. 281 – 11/04

AMENDING CHAPTERS 10 AND 26 AND SECTION 30-286 OF THE WALWORTH COUNTY
CODE OF ORDINANCES RELATING TO ASSEMBLIES AND MASS GATHERINGS
AMENDED

THE WALWORTH COUNTY BOARD OF SUPERVISORS DOES ORDAIN AS FOLLOWS:

PART I: That Article II of Chapter 10 of the Walworth County Code of Ordinances is hereby amended to read as follows (deletions are shown by strike-through; additions are shown by underline):

“ARTICLE II. CONCERTS AND CERTAIN EVENTS

DIVISION 1. GENERALLY

Sec. 10.26. Definitions

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

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

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

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

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

Sec. 10.27. Authority and purpose.

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

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

(a) As a condition of any license granted hereunder, the licensee shall be responsible for reimbursing the county for the cost of providing extraordinary governmental services required as a result of the licensed event as provided in this section.

(b) There shall be a charge for each ticket sold, as shall be determined, from time to time, by the executive committee, which charge shall be collected by the licensee and forwarded to the county within 30 days after each event. The licensee shall provide the county with complete ticket manifests for each event, and grant to the county the right to audit attendance figures for each event within one year following the date of the event.

(c) In the event the amount remitted under (b) is insufficient to cover the cost of extraordinary services, provided during the year, prior to the end of the calendar year, the county shall invoice the licensee for the remaining balance of actual costs incurred in providing such extraordinary services. Any such amount due shall be considered by the executive committee in determining the per-ticket charge in (a) for the next license period, and shall be reimbursed to the applicant, provided sufficient revenue is generated to reimburse the county for the cost of providing extraordinary services. Any balance due to the county as a result of the event shall be remitted by the licensee within 15 days of receipt of the invoice.

d) The finance director shall ensure that a reserved balance is maintained in an amount sufficient to ensure performance by the licensee, which amount shall be determined based upon the event schedule and anticipated costs of the county in providing extraordinary services, which amount shall be communicated to the licensee.

Sec. 10-29. Penalty.

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

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

Secs. 10-30 – 10.45. Reserved.

Sec. 10-46. Required.

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

Sec. 10-47. Application.

(a) Every person seeking a license or renewal of a license to operate a facility shall submit an application for such license in writing to the county administrator. Should the event meet the criteria set forth in Sec. 26-236, the application shall be accompanied by an application for a special sanitary permit.

(b) The application shall be submitted on a form prescribed by the county administrator and shall contain the following information:

- (1) The name and address of the applicant, including the names and addresses of principal officers or partners if the applicant is a corporation or partnership.
- (2) A description of the facility including the following:

- a. A site map of the facility, including surrounding areas.
 - b. The inner and outer dimensions of the facility.
 - c. The number of entrances and exits and their locations.
 - d. Possible configurations of the facility and surrounding areas for an event, including the area of performance, exhibition or gathering and the locations of aisles, stage and seating.
 - e. The location, number, type and description of seating, including the construction material and whether the seats are fixed or portable, bench or separate.
 - f. The inside and outside lighting, including house, exit, emergency and parking lot lighting.
 - g. The location of any restrooms, refreshment stands, souvenir stands and first aid rooms.
 - h. A plan or program relating to the sale of alcoholic beverages that demonstrates how the sale of such beverages will be managed to protect the safety of the patrons.
 - i. A description of emergency medical and basic life support services being made available to patrons.
 - j. The types and arrangements for communication between internal and external security personnel and the types of arrangements that will be made for taped and live communications with patrons.
 - k. Accommodations which are available for admitting and seating persons with physical disabilities, including persons in wheelchairs.
 - l. The location, staffing and equipment of the event control center.
 - m. The duties and responsibilities of persons in charge of the facility, such as ushers, ticket takers and security personnel.
 - n. A plan as to how pedestrian ingress and egress will occur and vehicular ingress and egress with regard to parking areas.
 - o. A plan for advance notification of bookings or intended bookings.
 - p. A plan for insuring the safety and security of neighboring property owners.
 - q. Such other information that may be required to carry out the intent of this ordinance.
- (3) It shall be the duty of the applicant to update and supplement the information required pursuant to section 10-47(b) in the event there are material changes to such information.

Sec. 10-48. Issuance.

(a) Provided the applicant for a license has complied with all of the requirements of this article and has demonstrated that the facility will be operated in a manner consistent with preservation of public health, safety and welfare, the executive committee shall issue a license to the applicant, which license shall be

valid for a period of one year commencing on February 1 of each year or upon the date of issuance and ending on January 31 of each year.

(b) Conditions may be placed on the license, consistent with the administration of this article and the preservation of public health, safety and welfare.

(c) An application for renewal may be submitted no earlier than October 1, prior to the next licensed period.

(d) The county shall include, as a condition of the license, the option for the licensee to submit, in advance, a list of potential events to be held during the licensed period. The sheriff or his designee shall contact the licensee to discuss any identified concerns related to each potential event as soon as practical. This paragraph shall not limit the ability of the county to establish, as a condition of license issuance, advance notification of each specific event which the applicant wishes to hold at the facility.

Sec. 10-49. Denial.

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

Sec. 10-50. Suspension.

(a) The executive committee may suspend or revoke any license granted hereunder for the balance of the license period or for any shorter period of time for any of the following reasons:

(1) Failure of the licensee to comply with the provisions of this article.

(2) Failure of the licensee to comply with any condition of a license granted hereunder

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

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

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

(2) Appear before the executive committee and may call and cross-examine witnesses in the matter.

(d) The county shall use its best efforts to notify the licensee of noncompliance as the county becomes aware of such situations, however, the county's failure to do so shall not be considered a waiver of the noncomplying condition.

Sec. 10-51. Access.

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

Sec. 10-52. Renewal.

(a) Each year after the initial license issuance under this article, the applicant may apply for a renewal of the license for an additional year.

(b) An application for renewal shall be submitted by February 15 and shall be made on a form prescribed by the county administrator which may include some or all of the information required in section 10-47.

(c) Prior to renewal, the county administrator shall review the performance of the facility for the preceding year and shall determine compliance with the terms and conditions of the license and this article for that year and report such information to the executive committee. The county may require additional conditions for the re-issuance of the license as provided in section 10-48 above.

(d) If the executive committee determines that the applicant has met the requirements of section 10-48 and that the facility was operated, during the previous year, in compliance with this article, the applicant may receive another license for an additional year upon the payment of the license fee.

(e) Prior to a decision on the issue of a renewal of a license, the applicant shall have an opportunity to appear before the executive committee and may call and cross-examine witnesses in the matter.

Sec. 10-53. Appeal process.

Any person aggrieved by the decision of the executive committee may follow the appeal process as set forth in chapter 68 of the Wisconsin Statutes.

Sec. 10-54. Fees.

The fee for an original license or the annual renewal thereof shall be ~~\$2,000.00~~ as set forth in section 30-186 30-286.

Sec. 10-55 – 10.80. Reserved.”

PART II: That Article V of Chapter 26 of the Walworth County Code of Ordinances is hereby amended to read as follows (deletions are shown by strike-through; additions are shown by underline):

“ARTICLE V. SPECIAL EVENTS, PUBLIC ASSEMBLIES AND MASS GATHERINGS

Sec. 26-236. Applicability.

This article shall apply to all public gatherings, rallies, assemblies or festivals, at which attendance is greater than 5,000 persons. This article shall not apply to events which are held in established auditoriums, stadiums, fairgrounds, public parks, churches, schools, dance halls, theaters or other permanent structures, when the structures are within the corporate limits of cities or villages.

Sec. 26-237. Application; notice and hearing.

(a) Any property owner or person having a contractual interest in any land in the county may file an application for a special sanitary permit. If more than one event is scheduled in a calendar year, an annual permit may be applied for. Except as provided in (c), the application shall be filed with the ~~county sanitarian~~ director of the land use and resource management department at least 30 days in advance of the date of the scheduled event or the first scheduled event of a series, on forms furnished by him and shall include the following:

- (1) Names and addresses of the applicant, owner of the site, promoter or sponsor of the gathering.
- (2) Description of the site by metes and bounds or other legal description, address of the site, type and date or dates of proposed gathering and proposed method of operation, maximum number of persons to attend such gatherings and any special or unusual conditions anticipated.

- (3) Plat of survey to a scale of one inch equals 100 feet prepared by a registered land surveyor showing the location, boundaries, dimensions, type, elevations and size of the following: subject site, soil mapping unit lines, existing or proposed wells, building, fences, woods, streams, lakes or watercourses, as well as the vertical contour interval two feet above the high water level.
- (4) Fee receipt from the county treasurer in the amount of ~~\$500.00~~ set forth in section 30-186 of the Code of Ordinances.

(b) Upon receipt of the completed application the ~~county transportation and park executive~~ committee shall call a public hearing thereon. Notice of the time and place of the hearing shall be given by publication in the county of a class 2 1 notice under Wis. Stats. ch. 985. A copy of such notice shall be mailed by registered mail to the town clerk of each town affected by the application. ~~Regular mail shall be sent to the applicant, to the owners of the site and to the owners of property situated within one quarter mile of the proposed site at least ten days prior to the date of the hearing.~~ The hearing shall be conducted in accordance with the rules of the ~~county transportation and park executive~~ committee. After the hearing the ~~commission~~ committee shall, if it finds that the standards set forth in section 26-88 have been or will be met, direct the ~~county sanitarian~~ director of the land use and resource management department to issue a special sanitary permit and may attach such conditions thereto as are reasonably necessary to insure compliance with, and fulfill the purposes of, this article, including a limitation on the number of persons permitted to attend an event and the imposition of an additional fee based on the estimated actual cost to the county of policing and inspecting the premises and of enforcing the conditions attached to the permit.

(c) Should the public gathering, rally, assembly or festival require a license pursuant to sec. 10-46, the special sanitary permit application should be submitted at the same time as the application required under sec. 10-46 is submitted.

Sec. 26-238. Determination by commission.

The ~~county transportation and park executive~~ committee shall make a finding based on evidence presented at the hearing of the number of persons expected to attend the event. Such findings shall be final and conclusive on the applicant for the purpose of determining the applicability of those standards set forth in this article which are dependent upon the number of persons attending the event.

Sec. 26-239. Sanitary facilities.

Adequate sanitary facilities shall be provided in full compliance with this article. Unsanitary, unsealed or open types of portable toilets, outdoor toilets, privies or cesspools are prohibited except that sanitary privies may be permitted provided they are constructed as watertight vault-type privies in accordance with the Wisconsin Administrative Code, and further provided that flush-type toilets shall be provided for any gathering in excess of 10,000 persons. The number of water closets, urinals and lavatories shall be in full compliance with Chapter COMM 77 of the Wisconsin Administrative Code, or other applicable codes. The use of sanitary privies or sanitary portable toilets may be allowed if approved by the county transportation and park committee.

Sec. 26-240. Medical facilities and services.

Physicians and nurses licensed to practice in the state shall be present in sufficient numbers to provide the average medical care enjoyed by residents of the state for the maximum number of people to be assembled, together with an enclosed first aid station or stations where medical treatment may be rendered. At least one emergency ambulance shall be available for use at all times.

Sec. 26-241. Solid waste disposal.

Adequate refuse containers shall be available to prevent accumulation of solid waste, garbage and rubbish on the ground.

Sec. 26-242. Permit required.

No person shall conduct a public gathering, rally, assembly or festival at which attendance is greater than 5,000 persons without first having obtained a special sanitary permit.

Secs. ~~26-242-243~~ – 26-260. Reserved.”

PART III: That Section ~~30-186~~ 30-286 of the Walworth County Code of Ordinances as set forth in Ordinance No. 276-11/04 is hereby amended so as to include the following fees:

Miscellaneous			
Description	Fee	Last Revised	Authority
Concert and Event License	\$2,000	Note to revisor – Insert date of passage of this ordinance here.	Wis. Stats. § 59.56(12)

Miscellaneous			
Description	Fee	Last Revised	Authority
Special Sanitary Permit	\$500	Note to revisor – Insert date of passage of this ordinance here.	Code Sec. 26-237

PART IV: That this Ordinance shall become effective upon passage.

PASSED and ADOPTED by the Walworth County Board of Supervisors this 9th day of November, 2004.

Ann Lohrmann
County Board Chairperson

Kimberly S. Bushey
County Clerk

County Board Meeting Date: November 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	11/1/04	N. Andersen	11/1/04
County Administrator/ Corporation Counsel	Date	Finance Director	Date

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

Ordinance No. 281 - 11/04
Fiscal Note and Policy Impact Statement

I. Title: Amending Chapters 10 And 26 and Section 30-286 Of The Walworth County Code Of Ordinances Relating To Assemblies And Mass Gatherings

II. Purpose and Policy Impact Statement: The purpose of this ordinance is to update Chapter 26 with respect to changes made several years ago to Chapter 10, to ensure a single committee is responsible for issuing all licensing in these matters, and to incorporate permit fees into the consolidated fee schedule.

III. Budget and Fiscal Impact: Passage of this ordinance will have no significant impact on the 2004 county budget.

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

Committee: Executive Date: October 21, 2004

Vote: 5 - 0

County Board Meeting Date: November 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	11/1/04	N. Andersen	11/1/04
County Administrator/ Corporation Counsel	Date	Finance Director	Date

Chairperson Lohrmann said that Ordinance No. 282-11/04 makes corrections to the starting times for three committees – the Public Works Committee will meet at 3:30 p.m. rather than 3:00 p.m.; the Lakeland Health Care Center Board of Trustees will meet at 8:30 a.m. rather than 8:00 a.m.; and the Finance Committee will meet at 9:30 a.m. rather than 9:00 a.m. On motion by Supervisor Goebel, seconded by Supervisor Weber, Ordinance No. 282-11/04 was approved by voice vote.

ORDINANCE NO. 282 – 11/04
AMENDING SECTION 2-144 OF THE WALWORTH COUNTY CODE OF ORDINANCES,
ESTABLISHING STANDARD MEETING DAYS AND TIMES
FOR STANDING COMMITTEES OF THE COUNTY BOARD

THE WALWORTH COUNTY BOARD OF SUPERVISORS DOES ORDAIN AS FOLLOWS:

PART I: That Section 2-144 (d)1c) of Chapter 2 of the Walworth County Code of Ordinances is hereby amended to read as follows (additions shown by underline; deletions shown by strike-through):

“Sec. 2-144(d)1c)

- c) Public works committee – ~~3:00~~ 3:30 P.M. on Monday following the regular monthly county board meeting.”

PART II: That Section 2-144 (d)1h) of Chapter 2 of the Walworth County Code of Ordinances is hereby amended to read as follows (additions shown by underline; deletions shown by strike-through):

“Sec. 2-144(d)1h)

- h) Lakeland Health Care Center Board of Trustees – ~~8:00~~ 8:30 A.M. on Thursday the week following the regular monthly county board meeting.”

PART III: That Section 2-144 (d)1i) of Chapter 2 of the Walworth County Code of Ordinances is hereby amended to read as follows (additions shown by underline; deletions shown by strike-through):

“Sec. 2-144(d)1i)

- i) Finance committee – ~~9:00~~ 9:30 A.M.on Thursday the week following the regular monthly county board meeting.”

PART IV: That this Ordinance shall become effective upon passage and publication.

PASSED and ADOPTED by the Walworth County Board of Supervisors this 9th day of November, 2004.

Ann Lohrmann
County Board Chairperson

Kimberly S. Bushey
Attest: County Clerk

County Board Meeting Date: November 9, 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	11/5/04	Nicki Andersen (pw)	11/5/04
County Administrator/ Corporation Counsel	Date	Deputy County Administrator- Finance	Date

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

Ordinance No. 282 - 11/04
Fiscal Note and Policy Impact Statement

- I. Title: Amending Section 2-144 of the Walworth County Code of Ordinances, Establishing Standard Meeting Days and Times for Standing Committees of the County Board
- II. Purpose and Policy Impact Statement: The purpose of this ordinance is to correct the meeting times of three standing committees established by previous county board action. A memo explaining the changes in more detail is attached.
- III. Is this a budgeted item and what is its fiscal impact: Passage of this ordinance is not expected to have any significant fiscal impact.
- IV. Referred to the following standing committee(s) for consideration and date of referral:

Committee: Executive Date: November 9, 2004

Vote:

County Board Meeting Date: November 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

11/5/04
Date

Nicki Andersen (pw)
Deputy County Administrator -
Finance

11/5/04
Date

Health & Human Services

1. Resolution No. 65-11/04 – Authorizing 2005 Transportation Grant Application

On motion by Supervisor Ketchpaw, seconded by Supervisor Kuhnke, Resolution No. 65-11/04 was approved by voice vote.

RESOLUTION NO. 65-11/04
Authorizing 2005 Transportation Grant Application

Moved/Sponsored by: Health and Human Services Board

WHEREAS, section 85.21 Section 85.21 of the Wisconsin State Statutes authorizes the Wisconsin Department of Transportation to make grants available to the counties of Wisconsin for the purpose of assisting them in providing specialized transportation services to the elderly and the disabled; and,

WHEREAS, the 2005 adopted budget includes \$738,256 for expenses related to the county's transportation program; and,

WHEREAS, these expenses were budgeted to be offset by \$134,335 in transportation aids; and,

WHEREAS, the net cost to the county exceeds the amount required by the transportation grant as a county match; and,

WHEREAS, the state has indicated that \$138,481 is now available for transportation aids; and,

WHEREAS, the additional \$4,146 can be used by the county to support the transportation program; and,

WHEREAS, each grant must be matched with a local share of not less than 20% of the amount of the grant; and,

WHEREAS, the Walworth County Board of Supervisors believes that the provision of specialized transportation services would improve and promote the maintenance of human dignity and self-sufficiency of the elderly and the disabled.

NOW, THEREFORE, BE IT RESOLVED that the Walworth County Board of Supervisors hereby authorizes the Department of Health & Human Services to prepare and submit to the Wisconsin Department of Transportation an application of assistance for the year 2005 under Section 85.21 of the Wisconsin Statutes, and also authorizes the obligation of county funds in the amount of \$27,696 to provide the required local match, and

BE IT FURTHER RESOLVED that the 2005 budget be amended to reflect an increase of \$4,146 in transportation aid with an offsetting increase of \$4,146 for purchased services related to transportation. The net levy impact of this change is 0.

Ann Lohrmann
County Board Chairman

Kimberly S. Bushey
County Clerk

County Board Meeting Date: November 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	11/2/04	N. Andersen	11/2/04
County Administrator/ Corporation Counsel	Date	Deputy County Administrator/ Finance Director	Date

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

POLICY AND FISCAL NOTE
Resolution No: 65-11/04

I. Title: Authorizing 2005 Transportation Grant Application

II. Purpose and Policy Impact:

Passage of this resolution authorizes the Department of Health & Human Services to prepare and submit to the Wisconsin Department of Transportation an application for assistance during 2005 under Section 85.21 of the Wis. Statutes, in conformance with the requirements issued by that department and also authorizes the obligation of county funds in an amount up to \$27,696 in order to provide the required local match.

A resolution is required to obtain state funding of \$138,481 for specialized transportation for the disabled and elderly population of Walworth County.

III. Budget and Fiscal Impact:

State grant funds in the amount of \$134,335 and matching funds of \$26,867 have been included in the 2005 Department of Health & Human Services budget.

The section 85.21 grant was budgeted in July at the 2004 level or \$134,335. The actual grant received for 2004 was \$138,481. The difference of \$4,126 should be added to the following accounts:

	<u>Old Balance</u>	<u>New Balance</u>
124-3308-6128 Purchased Services (Debit)	\$ 43,040	\$ 47,186
124-3308-1903 Transportation Aid (Credit)	\$ 134,335	\$138,481

IV. Referred to the following standing committees prior to County Board consideration:

Committee: Health and Human Services

Meeting Date: September 20, 2004 Vote: 5 – 0

Committee: Finance

Meeting Date: October 21, 2004 Vote: 4-0

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

11/2/04
Date

N. Andersen
Deputy County Administrator/
Finance Director

11/2/04
Date

Human Resources

1. Ordinance No. 283-11/04 - Creating Section 15-17 of Chapter 15 of the Walworth County Code of Ordinances Relating to Authorized Positions by Department and Amending Section 15-320
2. Resolution No. 70-11/04 – Fixing Staffing Levels for 2005

Supervisor Ketchpaw offered a motion, seconded by Supervisor Burwell, to approve Ordinance No. 283-11/04. Discussion ensued.

Deputy Corporation Counsel Mari Nahn stated that Ordinance No. 283-11/04 lists authorized positions approved in the 2005 budget. Nahn said that the budget amendments approved at tonight's meeting are reflected in the number of FTEs in the ordinance as follows: line 10, page 2, should be changed from "9.91" to 7.16, line 10, page 5 should be changed from "2.00" to 0.00, and line 11, page 5 should be changed from "1.00" to 2.00.

Andersen said that as a result of the budget amendments approved this evening, the total FTEs will be reduced by 3.75 for the 2005 budget.

Ordinance No. 283-11/04 was approved as amended by voice vote.

ORDINANCE NO. 283 – 11/04

CREATING SECTION 15-17 OF CHAPTER 15 OF THE WALWORTH COUNTY CODE OF ORDINANCES RELATING TO AUTHORIZED POSITIONS BY DEPARTMENT AND AMENDING SECTION 15-320

AMENDED

THE WALWORTH COUNTY BOARD OF SUPERVISORS DOES ORDAIN AS FOLLOWS:

PART I: That Section 15-17 in Division 2 of Article I of Chapter 15 of the Walworth County Code of Ordinances is created to read as follows:

"Sec. 15-17. Authorized positions by department.

- (a) County positions shall be classified and allocated to departments as listed in this section.
- (b) Administration

CLASSIFICATION TITLE	FTE
Administrative Assistant	1.50
Assistant Corp Counsel II	2.00
Clerk III	0.50
Compensation & Benefits Technician	1.00
County Administrator	1.00
Deputy Administrator – Employee Relations	1.00
ER Specialist I	1.00
ER Specialist II	2.00
Leave Technician	1.00
Legal Secretary	2.00
Recruitment Technician	1.00

Risk Specialist	1.00
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(c) Children with Disabilities Education Board

CLASSIFICATION TITLE	FTE
Administrative Support Supervisor	1.00
Assistant Director – Special Education	2.00
Clerk III	1.00
Director – Special Education	1.00
Educational Programmer	3.00
Food Service Worker	0.35
Head Cook	0.88
Interpreter	4.50
Occupational Therapist	3.55
Physical Therapist	2.55
Physical Therapist Assistant	0.80
Receptionist/Clerk	0.81
School Nurse	1.00
School Psychologist	1.00
Secretary – Confidential	1.00
Special Education Aide	53.27
Speech Correctionist	3.46
Student Learner	0.60
Substitute Teacher	9.91 7.16
Teacher	99.96

(d) Clerk of Courts

CLASSIFICATION TITLE	FTE
Account Clerk II	1.00
Account Clerk IV	2.00
Calendar Clerk Court	5.00
Clerk II	2.44
Clerk IV	4.00
Clerk of Courts (elected)	1.00
Deputy Clerk Courts	8.00
Deputy Register in Probate	1.00
Family Court Commissioner	1.00
Jury Bailiff	1.93
Office Manager – Courts	1.00
Register in Probate	1.00
Student Worker	0.93

(e) Coroner

CLASSIFICATION TITLE	FTE
Clerk II	0.27
Coroner (elected)	0.50
Deputy Coroner	0.55

(f) County Board

	CLASSIFICATION TITLE	FTE
	Administrative Assistant	0.50
(g)	County Clerk	
	CLASSIFICATION TITLE	FTE
	Account Clerk III	2.00
	County Clerk (elected)	1.00
	Deputy County Clerk	1.00
(h)	District Attorney	
	CLASSIFICATION TITLE	FTE
	Clerk I	1.00
	Clerk III	0.50
	Clerk IV	2.00
	Law Clerk	1.00
	Legal Secretary Lead Worker	1.00
	Legal Stenographer	3.05
	Office Manager DA	1.00
	Victim/Witness Coordinator	2.00
(i)	Finance	
	CLASSIFICATION TITLE	FTE
	Budget Analyst	1.00
	Budget/Purchasing Manager	1.00
	Buyer	1.00
	Clerk III	2.00
	Comptroller	1.00
	Deputy Administrator – Finance	1.00
	Finance Technician	4.00
	Payroll Coordinator	1.00
	Secretary – Confidential	1.00
	Senior Accountant	2.00
	Senior Buyer	1.00
(j)	Health & Human Services	
	CLASSIFICATION TITLE	FTE
	Account Clerk II	2.00
	Administrative Assistant	1.00
	Administrative Support Supervisor	1.00
	Assistant Director	3.01
	Child Support Supervisor	1.00
	Clerk I	3.00
	Clerk II	11.70
	Clerk IV	10.00

Client Billing Lead Worker	1.00
Director – Health & Human Services	1.00
Economic Support Specialist	11.04
Economic Support Supervisor	1.00
Energy Assistance Coordinator	0.76
Fiscal Support Supervisor	1.00
HS Manager	10.00
HS Specialist I	35.00
HS Specialist III	6.00
HS Supervisor	1.00
HS Worker I	12.15
HS Worker II	3.00
HS Worker IV	1.00
Janitor I	1.50
Janitor III	1.00
Licensed Practical Nurse	0.80
Medical Director	1.00
Medical Records Lead Worker	1.00
Nutrition Site Supervisor	1.00
Nutrition Site Worker	1.87
Nutrition Specialist	0.82
Outreach Worker	1.00
Paternity Specialist	1.00
Public Health Nurse BSN	6.00
Public Health Supervisor	1.00
Receptionist/Clerk	4.04
Registered Nurse	2.18
Registered Occupational Therapist	2.00
Representative Payee Coordinator	1.00
Support Specialist	6.00
Teacher	1.00
Van Driver	6.40
WIC Supervisor	1.00
Youth – Restitution	0.07

(k) Information Systems/Land Information

CLASSIFICATION TITLE	FTE
Analyst – Programmer	3.00
Applications Supervisor	1.00
Clerk IV	1.00
Computer Operator	1.00
Director – IS	1.00
GIS Analyst/Programmer	2.00
GIS Technician	1.00
Help Desk Analyst	2.00
Land Information Technician/Lead Worker	1.00
Network Specialist	1.00
PC Specialist	2.00
Supervisor of Network/Operations	1.00

(l) Lakeland Health Care Center

CLASSIFICATION TITLE	FTE
Account Clerk II	2.00 0.00
Account Clerk III	1.00 2.00
Administrative Secretary	1.00
Administrator – Lakeland Nursing Home	1.00
Assistant Director of Nursing	1.00
Assistant Food Service Manager	1.00
Assistant Nurse Manager	3.50
Certified Medical Assistant	3.00
Certified Nursing Asst	90.67
Clerk III	0.50
Clinic Assistant	0.43
Clinical Dietician	1.00
Cook II	5.00
Dietary Clerk	1.50
Food Service Lead Worker	1.00
Food Service Manager	1.00
Food Service Worker	18.88
Housekeeping Supervisor	1.00
Janitor I	7.22
Janitor II	4.50
Licensed Beautician	1.20
Linen Worker	4.02
LPN – Unit Supervisor	11.18
Manager Quality Operations	1.00
Materials Handler	1.00
Medical Records Supervisor/HIPAA	1.00
Nurse Manager	2.00
Receptionist	0.76
Receptionist/Clerk	0.69
Recreation Therapy Coordinator	1.00
Recreation Therapy Leader	1.00
Recreational Therapist	2.00
Resident Accounts Supervisor	1.00
Resident Services Administrator	1.00
RN – Unit Supervisor	15.66
Social Worker	2.00
Social Worker Supervisor	1.00
Staffing Coordinator	1.00
Volunteer Coordinator	0.80
Ward Clerk	3.25

(m) Land Use & Resource Management

CLASSIFICATION TITLE	FTE
Administrative Secretary Lead Worker	1.00
Administrative Support Supervisor	1.00
Clerk II	1.00
Clerk III	4.00
Code Enforcement Officer	5.00
Conservation Tech	4.00
Deputy Director	1.00

Director – LURM	1.00
Planner	1.00
Plat Review Specialist	1.00
Senior Planner	1.00
Senior Zoning Officer	1.00
Urban Conservation Specialist	1.00

(n) Public Works

CLASSIFICATION TITLE	FTE
Account Clerk III	2.00
Accountant	1.00
Administrative Assistant – Pub Works	1.00
Administrative Secretary I	0.49
Building Maintenance Engineer I	4.00
Building Maintenance Engineer II	7.00
Building Maintenance Engineer III	4.00
Coordinating Superintendent	1.00
Director – Public Works	1.00
Facilities Foreman	1.00
Janitor II	2.00
Machine Operator	3.00
Marking/Signing Lead Worker	1.00
Mechanic II	4.00
Patrolman/Woman	28.00
Public Works – Superintendent	2.00
Road Foreman	1.00
Road Lead Worker	1.00
Shop Lead Worker	1.00
Welder	1.00

(o) Register of Deeds

CLASSIFICATION TITLE	FTE
Account Clerk III	1.00
Clerk I	0.50
Clerk IV	2.00
Deputy Register of Deeds	1.00
Receptionist/Clerk	1.00
Register of Deeds (elected)	1.00

(p) Treasurer

CLASSIFICATION TITLE	FTE
Account Clerk I	0.30
Account Clerk II	1.50
Account Clerk IV	1.00
Accountant	1.00
County Treasurer (elected)	1.00
Receptionist/Clerk	0.19

(q) Sheriff

CLASSIFICATION TITLE	FTE
911 Systems Clerk	1.00
Account Clerk II	1.00
Account Clerk IV	2.00
Administrative Secretary II	1.00
Assistant Jail Administrator	1.00
Captain	4.00
Classification Officer	2.00
Clerk I	1.00
Clerk II	4.00
Clerk III	1.00
Communications Officer	15.00
Community Service Coordinator	1.00
Correctional Officer	82.52
Corrections Secretary	1.00
Corrections Sergeant	14.00
Deputy Sheriff	50.00
Deputy Sheriff/Court Security	5.00
Deputy Sheriff/Court Officer	1.00
Detectives	9.00
Food & Laundry Supervisor	1.00
Jail Administrator	1.00
Janitor II	2.00
Law Enforcement Records Supervisor	1.00
Lieutenant	2.00
Motor Mechanic	1.00
Process Specialist	3.00
Secretary – Confidential	1.00
Sergeant	8.00
Sheriff (elected)	1.00
Student Worker	0.90
Support Services Assistant	5.50
Undersheriff	1.00

(r) UW-Extension

CLASSIFICATION TITLE	FTE
4-H Program Assistant	1.00
Account Clerk III	1.00
Clerk III	1.00

(s) Veteran's Services

CLASSIFICATION TITLE	FTE
Administrative Secretary II	1.00
Veteran's Service Officer	1.00

PART II: That Section 15-13 of the Walworth County Code of Ordinances is amended to read as follows (deletions shown by strike-through; additions shown by underline):

“Sec. 15-13(c) Any position request that results in an increase in FTE shall be subject to review and recommendation of the committee and ~~final decision of adoption of an ordinance amendment~~ by the county board. Any request to increase FTE submitted after adoption of the annual budget shall require a two-thirds vote of the membership of the county board to approve.”

PART III: That sections 15-320(b) of the Walworth County Code of Ordinances is amended so as to add the following classification to the table contained therein:

“ MS Miscellaneous pay rate schedules”

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 9th day of November, 2004.

Ann Lohrmann
County Board Chairman

Kimberly S. Bushey
Attest: County Clerk

County Board Meeting Date: November 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	11/5/04	Nicki Andersen (pw)	11/5/04
County Administrator/ Corporation Counsel	Date	Deputy County Administrator/ Finance Director	Date

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

Ordinance No. 283 - 11/04
Fiscal Note and Policy Impact Statement

I. Title: Creating Section 15-17 Of Chapter 15 Of The Walworth County Code Of Ordinances Relating To Authorized Positions By Department

II. Purpose and Policy Impact Statement:

Division 2 of Article I of Chapter 15 of the Walworth County Code of Ordinances establishes policies on employee position control. Section 15-17 of the Code would fix by ordinance the number and level of positions by county department. Changes in staffing levels would be subject to Sections 15-12 to 15-16. Increases in the number of positions would be subject to change by ordinance. The total of 975.31 FTE's are allocated to departments as follows:

15.00	Administration	17.00	Information Systems/Land Information
191.64	Children with Disabilities	198.76	Lakeland Health Care Center
30.30	Clerk of Courts	23.00	Land Use & Resource Management
1.32	Coroner	66.49	Public Works
0.50	County Board	6.50	Register of Deeds
4.00	County Clerk	4.99	Treasurer
11.55	District Attorney	224.92	Sheriff

16.00	Finance	2.00	Veteran's Services
158.34	Health & Human Services	3.00	UW-Extension

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

Passage of this ordinance is anticipated to have no fiscal impact.

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

Committee: Human Resources Date: October 20, 2004

Vote: 4 - 1

County Board Meeting Date: November 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	11/5/04	Nicki Andersen (pw)	11/5/04
County Administrator/ Corporation Counsel	Date	Deputy County Administrator/ Finance Director	Date

On motion by Supervisor Grant, seconded by Supervisor Downing, Resolution No. 70-11/04 was approved as amended by voice vote.

Resolution No. 70-11/04
Fixing Staffing Levels for 2005
AMENDED

Moved/Sponsored by: Human Resource Committee.

WHEREAS, the recommended staffing levels for 2005 were included in the preliminary budget for 2005; and,

NOW, THEREFORE, BE IT RESOLVED by the Walworth County Board of Supervisors that the position changes as shown in the 2005 budget are approved for 2005.

BE IT FURTHER RESOLVED, that any new positions shall be filled pursuant to the terms of any applicable collective bargaining agreement, and as provided in Sec. 15-13 and 15-14 of the Walworth County Code of Ordinances.

BE IT FURTHER RESOLVED, that the Walworth County Board of Supervisors hereby declares its commitment to deliver services in 2005 within the level of ~~975.31~~ 971.56 FTEs as approved in the 2005 budget.

BE IT FURTHER RESOLVED, that staffing shall not exceed this budgeted level and additional new positions shall not be created during 2005, except as provided by the Walworth County Code of Ordinances.

Ann Lohrmann
County Board Chairperson

Kimberly S. Bushey
County Clerk

Action Required: Majority X Two-thirds _____ Other _____

County Board Meeting Date: November 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	11/5/04	Nicki Andersen (pw)	11/5/04
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. 70-11/04

- I. Title: Fixing Staffing Levels for 2005
- II. Purpose and Policy Impact Statement: Section 59.22(2) of the Wisconsin Statutes and section 15-13 of the Walworth County Code of Ordinances provide that the County Board establish the number of employees in each department. The County Board does so each year as part of the November budget process and “freezes” staffing levels for the next calendar year at the level as included in the adopted budget. Normally, additional new positions for year 2005 would not be considered after adoption of the 2005 budget. New positions would again be considered in November 2005 for year 2006.

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

- III. Budget and Fiscal Impact: The 2005 preliminary budget reduces FTEs from 1,020.24 in 2004 to 975.31 for 2005.

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

Committee: Human Resources Meeting Date: October 20, 2004

Vote: 5 – 0

County Board Meeting Date: November 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	11/5/04	Nicki Andersen (pw)	11/5/04
County Administrator/ Corporation Counsel	Date	Finance Director	Date

Land Conservation Committee

1. Ordinance No. 280-11/04 – Amending Chapter 30, Article VI, Section 30-263 of the Walworth County Code of Ordinances Relating to Acquisition of Real Property
2. Resolution No. 69-11/04 – Opposing the Use of Wildlife Damage Funds for Chronic Wasting Disease Research

Ordinance No. 280-11/04 was considered and approved earlier in the evening.

On motion by Supervisor Muzatko, seconded by Supervisor Ketchpaw, Resolution No. 69-11/04 was approved by voice vote.

Resolution No. 69-11/04

Opposing the Use of Wildlife Damage Funds for Chronic Wasting Disease Research

Moved/Sponsored by: Land Conservation Committee

WHEREAS, the Wisconsin Department of Natural Resources (DNR) has determined that the Walworth County deer population is well-over manageable goals; and

WHEREAS, the DNR designated a portion of Walworth County as an 'eradication zone' in an effort to eliminate Chronic Wasting Disease (CWD); and

WHEREAS, the Department of Natural Resources has transferred \$6.04 million dollars from the Wildlife Damage budget to help fund CWD research; and

WHEREAS, starting with 2002 damage claims, farmers may not receive full damage reimbursement as a result of this transfer to CWD research; and

WHEREAS, deer hunting license surcharges are to be used for wildlife damage and not CWD research.

NOW, THEREFORE, BE IT RESOLVED that the Walworth County Board of Supervisors opposes the use of the Wildlife Damage Fund for purposes not related to wildlife damage claims and abatement; and

BE IT FURTHER RESOLVED that the Walworth County Board of Supervisors supports CWD research but opposes the use of the wildlife damage budget to fund CWD research; and

BE IT FURTHER RESOLVED that the Walworth County Clerk forward a copy of this resolution to the Wisconsin Department of Natural Resources and Walworth County's State Legislators.

Ann Lohrmann
County Board Chairman

Kimberly S. Bushey
County Clerk

County Board Meeting Date: November 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	11/1/04	N. Andersen	11/1/04
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. 69-11/04

I. Title: Opposing the Use of Wildlife Damage Funds for Chronic Wasting Disease Research

II. Purpose and Policy Impact Statement: The Walworth County Board of Supervisors opposes the use of the Wisconsin Department of Natural Resources wildlife damage budget to fund Chronic Wasting Disease research.

III. Budget and Fiscal Impact: None

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

Committee: Land Conservation Committee Meeting Date: October 18, 2004

Vote: 6-0

County Board Meeting Date: November 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	11/1/04	N. Andersen	11/1/04
County Administrator/ Corporation Counsel	Date	Finance Director	Date

Closed Session

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.

1. Resolution No. 71-11/04 – Approving the Settlement of the Claim Involving J.A.P.

The Board did not convene in closed session and considered Resolution No. 71-11/04 in open session. On motion by Supervisor Kuhnke, seconded by Supervisor Weber, Resolution No. 71-11/04 was approved by voice vote.

Resolution No. 71-11/04
Approving the Settlement of the Claim Involving J.A.P.

Moved/Sponsored by: Executive Committee

WHEREAS, the State of Wisconsin paid medical assistance benefits in the case of J.A.P. in excess of \$99,000 as the result of injuries received by recipients of certain public medical assistance (“Benefits”) resulting from an auto accident; and,

WHEREAS, Walworth County is authorized to seek repayment of the Benefits on behalf of the State of Wisconsin in the event of an insurance settlement.

BE IT RESOLVED by Walworth County Board of Supervisors that settlement of the subrogation case of J.A.P. is hereby approved to wit: payment to Walworth County in the amount of \$2,000.

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

Ann Lohrmann
County Board Chairperson

Kimberly S. Bushey
County Clerk

Action Required: Majority X Two-thirds _____ Other _____

County Board Meeting Date: November 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	11/5/04	Nicki Andersen (pw)	11/5/04
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. 71-11/04

- I. Title: Approving the Settlement of the Claim Involving J.A.P.
- II. Purpose and Policy Impact Statement: The purpose of this resolution is to approve a settlement of potential litigation regarding and assistance benefits in the case of J.A.P. Due to the status of the claimant as a juvenile, details regarding the precise nature of the claim are not provided on this document.
- III. Budget and Fiscal Impact: Passage of this resolution will allow for a subrogation recovery of \$2,000. The money is recovered on behalf of the State of Wisconsin. The county is allowed to retain 15% for its efforts in recovery. The amount of benefits paid in this case was in an estimated amount of \$99,000. The county is reducing its lien based upon the serious nature of the damages in this case and representation of the plaintiff's attorneys that they are waiving their fees in this matter.

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

Committee: Executive Meeting Date: October 21, 2004

Vote: 5 - 0

County Board Meeting Date: November 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	11/5/04	Nicki Andersen (pw)	11/5/04
County Administrator/ Corporation Counsel	Date	Finance Director	Date

Reports of Special Committees

Supervisor Hilbelink asked that the Board recognize those on the Board who are Veterans by having them stand.

There were no Reports of Special Committees.

Chairperson's Report

Chairperson Lohrmann announced that the next County Board meeting would be held on December 14, 2004 at 6:00 p.m.

Adjournment

On motion by Supervisor Ketchpaw, seconded by Supervisor Van Dreser, the meeting of the County Board of Supervisors was adjourned at 9:20 p.m.

Kimberly S. Bushey
County Clerk

STATE OF WISCONSIN)
)SS
COUNTY OF WALWORTH)

I, Kimberly S. Bushey, County Clerk in and for the County aforesaid, do hereby certify that the foregoing is a true and correct copy of the proceedings of the County Board of Supervisors for the November 9, 2004 meeting.

THE DECEMBER 14, 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.

County Board Chairperson Lohrmann delivered the invocation. Lohrmann shared some quotes on "life" from renowned individuals such as Helen Keller and Abraham Lincoln, and expressed wishes for a Merry Christmas and Happy New Year.

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

Amendments, Withdrawals, and Approval of Agenda

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

Approval of the Minutes

On motion by Supervisor Waelti, seconded by Supervisor Hilbelink, the minutes of the October 28, 2004 Public Budget Hearing were approved. On motion by Supervisor Ketchpaw, seconded by Supervisor Schaefer, the minutes of the November 9, 2004 Walworth County Board of Supervisors' meeting were approved.

Special Order of Business

4-H Members, Sarah Harper, President of Walworth County Junior Leaders, and Courtney Nelson, Vice President, addressed the Board. Ms. Harper and Ms. Nelson gave an update on the status of 4-H in Walworth County. Ms. Harper said that 4-H is part of the U. W. Extension office and 4-H exists in every county in Wisconsin, across the nation, and in more than 80 countries around the world. She said that 4-H can be described as a community of young people who are willing to learn citizenship, leadership, and life skills. Ms. Harper said that in Walworth County there are 988 members in 18 clubs led by 343 adult volunteers. Ms. Harper and Ms. Nelson continued with an overview of the 4-H program in Walworth County and finished by thanking the Board for their support of the Walworth County 4-H program and the Walworth County Fair.

Comment Period by Members of the Public

Bill Jacques, N6009 Bowers Road, Elkhorn, addressed the Board. Mr. Jacques said he was denied the right to speak on a zoning issue at the September 9, 2004 County Board meeting. He said that the Town Board had not had a hearing on the issue and they should have the opportunity to discuss the zoning issues before the County Board votes. Mr. Jacques said he would like the 77 acres of land, purchased with the land for the Judicial Center, put back on the tax rolls, as it is not being used for the Judicial Center. In regard to a navigability rezone, Mr. Jacques said he thinks the Board is taking away too many private landowner rights.

Dell Gigante, Town of East Troy, addressed the Board. Mr. Gigante said that a few members of the County Board are partial to parks in this County and it is good that they have donated for that purpose. Mr. Gigante said that the Board should focus on the areas in the County that tourists frequent, and this would be Lake Geneva. He said the Board should be focusing on getting the land back on the tax rolls and also focus on County debt, not parks. Mr. Gigante said that the Board should tighten its belt in regard to health insurance for County employees and focus on where it will do the taxpayer the most good.

Appointments/Elections

1. Lakeland Health Care Center Board of Trustees
 - Supervisor Joseph Schaefer
2. Community Partner Advisory Group
 - Nina Ruskey
3. Wisconsin County Mutual Insurance Corporation Technical Advisory Committee Nominations
 - Supervisor Allen Morrison
 - Supervisor Stanley Muzatko

A motion was offered by Supervisor Russell, seconded by Supervisor Waelti, to nominate Joseph Schaefer to the Lakeland Health Care Center Board of Trustees. Supervisor Burwell made a motion, seconded by Supervisor Goebel, to close nominations. On motion by Supervisor Arnold, seconded by Supervisor Morrison, Supervisor Joseph Schaefer was elected to the Lakeland Health Care Center Board of Trustees by unanimous consent.

On motion by Supervisor Muzatko, seconded by Supervisor Burwell, Nina Ruskey was appointed to the U. W. Extension Community Partner Advisory Group.

On motion by Supervisor Kuhnke, seconded by Supervisor Felten, Allen Morrison and Stanley Muzatko were recommended for nomination to the Wisconsin County Mutual Insurance Corporation Technical Advisory committees.

Communications and Matters to Be Referred

1. Claims Received After Agenda Mailing – There were no claims.
2. Claims – There were no claims.
3. Correspondence from David Cole, General Manager of WGTD Radio, Gateway Technical College, regarding tower space for new Elkhorn translator station was referred to the Public Works Committee.
4. Communication from the Department of Natural Resources regarding approval of dam failure analysis and setting the hazard rating for the Lake Beulah Dam was referred to the Land Conservation Committee. The “Failure Analysis Lake Beulah Dam Walworth County Wisconsin” report is on file in the County Clerk’s office.
5. Communication from County Board Supervisor David Weber requesting that the Public Works Committee engage in long-term planning with regard to the present County campus on Highway NN and the former County farm was referred to the Public Works Committee.
6. Communication from County Board Supervisor Robert Arnold regarding the establishment of a program to permit all County employees, including County Board Supervisors and elected officials, to donate by payroll deduction to the newly created non-lapsing fund created for park land acquisitions, was referred to the Human Resources Committee.
7. Communication from County Board Supervisor Dorothy Burwell regarding recognition award for Louise Olson, Deputy Director, Land Use & Resource Management, from the Southeast Area Land & Water Conservation Association was placed on file.
8. Report of the County Clerk Concerning Communications Received by the Board and Recommended to be Placed on File was included with the agenda packet.

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

The following item was received in the County Clerk’s office after the agenda deadline and was placed on the Supervisors’ desks:

- 2005 Pocket Calendar

The Response to Resolution No. 63-10/04 Directing the Director of the Land Use and Resource Management Department to Propose a Plan to Allow Towns to Withdraw from Countywide General Zoning was distributed to Supervisors via courier and a copy is on file in the Walworth County Clerk's office.

Also placed on the Supervisors' desk was a communication from Shane Crawford, Public Works Director, regarding Resolution 81-12/04, which is on this evening's agenda.

9. Report of County Clerk Concerning Zoning Gone Into Effect

- Kenneth Held, Town of Lyons
- Matt Shinkus (Eric Shinkus, App.), Town of Sharon
- Dave and Mary Ennis, Town of Darien
- Deborah Blackwell, Town of Delavan
- Beverly A. Turzy, Town of Bloomfield
- Randall S. and Rebecca A. Martin, Town of Geneva
- County Zoning Agency, Text Amendment to Walworth County Code of Ordinances, Walworth County, Wisconsin, Chapter 58 (Subdivisions), Section 58-3.3, Dedication and reservation of lands

10. Report of County Clerk Concerning Zoning Petitions (To be referred to the County Zoning Agency)

- James J. and Cindy L. Skarda, Town of Linn, A-2 & C-1 to R-1, C-1, & C-4
- Chicago Club of Lake Geneva Condominium (Daryl J. Riley, Owner) (Lawrence E. Yopp, Jr., App.), Town of Linn, C-1 to R-1 & C-4
- Peterson Farm Partnership, LLP (ANR Pipeline Company, App.), Town of Walworth, A-1 to P-1
- Dover Court LLC (Robert C. Leibsle, Atty/Agent), Town of Delavan, B-2 to R-5
- Wayne Vogt, Town of Lafayette, A-1 to A-5
- Kristi L. Collins & Jamie W. Opper, Town of Lafayette, A-2 to A-5
- Mann Bros., Inc. (Richard & Robert Atkinson, may be owners as of 11-12-04), Spring Prairie, M-3, C-2, & A-1 to A-2
- Regency Hills Development Corp. (Kari Kittermaster, App.), Town of Lyons, R-2, A-1, B-2, R-1, & A-1 to C-4 & R-2
- Pamela Jensen (Wm. J. Host, App.), Town of Bloomfield, C-1 to A-5
- Navigability Determinations, Towns of Darien, Delavan, East Troy, Geneva, Lafayette, Sharon, Spring Prairie, Walworth, and Whitewater

Unfinished Business

Michael Cotter, Director of Land Use & Resource Management

- Report to the Board pursuant to Resolution No. 63-10/04 – Directing the Director of Land Use and Resource Management Department to Propose a Plan to Allow Towns to Withdraw from Countywide General Zoning

Chairperson Lohrmann asked that Michael Cotter address the Board and that he respond to questions from Supervisors. Lohrmann indicated that after discussion a motion to table this until the next meeting would be appropriate.

Michael Cotter, Director of Land Use & Resource Management, addressed the Board. Cotter said that all Supervisors should have reports, which were distributed by courier on Saturday. Cotter distributed copies of the report to the representatives of the townships present at the meeting. He said that the document would be mailed to the remaining townships for their review. Cotter said that he has also summarized the plan in a two-page handout.

Cotter said that the question is to determine how to accomplish the task of allowing townships to withdraw from Countywide zoning. There are no provisions that allow Towns out on an ad hoc basis in the Wisconsin statutes.

Cotter listed six options in regard to the future of countywide zoning in Walworth County and explained each option:

1. Retain the existing Walworth County Zoning Ordinance.
2. Repeal existing Walworth County Zoning Ordinance. This option would require all 16 townships to be responsible for zoning their own townships.
3. Comprehensive revision of the Walworth County Zoning Ordinance prior to Smart Growth. The Board could establish a date for the revision to be completed and the establishment of a new ordinance would give townships the opportunity to conduct their own zoning.
4. Comprehensive revision through the Smart Growth process. The County Board has the ability to require a comprehensive revision of the Walworth County Zoning Ordinance through the smart growth effort. At the end of the smart growth effort, townships would be able to stay with countywide zoning or the townships could conduct their own zoning operations.
5. Repeal and re-enact the existing zoning ordinance. This option may be challenged as 'side-stepping' the Wisconsin Statutes.
6. Town of Linn approach. The Town of Linn proposes to allow townships to conduct zoning in shoreland and non-shoreland areas. The Department of Natural Resources would need to approve this approach, it could have statewide impact, and could face legal challenges.

Regarding the length of time to do a comprehensive revision of the Walworth County Zoning Ordinances, option 3, Cotter said that two years would be his best guess.

Cotter said that the disadvantage, if option 4 were chosen, would be the amount of time. If and when we get the grant, we have four years to complete it. Cotter said that would not be soon enough for the Towns that want out of County zoning.

Supervisor Van Dreser offered a motion, seconded by Supervisor Goebel, to table the decision until the February 8, 2005 County Board meeting to allow more time to talk to the townships.

Supervisor Goebel offered a motion, seconded by Supervisor Guido, to amend Supervisor Van Dreser's motion. Supervisor Goebel's motion was as follows: that Director Cotter's report and recommendations be the subject of a special meeting of this Board as a Committee of the Whole, to include participation by the Towns of Walworth County, on Monday, January 17, 2005. Chair Lohrmann said that the Committee of the Whole would meet here in this room. The amendment was approved by voice vote. The original motion to table the decision on Michael Cotter's options, including the amendment, was approved by voice vote.

New Business

Reports of Standing Committees

County Zoning Agency Report of Proposed Zoning Amendments

1. Kevin M. Kynell, Town of Walworth, Rezone 2.27 acres of A-1 to A-4, approved 5-1 (10-21-04 public hearing)
2. Linda A Connick, Town of Bloomfield, Rezone .46 acres of C-1 & C-2 to R-2 & C-1, approved 6-0 (10-21-04 public hearing)
3. Susan C. Mustari, Town of Geneva, Rezone .16 acres of C-1 to R-1, approved 6-0 (10-21-04 public hearing)

4. Eugene R. Pawlak, Town of East Troy, Rezone 1.76 acres of A-1 to A-5, approved 6-0 (10-21-04 public hearing)

A motion offered by Supervisor Kuhnke, seconded by Supervisor Stacey, to concur with the Report of the County Zoning Agency on items 1 through 4 above, was approved by voice vote. The complete 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. Kevin M. Kynell, Town of Walworth – Filed a petition on the 7th day of September, 2004, to rezone from A-1 Prime Agricultural Land District to A-4 Agricultural Related Manufacturing, Warehousing and Marketing District.

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

An agricultural implement dealership would be consistent with farmland preservation.

2. Linda A. Connick, Town of Bloomfield – Filed a petition on the 8th day of September, 2004, to rezone from C-1 Lowland Resource Conservation District and C-2 Upland Resource Conservation District to R-2 Single-Family Residence District (Sewered) & C-1 Lowland Resource Conservation District.

Recommendation: Said petition be approved.

3. Susan C. Mustari, Town of Geneva – Filed a petition on the 24th day of August, 2004, to rezone from C-1 Lowland Resource Conservation District to R-1 Single-Family Residence District (Unsewered).

Recommendation: Said petition be approved.

4. Eugene R. Pawlak, Town of East Troy – Filed a petition on the 14th day of September, 2004, to rezone from A-1 Prime Agricultural Land District to A-5 Agricultural-Rural Residential District.

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

The area is an existing farmstead and has not been historically farmed.

ORDINANCE AMENDING
WALWORTH COUNTY ZONING ORDINANCE

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

WHEREAS, the petitions have been referred to the Walworth County 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. Kevin M. Kynell, Town of Walworth – Filed a petition to amend said zoning maps from A-1 Prime Agricultural Land District to A-4 Agricultural Related Manufacturing, Warehousing and Marketing District on the following described lands:

Part of Tax Parcel #EA347800001

A part of Lot 1 of Certified Survey Map No. 3478, recorded as Document No. 521847, currently A-1 zoning to become A-4 zoning, located in the Southeast ¼ of the Northeast ¼ of Section 33, Town 1 North, Range 16 East, Walworth County, Wisconsin, described as follows:

Beginning at the Southwest corner of said Lot 1; thence N 00DEG 50MIN 45SEC W, 259.92 feet along the West line of said Lot 1; thence N 89DEG 45MIN 35SEC E, 212.97 feet; thence S 00DEG 14MIN 25SEC E, 55.99 feet; thence N 89DEG 45MIN 35SEC E, 180.00 feet to the Westerly right-of-way of U.S. Highway 14 and the East line of said Lot 1; thence along said right-of-way, S 00DEG 50MIN 45SEC E, 203.93 feet to the Southeast corner of said Lot 1; thence S 89DEG 45MIN 35SEC W, 392.38 feet to the Point of Beginning. Containing 91,920 square feet of land (2.11 acres) more or less.

3. Linda A. Connick, Town of Bloomfield – Filed a petition to amend said zoning maps from C-1 Lowland Resource Conservation District and C-2 Upland Resource Conservation District to R-2 Single-Family Residence District (Sewered) & C-1 Lowland Resource Conservation District on the following described lands:

Part of Tax Parcel #MA370300001

Area to be included in the zoning of C-1 on Lot 1 of C.S.M. No. 3703

That part of Lot 1 of Walworth County Certified Survey Map Number 3703, according to the recorded plat thereof on file and of recorded in the office of the Walworth County Register of Deeds, Walworth County, Wisconsin, as Document Number 607379, recorded June 17, 2004, in Volume 22 of Certified Survey Maps, pages 126 and 127 and located in the Southwest Quarter of the Northwest Quarter of Section 22, Township 1 North, Range 18 East of the 4th Principal Meridian, Town of Bloomfield, Walworth County, Wisconsin, lying northerly and easterly of a line described as follows: Commencing at the southeast corner of said Lot 1; thence North 02 degrees 27 minutes 46 seconds West, assumed bearing, along the east line of said Lot 1 a distance of 33.69 feet to the beginning of the line to be described; thence South 85 degrees 50 minutes 44 seconds West 44.31 feet; thence South 88 degrees 30 minutes 21 seconds West 25.51 feet; thence North 79 degrees 13 minutes 33 seconds West 29.87 feet; thence South 75 degrees 37 minutes 44 seconds West 21.01 feet; thence North 83 degrees 56 minutes 03 seconds West 16.72 feet; thence North 72 degrees 08 minutes 34 seconds West 35.53 feet; thence North 85 degrees 34 minutes 09 seconds West 17.02 feet; thence North 71 degrees 22 minutes 03 seconds West

22.40 feet; thence North 54 degrees 10 minutes 51 seconds West 26.04 feet; thence North 49 degrees 29 minutes 23 seconds West 55.00 feet; thence North 35 degrees 53 minutes 21 seconds East 11.44 feet to the north line of said Lot 1, and said line there terminating.

Thence following said North line due East to the Northeast corner of Lot 1 thence following the East line of Lot 1 due South to the Point of Beginning of the wetland boundary line.

3. Susan C. Mustari, Town of Geneva – Filed a petition to amend said zoning maps from C-1 Lowland Resource Conservation District to R-1 Single-Family Residence District (Unsewered) on the following described lands:

Part of Tax Parcel #JCON 00041A

That portion of Lot 73 of Consumer's Company Subdivision lying south of South Shore Drive.

4. Eugene R. Pawlak, Town of East Troy – Filed a petition to amend said zoning maps from A-1 Prime Agricultural Land District to A-5 Agricultural-Rural Residential District on the following described lands:

Part of Tax Parcel #P ET2200004B

A portion of the land described as "That part of the West ½ of the Southwest ¼ of Section 22, Town 4 North, Range 18 East lying South of Highway 20 and North of Honey Creek, Walworth County, Wisconsin" bounded and described as follows: Commencing at the NW Corner of the SW ¼ of Section 22, Town 4 North, Range 18 East; thence S 00°21'7"E along the West line of said SW ¼ of Section 22 and the centerline of Carver School Road 527.40 feet; thence N 89°38'3" E 33.00 feet to the East Right of Way line of Carver School Road and the Point of Beginning of the lands to be described; thence N 00°21'27" W along said East Right of Way line 462.48 feet; thence 113.78 feet along the Southerly Right of Way line of Highway 20 and the arc of a curve to the right, whose radius is 750.00 feet and whose chord bears S 71°50'46" E a distance of 113.67 feet; thence S 67°30'00" E along said Southerly Right of Way line 75.61 feet; thence S 00°21'27" E 298.90 feet; thence S 58°43'23" W 87.18 feet; thence S 89°38'33" W 106.86 feet to the Point of Beginning.

The area is an existing farmstead and has not been historically farmed.

ATTEST this 14th day of December 2004.

Ann Lohrmann

County Board Chairperson

ATTEST this 14th day of December 2004.

Kimberly S. Bushey

County Clerk

Executive Committee

1. Ordinance No. 286-12/04 – Amending Section 2-143 of the Walworth County Code of Ordinances Relating to Lake Management Districts
2. Resolution No. 72-12/04 – Denying the Claim of Gregory Vitaioli
3. Resolution No. 79-12/04 – Approving an Agreement Regarding Grant Funded Vehicle

A motion was offered by Supervisor Muzatko, seconded by Supervisor Downing, to approve item 1, Ordinance No. 286-12/04. On motion by Supervisor Van Dreser, seconded by Supervisor Morrison, Ordinance No. 286-12/04 was approved by unanimous consent. This ordinance comes into effect April 30, 2006.

ORDINANCE NO. 286 –12/04

AMENDING SECTION 2-143 OF THE WALWORTH COUNTY CODE OF ORDINANCES
RELATING TO LAKE MANAGEMENT DISTRICTS

THE WALWORTH COUNTY BOARD OF SUPERVISORS DOES ORDAIN AS FOLLOWS:

PART I: That Section 2-143 of the Walworth County Code of Ordinances is hereby amended so as to create Section (e) thereof to read as follows:

“Sec. 2-143

(e) Lake management districts.

1. The Walworth County board shall appoint a county representative to serve on Lake District Board of Commissioners pursuant to section 33.28 of the Wisconsin Statutes and consistent with the procedures contained herein.
2. The appointee shall be nominated by the land conservation committee and appointed by the county board. The appointee shall be a member of the land conservation committee if a member of that committee is willing to serve. If a member of the land conservation committee is unwilling to serve, the land conservation committee shall nominate a county board supervisor. If a county board supervisor or a member of the land conservation committee is unavailable to serve, the land conservation committee may nominate a citizen representative to represent Walworth County.
3. County representatives of the Lake District Board of Commissioners shall serve for a term of two years, which term shall commence on May 1st following each county board regular election.
4. The county representative shall regularly attend all scheduled meetings, provide official lake district meeting minutes to the land conservation committee in a timely manner, and represent the views of the county at lake management district meetings.
5. Representatives may be removed by the board, for cause, after a hearing before the executive committee.”

PART II: This Ordinance shall become effective on and after April 30, 2006.

PASSED and ADOPTED by the Walworth County Board of Supervisors this 14th day of December, 2004.

Ann Lohrmann
County Board Chairperson

Kimberly S. Bushey
Attest: County Clerk

County Board Meeting Date:

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 11/24/04 N. Andersen 11/29/04
County Administrator/ Date Deputy County Administrator - Date
Corporation Counsel Finance

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

Ordinance No. 286-12/04
Fiscal Note and Policy Impact Statement

- I. Title: Amending Section 2-143 Of The Walworth County Code of Ordinances Relating to Lake Management Districts
- II. Purpose and Policy Impact Statement: The purpose of this ordinance is to clarify the procedure for appointments to Lake Management District Boards. The ordinance establishes a two-year term of office, clarifies responsibilities, and provides a procedure for removal of the county appointee.
- 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: November 18, 2004

Vote: 6 - 0

County Board Meeting Date: December 14, 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 11/24/04 N. Andersen 11/24/04
County Administrator/ Date Deputy County Administrator - Date
Corporation Counsel Finance

On motion by Supervisor Downing, seconded by Supervisor Hilbelink, item 2, Resolution No. 72-12/04 was approved by voice vote.

Resolution No. 72-12/04
Denying the Claim of Gregory Vitaioli

Moved/Sponsored by: Executive Committee

WHEREAS, Gregory Vitaioli by his attorney Frank R. Lettenberger submitted a claim against the county in the amount of \$263.75; and,

WHEREAS, the executive committee has reviewed the claim and recommends denial of the same.

NOW, THEREFORE, BE IT RESOLVED by the Walworth County Board of Supervisors that the claim of Gregory Vitaioli be and the same is hereby denied and that the County Clerk be directed to serve a Notice of Disallowance upon the claimant.

Ann Lohrmann
County Board Chairperson

Kimberly S. Bushey
County Clerk

Action Required: Majority X Two-thirds _____ Other _____

County Board Meeting Date: December 14, 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	11/22/04	N. Andersen	11/22/04
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. 72-12/04

- I. Title: Denying the Claim of Gregory Vitaoli
- II. Purpose and Policy Impact Statement: The purpose of this resolution is to deny the claim by Gregory Vitaoli alleging negligence by the County as a result damage to his vehicle from wet paint on the road. The County’s insurer recommends denial of this claim.
- III. Budget and Fiscal Impact: Passage of this resolution will have no fiscal impact on the current or future county budget.
- IV. Referred to the following standing committees for consideration and date of referral:

Committee: Executive Meeting Date: November 17, 2004

Vote: 5 - 0

County Board Meeting Date: December 14, 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	11/22/04	N. Andersen	11/22/04
County Administrator/ Corporation Counsel	Date	Finance Director	Date

Supervisor Ketchpaw offered a motion, seconded by Supervisor Hilbelink to approve item 3, Resolution No. 79-12/04. Chair Lohrmann asked Vice-Chair Hilbelink to take the Chair so that she could offer public comment.

Chair Lohrmann addressed the Board. Lohrmann said she thinks it is important that Resolution No. 79-12/04 is approved today, although she and other Supervisors have a number of concerns about this grant. Lohrmann stated the various concerns about the grant and the process involved in spending the funds. She cited her concerns about accepting the grant but she said is going to vote for approval of the grant. Lohrmann returned to the Chair. Discussion ensued.

Supervisor Goebel offered a motion, seconded by Supervisor Guido, to amend Resolution No. 79-12/04 as follows: Insert the following after line 13: “Whereas, the Walworth County Board of Supervisors believes the Crime Scene Vehicle should be utilized to its fullest potential, including being made available to law enforcement and fire agencies in neighboring counties; and,” insert the following after

line 18: “Be it further resolved that the Walworth County Sheriff is hereby directed, working with law enforcement and fire agencies in neighboring counties, to devise a program and procedures to make the Crime Scene Vehicle available, on fully cost reimbursable basis, to assist them in the investigation of arson, serious accidents and serious crimes.”

Pat O’Connor, Southeast Region Director for Wisconsin Emergency Management, addressed the Board. Mr. O’Connor said that the vehicle can be used anywhere in the State and the County would be reimbursed for the personnel to operate it.

Supervisor Goebel’s amendment to Resolution No. 79-12/04 was approved by voice vote.

Discussion ensued on Resolution No. 79-12/04 as amended.

On motion by Supervisor Hilbelink, seconded by Supervisor Arnold, the question was called. A roll call vote was held to approve Resolution No. 79-12/04 as amended. Total vote: 25; Ayes: 23 – Arnold, Burwell, Downing, Felten, Goebel, Guido, Hawkins, Hilbelink, Ketchpaw, Kuhnke, Lein, Lightfield, Morrison, Muzatko, Parker, Russell, Schaefer, Stacey, Van Dreser, Waelti, Wagie-Troemel, Weber, Lohrmann; Noes: 1 – Polyock; Absent: 1 - Grant. Resolution 79-12/04 was approved as amended.

Resolution No. 79-12/04
Approving an Agreement Regarding Grant-Funded Vehicle
AMENDED

Moved/Sponsored by: Executive Committee

WHEREAS, Walworth County was notified by the State of Wisconsin that Local Enforcement Terrorism Prevention Program Grant (“Grant”) funding is available to purchase a crime scene vehicle and associated supplies (“Crime Scene Vehicle”); and,

WHEREAS, the Grant is in the amount of \$240,000; and,

WHEREAS, the Crime Scene Vehicle will improve the ability of the county and local law enforcement and fire agencies to respond to terrorist actions; ~~and~~,

WHEREAS, the Crime Scene Vehicle will assist in the investigation of arson, serious accidents and serious crimes; and,

WHEREAS, the Walworth County Board of Supervisors believes the Crime Scene Vehicle should be utilized to its fullest potential, including being made available to law enforcement and fire agencies in neighboring counties; and,

NOW, THEREFORE, BE IT RESOLVED by the Walworth County Board of Supervisors that the Grant is hereby accepted for the purpose of obtaining a crime scene Vehicle and that the appropriate county staff be authorized and directed to take all necessary steps to procure the Crime Scene Vehicle.

BE IT FURTHER RESOLVED THAT the Walworth County Sheriff is hereby directed, working with law enforcement and fire agencies in neighboring counties, to devise a program and procedures to make the Crime Scene Vehicle available, on fully cost reimbursable basis, to assist them in the investigation of arson, serious accidents and serious crimes.

BE IT FURTHER RESOLVED THAT acceptance of the Grant is contingent upon execution of the attached Agreement.

Ann Lohrmann
County Board Chairperson

Kimberly S. Bushey
County Clerk

Action Required: Majority _____ Two-thirds X Other _____

County Board Meeting Date: December 14, 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	12/7/04	N. Andersen	12/7/04
County Administrator/ Corporation Counsel	Date	Deputy County Administrator - Finance	Date

Policy and Fiscal Note
Resolution No. 79-12/04

- I. Title: Approving an Agreement Regarding Grant-Funded Vehicle
- II. Purpose and Policy Impact Statement: The purpose of this resolution is to accept a Law Enforcement Terrorism Prevention Program Grant (LETTP) in the amount of \$240,000 for the purpose of purchasing a crime scene vehicle and direct staff to take the necessary steps to purchase the vehicle. The resolution also approves an agreement with local law enforcement and fire agencies regarding use of the vehicle.
- III. Budget and Fiscal Impact: Funds from this grant will pay for the crime scene vehicle. Ongoing maintenance and staffing issues are not covered by the grant and can be accommodated within the sheriff's existing budget.
- IV. Referred to the following standing committees for consideration and date of referral:

Committee: Executive Meeting Date: November 18, 2004

Vote: 5 - 0

County Board Meeting Date: December 14, 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	12/7/04	N. Andersen	12/7/04
County Administrator/ Corporation Counsel	Date	Deputy County Administrator - Finance	

Finance Committee

- 1. Resolution No. 76-12/04 – Accepting a \$500 Donation for Walworth County Parks Acquisition from Nancy Russell
- 2. Resolution No. 77-12/04 – Accepting a \$500 Donation for Walworth County Parks Acquisition from Robert Arnold
- 3. Resolution No. 78-12/04 – Resolution Authorizing an Intergovernmental Transfer Agreement with the State of Wisconsin and Taxable Revenue Anticipation Borrowing in Amount Not to Exceed \$87,300,000 Pursuant to Section 67.12(1), Wis. Stats. In Connection with Intergovernmental Transfer Program
- 4. Resolution No. 80-12/04 – Authorizing List of Financial Depositories and Investment Firms for County Funds

5. Resolution No. 81-12/04 – Authorizing the Transfer of \$95,285 from the Contingency Fund to the Appropriate Project Fund for the Purpose of Upgrading Electrical Systems at the County Annex Complex

Supervisors Russell and Arnold left the County Board room for the vote on items 1 and 2. Supervisor Hilbelink offered a motion, seconded by Supervisor Goebel, to approve items 1 and 2. On motion by Supervisor Goebel, seconded by Supervisor Hilbelink, Resolution No. 76-12/04 and Resolution No. 77-12/04 were approved by unanimous consent. The Board greeted Supervisor Russell and Supervisor Arnold with applause for their donations.

Resolution No. 76-12/04

Accepting a \$500 Donation for Walworth County Parks Acquisition from Nancy Russell

Moved/Sponsored by: Finance Committee

WHEREAS, County Board Supervisor Nancy Russell has donated \$500 to Walworth County for the purposes of purchasing park land in the county.

NOW, THEREFORE, BE IT RESOLVED that the Walworth County Board of Supervisors does hereby accept a \$500 donation from Nancy Russell, to be deposited into the non-lapsing account established for that purpose, to be used for parks acquisition in Walworth County.

BE IT FURTHER RESOLVED that the donation be subject to the following conditions:

1. If the donation is not used for the acquisition of county parkland within five years from the date of the donation, it will be returned without interest to Nancy Russell or her heirs.
2. If the ordinance establishing the non-lapsing account is rescinded or changed so that the funds become lapsing funds, or the board does not permit county funds to be deposited in said non-lapsing account, the donation will be returned to Nancy Russell or her heirs.

BE IT FURTHER RESOLVED that the Walworth County Board of Supervisors commends Supervisor Russell for her generosity and commitment to parks acquisition.

Ann Lohrmann
County Board Chairperson

Kimberly S. Bushey
County Clerk

County Board Meeting Date: December 14, 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	11/29/04	N. Andersen	11/29/04
County Administrator/ Corporation Counsel	Date	Deputy County Administrator - Finance	Date

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

Policy and Fiscal Note
Resolution No. 76-12/04

- I. Title: Accepting a \$500 Donation for Walworth County Parks Acquisition from Nancy Russell

- II. Purpose and Policy Impact Statement: The purpose of this resolution is to accept a \$500 donation from Nancy Russell to be used for parks acquisition.
- III. Budget and Fiscal Impact: Adoption of this resolution will increase the amount of funds reserved for parks acquisition by \$500. Future county board action will be required to authorize appropriation of these funds for the purpose of acquiring a specific parcel of land for the purpose of creating or enlarging county parks.
- IV. Referred to the following standing committees for consideration and date of referral:

Committee: Finance Meeting Date: November 18, 2004

Vote: 6 - 0

County Board Meeting Date: December 14, 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	11/29/04	N. Andersen	11/29/04
County Administrator/ Corporation Counsel	Date	Deputy County Administrator - Finance	Date

Resolution No. 77-12/04

Accepting a \$500 Donation for Walworth County Parks Acquisition from Robert Arnold

Moved/Sponsored by: Finance Committee

WHEREAS, County Board Supervisor Robert Arnold has donated \$500 to Walworth County for the purposes of purchasing park land in the county.

NOW, THEREFORE, BE IT RESOLVED that the Walworth County Board of Supervisors does hereby accept a \$500 donation from Robert Arnold to be deposited into the non-lapsing account established for that purpose, to be used for parks acquisition in Walworth County.

BE IT FURTHER RESOLVED that the Walworth County Board of Supervisors commends Supervisor Arnold for his generosity and commitment to parks acquisition.

Ann Lohrmann	Kimberly S. Bushey
County Board Chairperson	County Clerk

County Board Meeting Date: December 14, 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	11/24/04	N. Andersen	11/29/04
County Administrator/ Corporation Counsel	Date	Deputy County Administrator - Finance	Date

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

Policy and Fiscal Note
Resolution No. 77-12/04

- I. Title: Accepting a \$500 Donation for Walworth County Parks Acquisition from Robert Arnold
- II. Purpose and Policy Impact Statement: The purpose of this resolution is to accept a \$500 donation from Robert Arnold to be used for parks acquisition.
- III. Budget and Fiscal Impact: Adoption of this resolution will increase the amount of funds reserved for parks acquisition by \$500. Future county board action will be required to authorize appropriation of these funds for the purpose of acquiring a specific parcel of land for the purpose of creating or enlarging county parks.
- IV. Referred to the following standing committees for consideration and date of referral:

Committee: Finance Meeting Date: December 14, 2004

Vote: 6 - 0

County Board Meeting Date: December 14, 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	11/29/04	N. Andersen	11/29/04
County Administrator/ Corporation Counsel	Date	Deputy County Administrator - Finance	Date

The Board took a short break.

Supervisor Schaefer offered a motion, seconded by Supervisor Muzatko, to approve item 3, Resolution No. 78-12/04. A roll call vote was held. Total vote: 25; Ayes: 23 – Arnold, Burwell, Downing, Felten, Goebel, Guido, Hawkins, Hilbelink, Ketchpaw, Kuhnke, Lein, Lightfield, Morrison, Muzatko, Parker, Russell, Schaefer, Stacey, Van Dreser, Waelti, Wagie-Troemel, Weber, Lohrmann; Noes: 1 – Polyock; Absent: 1 – Grant. Resolution No. 78-12/04 was approved.

Resolution No. 78-12/04

Resolution Authorizing an Intergovernmental Transfer Agreement With The State of Wisconsin and Taxable Revenue Anticipation Borrowing In Amount Not to Exceed \$87,300,000 Pursuant to Section 67.12(1), Wis. Stats. In Connection With Intergovernmental Transfer Program

Moved/Sponsored by: Finance Committee

WHEREAS, Walworth County, Wisconsin (the "County") owns and operates a nursing/long-term care "facility" for the provision of healthcare-related services as defined in Section 49.45(6m), Wisconsin Statutes; and

WHEREAS, pursuant to Section 49.45, Wisconsin Statutes, and Title XIX of the Social Security Act ("Medicaid"), the County receives reimbursement of part of the costs associated with the County's operation of its facility; and

WHEREAS, the State Department of Health and Family Services is authorized at this time to make increased payments to nursing facilities for State Fiscal Year 2005 under applicable provisions of

Wisconsin's Medicaid State Plan, including sections 1.304, 1.400, 4.100 and 4.500 of the Methods of Implementation for Wisconsin Medicaid Nursing Home Payment Rates for the Period July 1, 2004 through June 30, 2005; and

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

WHEREAS, the State of Wisconsin has calculated that the State has an additional \$87,300,000 within its Medicare Upper Limit for State Fiscal Year 2005; and

WHEREAS, under applicable federal law, Wisconsin can participate in an Intergovernmental Transfer Program ("IGT Program") whereby participating counties, as determined by certain criteria, would transfer a sum or sums of money in one (1) or more transactions to the State of Wisconsin; and the State of Wisconsin would, within the same calendar day, transfer such sum directly back to the participating county as a Medicaid payment to the nursing facility as outlined in the applicable provisions of the Methods of Implementation for Wisconsin Medicaid Nursing Home Payment Rates and seek federal financial participation in such payments from CMS under Title XIX of the Social Security Act and CMS regulations, thus maximizing the amount of federal reimbursement available to the State within the Medicare Upper Limit for State Fiscal Year 2005; and

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

WHEREAS, the County desires to participate in the IGT Program with the State of Wisconsin and deems it to be in the County's best interest to enter into an Intergovernmental Transfer Agreement (the "IGT Agreement") with the State as provided herein and to participate in the IGT Program in order to enhance the County facility's reimbursement under Title XIX of the Social Security Act for State Fiscal Year 2005; and

WHEREAS, under the IGT Agreement, the County will be entitled to receive in its fiscal year 2005 certain payments from the State of Wisconsin (the "IGT Payments") attributable to State Fiscal Year 2005; and

WHEREAS, the County has not yet received those payments and is temporarily in need of funds in an amount not to exceed \$87,300,000 for the purpose of paying the cost of general and current municipal expenses, consisting of making the payments it is required to make pursuant to the IGT Agreement; and

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

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

WHEREAS, in accordance with Section 67.12(1), Wisconsin Statutes, the municipal obligations issued hereunder will not be in an amount exceeding sixty percent (60%) of the County's total actual and anticipated receipts for its fiscal year 2005 and will be repaid no later than eighteen (18) months after the first day of its fiscal year 2005.

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

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

2. Authorization of the Notes. In anticipation of receiving the IGT Payments and for the purpose of paying the cost of general and current municipal expenses, consisting of payments to be made by the County under the IGT Agreement, there shall be borrowed, pursuant to Section 67.12(1), Wisconsin Statutes, the principal sum of not to exceed \$87,300,000 from U.S. Bank, National Association, Milwaukee, Wisconsin (the "Purchaser").

3. Terms of the Note. To evidence such borrowing, the Chairperson and County Clerk are hereby authorized, empowered and directed to make, execute, issue, sell and deliver to the Purchaser for and on behalf of the County, the County's Taxable Revenue Anticipation Notes (the "Notes") in an aggregate principal amount of not to exceed \$87,300,000. The Notes shall be designated "Taxable Revenue Anticipation Notes"; shall be dated their date of issuance; shall mature on April 1, 2005 and shall bear interest at the rate set forth below:

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

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

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

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

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

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

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

constitutional debt limitation. Rather, the Notes are payable only from the otherwise unencumbered IGT Payments which the County is entitled to receive and anticipates receiving during the fiscal year in which the Notes will be issued and other available revenues, as set forth above.

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

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

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

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

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

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

Adopted and recorded this 14th day of December, 2004.

Ann Lohrmann
County Board Chairperson

Kimberly S. Bushey
County Clerk

County Board Meeting Date: December 14, 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	12/7/04	N. Andersen	12/7/04
County Administrator/ Corporation Counsel	Date	Deputy County Administrator - Finance	Date

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

Policy and Fiscal Note
Resolution No. 78-12/04

- I. Title: Authorizing an Intergovernmental Transfer Agreement with the State of Wisconsin and Taxable Revenue Anticipation Borrowing in Amount Not to Exceed \$87,300,000 Pursuant to Section 67.12(1), Wis. Stats. In Connection with Intergovernmental Transfer Program
- II. Purpose and Policy Impact Statement: The purpose of this resolution is to authorize Walworth County's participation, on behalf of Lakeland Health Care Center (LHCC), in an Intergovernmental Transfer Agreement (IGT) with the State of Wisconsin and to Authorize the issuance of Taxable Revenue Anticipation Notes not to exceed \$87,300,000.
- III. Budget and Fiscal Impact:
- Revenues that will be received through the Intergovernmental Transfer Program as reimbursement to cover Lakeland Health Care Center's Medicaid operating deficit based on financial reports are budgeted in the amount of \$1,325,000 for 2005.
- The transfer of \$87,300,000 will allow the State to seek federal financial match funds to provide Medicaid funding to Lakeland Health Care Center and the other nursing homes in Wisconsin. It is in the County's best interest to enter into an Intergovernmental Transfer Agreement with the State due to the importance of IGT to the operating budget and due to the increased IGT revenues this generates directly back to Walworth County.
- As a transfer county, Walworth County will be entitled to receive an additional sum of \$100,000 annually. Other participating counties include Rock and Sheboygan counties. The remaining funds are divided by the total certified beds for rate setting of facilities operated by counties and other local units of government.
- The State is responsible for all issuance costs.
- IV. Referred to the following standing committees for consideration and date of referral:
- Committee: Finance Meeting Date: December 14, 2004
- Vote: To be reviewed by Finance Committee prior to County Board meeting.
- County Board Meeting Date: December 14, 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

12/7/04
Date

N. Andersen
Deputy County Administrator-
Finance

12/7/04
Date

EXHIBIT A
(Form of Intergovernmental Transfer Agreement)

INTERGOVERNMENTAL TRANSFER AGREEMENT

by and among

STATE OF WISCONSIN DEPARTMENT OF ADMINISTRATION,
STATE OF WISCONSIN DEPARTMENT OF HEALTH AND FAMILY SERVICES
and

WALWORTH COUNTY, WISCONSIN

Dated as of January 1, 2005

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EXHIBIT F -	Signatory County Instruction Letter

INTERGOVERNMENTAL TRANSFER AGREEMENT

This Agreement dated as of the 1st day of January, 2005, by and among the State of Wisconsin Department of Administration ("DOA"), State of Wisconsin Department of Health and Family Services ("DHFS") and Walworth County, Wisconsin (the "County" or "Signatory County"), a municipal corporation of the State of Wisconsin (the "State").

WHEREAS, the County owns and operates a nursing/long-term care "facility" for the provision of healthcare-related services as defined in Section 49.45(6m), Wisconsin Statutes ("County Nursing Facilities"); and

WHEREAS, pursuant to Section 49.45, Wisconsin Statutes, and Title XIX of the Social Security Act ("Medicaid"), the County receives reimbursement of part of the costs associated with the County's operation of its facility; and

WHEREAS, DHFS is authorized at this time to make increased payments to nursing facilities for FY 2005 under applicable provisions of Wisconsin's Medicaid State Plan, including sections 1.304, 1.400, 4.100 and 4.500 of the Methods of Implementation for Wisconsin Medicaid Nursing Home Payment Rates for the Period July 1, 2004 through June 30, 2005; and

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

WHEREAS, the State of Wisconsin has calculated that the State has an additional \$87,300,000 within its Medicare Upper Limit for FY 2005; and

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

the Methods of Implementation for Wisconsin Medicaid Nursing Home Payment Rates ("Methods") and seek federal financial participation in such payments from CMS under Title XIX of the Social Security Act and CMS regulations, thus maximizing the amount of federal reimbursement available to the State within the Medicare Upper Limit for FY 2005; and

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

WHEREAS, the County desires to participate in the IGT Program with the State of Wisconsin and deems it to be in the County's best interest to enter into an Intergovernmental Transfer Agreement (the "IGT Agreement") with the State as provided herein and to participate in the IGT Program in order to enhance the County facility's reimbursement under Title XIX of the Social Security Act for FY 2005; and

WHEREAS, the Parties are entering into this Agreement in order to provide additional Medicaid payments to qualifying County Nursing Facilities providers that participate in the Medicaid program.

NOW, THEREFORE, in consideration of the covenants and agreements herein set forth, the Parties, intending to be legally bound, agree as follows:

I. DEFINITIONS

For purposes of this Agreement, all capitalized terms used herein shall have the following meanings, unless otherwise explicitly stated herein to the contrary.

"Agreement" means this Intergovernmental Transfer Agreement, as it may be amended and supplemented from time to time.

"Bank" means U.S. Bank, National Association, a national banking association selected by the Signatory County to purchase the note of the Signatory County, as contemplated by this Agreement, and perform the other functions of the Bank hereunder.

"Closing Date" means the date on which the transaction set forth in paragraph 5.1. of this Agreement shall occur.

"CMS" means the federal Centers for Medicare and Medicaid Services.

"County" means Walworth County, Wisconsin.

"County Nursing Facilities" means nursing homes licensed under Chapter 50 of the Wisconsin Statutes and operated by a county which are currently certified to participate in the Medicaid program.

"FFP" means the federal financial participation (i.e., payments to the State made pursuant to 42 U.S.C. Section 1396b).

"FY 2005" means the State fiscal year beginning July 1, 2004 and ending June 30, 2005.

"FY 2006" means the State fiscal year beginning July 1, 2005 and ending June 30, 2006

"Intergovernmental Transfer" means the transfer of money to the State Account from the general funds of, or proceeds from the sale of notes by, Signatory Counties as contemplated by this Agreement.

"Medicaid" means the Wisconsin Medical Assistance Program under Section 49.45 of the Wisconsin Statutes.

"Methods of Implementation for Wisconsin Medicaid Nursing Home Payment Rates" or "Methods" means those provisions of the State Medicaid Plan, designated as Attachment 4.19D, governing Medicaid payments to nursing homes, as attached hereto as Exhibit "A".

"Party" means DOA, DHFS or the County. Collectively, all are referred to as Parties.

"Signatory County" means any county that operates a County Nursing Facility and that has signed an Intergovernmental Transfer Agreement. For purposes of this Agreement, the Signatory County is Walworth County.

"Signatory County Account" means the account maintained by the Signatory County at the Bank for the purpose of making the Signatory County's Intergovernmental Transfer and receiving the Signatory County's Supplemental Payment.

"State" means the State of Wisconsin.

"State Account" means an account designated by DOA established and maintained at the Bank for the purpose of receiving the Intergovernmental Transfer and making the Supplemental Payments.

"Supplemental Payments" means the Medical Assistance payments to be made by DHFS to the Signatory County for FY 2005, as described in paragraph 5.1 of this Agreement and, with respect to the County, as set forth in Exhibit "E" hereto. For the Signatory County, the amount of the Supplemental Payment shall be equal to the sum of (a) the amount of the Intergovernmental Transfer made by the Signatory County pursuant to this Agreement and (b) the amount of the Bank's fees and program implementation costs incurred by the Signatory County in accordance with this Agreement.

II. REPRESENTATIONS AND WARRANTIES

2.1. Representations of DOA and DHFS

DOA and DHFS hereby represent and warrant as follows:

(a) The Secretary of DOA and the Secretary of DHFS are duly authorized under the Constitution and laws of the State to execute and deliver this Agreement, and DOA and DHFS have taken or are taking all actions required on their part for the execution and delivery of this Agreement and the performance of their obligations hereunder;

(b) Upon its execution by DOA and DHFS, this Agreement shall be a valid and binding obligation of DOA and DHFS, enforceable in accordance with its terms;

(c) To the best knowledge of DOA and DHFS at the time of execution, the execution and delivery of this Agreement and the performance by the State of its obligations hereunder do not conflict with any applicable law, rule or regulation and will not constitute a breach of or default under any agreement, instrument or undertaking to which the State is a party or by which it is bound; and

(d) No litigation or administrative action of any nature is now pending seeking to restrain or enjoin the execution and delivery of this Agreement by the Secretary of DOA and the Secretary of DHFS or the performance by the State of its obligations hereunder, or in any manner questioning the proceedings or authority under which the same have been effected or the validity or enforceability of this Agreement; and the State has not repealed, revoked or rescinded any authority or proceeding for the transactions on the part of the State contemplated by this Agreement.

2.2. Representations of the Signatory County

The Signatory County hereby represents and warrants as follows:

(a) The Signatory County has duly authorized the execution and delivery of this Agreement, and has taken all actions required on its part for the performance of its obligations hereunder;

(b) Upon its execution by duly authorized officers of the Signatory County, this Agreement shall be a valid and binding obligation of the Signatory County, enforceable in accordance with its terms;

(c) To the best knowledge of the Signatory County at the time of execution, the execution, delivery and performance of this Agreement by the Signatory County do not conflict with any applicable law, rule or regulation and will not constitute a breach of or default under any agreement, instrument or undertaking to which the Signatory County is a party or by which it is bound; and

(d) No litigation or administrative action of any nature is now pending seeking to restrain or enjoin the execution and delivery of this Agreement by the Signatory County or the performance by the Signatory County of its obligations hereunder, or in any manner questioning the proceedings or authority under which the same have been effected or the validity or enforceability of this Agreement; and the Signatory County has not repealed, revoked or rescinded any authority or proceeding for the transactions on the part of the Signatory County contemplated by this Agreement.

III. ONGOING OBLIGATIONS OF THE PARTIES SUBSEQUENT TO SATISFACTION OF THE CONDITIONS PRECEDENT UNDER PART IV OF THIS AGREEMENT

3.1. Cooperation. The State and Signatory County shall use their best efforts to supply to each other such reasonable assistance as may be needed to support the Intergovernmental Transfer under the terms of this Agreement.

3.2. Percentage Shares of Intergovernmental Transfer. Parties to this Agreement contemplate that the Signatory County listed on Exhibit "B" to this Agreement shall, in accordance with the terms of an Intergovernmental Transfer Agreement (substantially in the form of this Agreement), transfer to the State the amount of funds designated for such Signatory County as its percentage share of the Intergovernmental Transfer for FY 2005, as set forth in Exhibit "C".

3.3. Payment Claim Adjustments or Offsets. The State shall not reduce the amount of the Supplemental Payment due to the Signatory County in order to recover any amount alleged to have been overpaid to the Signatory County in connection with appropriations, bills or regulations of the State, provided, however, in no event shall the amount of the Supplemental Payment to the Signatory County be less than an aggregate amount equal to (i) the amount of the Signatory County's Intergovernmental Transfer and (ii) an amount equal to the County's percentage share of the Bank's fees and the program implementation costs to be paid by the State, as set forth in Exhibit "D".

3.4. Agreement Regarding Allocation of Funds. The Parties agree that the \$37.1 million intergovernmental transfer county allocation will be distributed to cover certain operating deficits of certain facilities operated by counties and other local units of government, in the priority order set forth below. All intergovernmental transfer payments to counties under this Agreement represent increased Medicaid payments allocable to FY 2005, though the payments may actually be received by the counties during FY 2005 or FY 2006. For payments received during those years the priority of distribution shall be as follows:

(a) Transfer agreement participation payment. Each county or municipality that participates in the transfer will receive \$100,000 annually, distributed to a nursing home owned or operated by the county or municipality, as a payment for participating in the transfer. For purposes of this Section 3.4(a), each of Walworth County, Rock County and Sheboygan County shall be treated as participating in the transfer to occur under this Agreement.

(b) The remaining funds are divided by the total certified beds for rate setting of facilities operated by counties and other local units of government. An equal payment per bed shall be awarded to each such facility. However, awards will be limited to the Medicaid deficit of the facility.

3.5 Agreement Regarding New Intergovernmental Transfer Funds. The Parties agree to devote all new intergovernmental transfer funds to the Medicaid Program and agree that the vast majority of intergovernmental transfer funds will be used to address nursing home funding needs.

3.6 Agreement Regarding Current GPR Funding. The Parties agree that the intergovernmental transfer funds received by the State will not be utilized to reduce or replace current GPR (General Purpose Revenue) funding (as adjusted in the Medicaid base reestimate) for the nursing home payment system.

IV. CONDITIONS PRECEDENT

4.1. Conditions Precedent. Part V of this Agreement shall become effective, unless otherwise noted below, upon the occurrence of all of the following:

(a) Intergovernmental Transfer Agreements have been signed by all the Signatory Counties and are effective;

(b) The DOA has established the State Account and the Signatory County has established the Signatory County Account;

(c) The DOA and DHFS have submitted to the Signatory County and the Bank: (i) an opinion of counsel in a form satisfactory to the Signatory County and the Bank, to the effect that, with respect to the Intergovernmental Transfer, the Secretary of DOA and the Secretary of DHFS have full authority to execute this Agreement on behalf of the State, that all provisions of this Agreement are legally binding and enforceable against the State, and that the execution, delivery and performance by DOA and DHFS of their obligations hereunder do not conflict with any law, rule, regulation or judicial ruling binding upon it; and (ii) a certificate of the Secretary of DOA and the Secretary of the DHFS, to the effect that each of the representations set forth in paragraph 2.1 hereof remains true and correct in all respects as of the Closing Date;

(d) The Signatory County has submitted to DOA and DHFS and the Bank: (i) an opinion of counsel in a form satisfactory to DOA and DHFS and the Bank, to the effect that such Signatory County has full authority to execute this Agreement, that all provisions of this Agreement are legally binding and enforceable against such Signatory County and that the execution, delivery and performance by such Signatory County of its obligations hereunder do not conflict with any law, rule, regulation or judicial ruling binding upon it; and (ii) a certificate of the Signatory County to the effect that each of the representations set forth in paragraph 2.2 hereof remains true and correct in all respects as of the Closing Date;

(e) The DOA and DHFS and the Signatory County shall otherwise be in compliance with the provisions hereof, as applicable, and DOA and DHFS shall not have given a notice of intent to terminate under paragraph 7.1; and

(f) The Signatory County has available adequate monies to meet its respective funding obligations hereunder as of the Closing Date whether through the Bank or otherwise.

V. OBLIGATIONS OF THE PARTIES ARISING UPON SATISFACTION OF THE CONDITIONS PRECEDENT UNDER PART IV OF THIS AGREEMENT

5.1. Intergovernmental Transfer.

(1) The DOA and the Bank shall set the Closing Date and shall determine prior to the Closing Date whether all circumstances and documents are in order to permit the transaction to proceed.

(2) On the Closing Date, the following shall occur in the following order:

(a) The Secretary of DOA and the Secretary of DHFS shall deliver a State Instruction Letter to the Bank, substantially in the form attached hereto as Exhibit "E" ("State Instruction Letter(s)"), with respect to the Signatory County. The DOA and DHFS covenant and agree, which covenant and agreement shall run in favor of the Bank, that neither shall revoke, recall or otherwise alter or modify any wire transfer or other transfer of funds effected by the Bank pursuant to any of the State Instruction Letters, or give other instructions with respect to the State Account or the contents therein.

(b) The DOA or DHFS shall deposit into the State Account available funds equal to the total amount of the Bank's fees and program implementation costs incurred by the Signatory Counties which are to be paid by the State.

(c) The Bank shall confirm to the DOA and the Signatory County that the amount referenced in Section 5.1.(2)(b) has been deposited in the State Account and that the State Instruction Letters have been received.

(d) The Signatory County will fund its Signatory County Account with general tax revenues or proceeds from the sale of notes to the Bank, in amounts equal to its Intergovernmental Transfer, as set forth on Exhibit "C".

(e) The Signatory County shall deliver its Signatory County Instruction Letter to the Bank substantially in the form attached hereto as Exhibit "F" ("Signatory County Instruction Letter(s)") and pursuant to such Signatory County Instruction Letter, the Bank shall transfer to the State Account from the Signatory County Account the Intergovernmental Transfer set forth in such letter.

(f) The Bank shall confirm to the Signatory County and the DOA that the aforesaid deposits have been made into the State Account.

(g) Pursuant to the State Instruction Letter, the Bank shall pay to the Signatory County its Supplemental Payment by withdrawing such amount from the State Account and depositing the same in the Signatory County Account.

(h) Upon deposit of the Supplemental Payment in the Signatory County Account, pursuant to the Signatory County Instruction Letter the Bank shall withdraw and apply the amounts stated in such letter to payment of that Signatory County's obligations to the Bank under its note, its pro rata share of the Bank's fees, and its program implementation costs. If the Signatory County funded its Signatory County Account with moneys other than proceeds from the sale of notes to the Bank, the Signatory County may withdraw the balance in its Signatory County Account after payment of its pro rata share of the Bank's fees and program implementation costs.

(i) Except as provided in paragraph 5.1.(2)(h), the County covenants and agrees, which covenant and agreement shall run in favor of the Bank, that it shall not revoke, recall or otherwise alter or modify any wire transfer or other transfer of funds effected by the Bank pursuant to the Signatory County Instruction Letter, and that no other instructions may be given with respect to its Signatory County Account or the contents therein.

5.2. Recoupment or Offset. No monies paid to the Signatory County under or resulting from this Agreement shall be recouped or offset in any way by DOA or DHFS. This provision will survive termination or expiration of this Agreement.

5.3. Subject to Appropriation. It is expressly understood and agreed by the Parties hereto that any obligation by DOA or DHFS under this Agreement shall be subject to and dependent upon appropriations being made from time to time by the State Legislature for the purposes set forth herein. The obligation of DOA or DHFS to pay the amounts provided for herein shall not constitute a debt or liability of the State within the meaning of any constitutional or statutory provision or a pledge of the faith and credit of the State and shall be deemed executory only to the extent of moneys appropriated, and no liability shall be incurred by the State, DOA or DHFS beyond the moneys then appropriated.

VI. RIGHTS OF SPECIFIC PERFORMANCE

6.1. Specific Performance Rights. Notwithstanding the availability of remedies at law, all Parties hereto shall have the right to seek specific performance of the obligations under this Agreement.

VII. TERMINATION

7.1. State's Right to Terminate. The DOA or DHFS shall have the right to terminate this Agreement for any reason upon one (1) business day's prior notice to the Parties and the Bank, and payment of the Signatory County's reasonable expenses incurred in connection herewith up to \$30,000 provided, however, the DOA or DHFS shall not be obligated to pay fees and expenses of the Signatory County in the event that the Signatory County failed to make its percentage share of the Intergovernmental Transfer as required hereunder.

7.2. Effect and Termination. The Parties agree that:

(a) This Agreement was effective and the Parties had rights and obligations under this Agreement from the date of its execution until the date of its termination;

(b) Upon termination, each of them shall be in the same position and shall have the same rights prospectively as that Party had prior to the execution of this Agreement;

(c) No Party should be prejudiced by any delay between (i) the earlier of the date it seeks specific performance and the date the DOA or DHFS gives notice of termination and (ii) the date of any decision by any court that the Agreement has been terminated;

(d) The DOA or DHFS should not be prejudiced by the performance of its obligations under this Agreement or by actions reasonably taken in reliance on the expectation that this Agreement had not been terminated during the period between (i) the date it gives any notice of termination or the date any Party seeks specific performance, and (ii) the date of any decision by any court that the Agreement has been terminated; and

(e) Any Intergovernmental Transfer made by the Signatory County shall, under all circumstances, either be returned to the Signatory County or be matched by an equal amount from Supplemental Payments made by the State either before or after the Intergovernmental Transfer.

(f) Notwithstanding anything to the contrary set forth in this Agreement, upon receiving the deposit required under paragraph 5.1.(2)(b) hereof, the Bank shall thereafter be entitled to rely completely on the corresponding State Instruction Letter and Signatory County Instruction Letter with respect to all matters pertaining to the State Account and the Signatory County Account.

VIII. MISCELLANEOUS PROVISIONS

8.1. Counterparts. This Agreement may be executed in any number of counterparts, each of which shall be deemed to be an original as against any Party whose signature appears thereon, and all of which shall together constitute one and the same instrument. This Agreement shall become effective and binding when one or more counterparts hereof, individually or taken together, shall bear the signature of the Parties.

8.2. Survival of Obligations. All obligations of the Parties shall survive until termination of the Agreement in accordance with Part VII, unless otherwise provided.

8.3. Integration. There are no oral promises, terms, conditions or obligations other than those expressly contained herein; this Agreement shall supersede all previous oral communications, representations or agreements.

8.4. Persons to Whom Notice Shall be Given. Notices to the Parties and the Bank shall be addressed as follows:

(a) Notices concerning the State shall be sent to:

David Lund
Section Chief of Nursing Services
Division of Health Care Financing
1 West Wilson Street
P.O. Box 309
Madison, Wisconsin 53707-0309

Susan Reinardy
Administrator, Division of Management
and Department of Health and
Family Technology Services
P.O. Box 7850
Madison, Wisconsin 53707-7850

Frank Hoadley
Capital Finance Director
Wisconsin Department of Administration
101 East Wilson Street
10th Floor
Madison, WI 53707-7864

with a copy to:

Neil Gebhart
Office of Legal Counsel
Department of Health and Family Services
P.O. Box 7850
Madison, WI 53707-7850

(b) Notices concerning the Bank shall be sent to:

Brian Richter
U.S. Bank, National Association
Government Banking Division
777 East Wisconsin Avenue
Mail Code: MK-WI-TGCB
Milwaukee, WI 53202

(c) Notices concerning the County shall be sent to:

Ann Lohrmann
County Board Chairperson
Walworth County Courthouse
P.O. Box 1001
Elkhorn, WI 53121

with a copy to:

David A. Bretl
Corporation Counsel and County Administrator
Walworth County Courthouse
P.O. Box 1001
Elkhorn, WI 53121

Each recipient of notice, above, shall notify his or her counterparts by first class mail and at the earliest possible date of any substitutions of persons or change in address, telephone or facsimile transmission number.

8.5. Limited Liability. It is the intention of this Agreement that no Party shall be liable for any obligations of any other Party.

8.6. Headings. The headings in this Agreement are solely for convenience and shall have no effect in the legal interpretation of any provision hereof.

8.7. Waiver. The failure of a Party hereto to insist upon strict performance of this Agreement or of any of the terms or conditions hereof shall not be construed as a waiver of any of its rights hereunder.

8.8. Supersedes Prior Agreement. This Agreement supersedes and repeals any prior agreement, contracts, and understandings written or oral, by or among the parties hereto with respect to the subject matter contained herein.

8.9. Wisconsin Law. This Agreement shall be construed according to, be subject to and be governed by the laws of the State of Wisconsin.

8.10. Amendments. This Agreement may not be amended without the written approval of all Parties.

8.11. Assignment. No Party may assign its interest in this Agreement without the prior written approval of all Parties.

8.12. No Third Party Beneficiaries. This Agreement is not intended under any circumstances to be for the benefit of any third party, or to create in favor of any third party any interest in this Agreement, provided that it is intended that the Bank shall be a third party beneficiary of this Agreement for the purpose of enforcing the obligation of the State acting through the DOA to pay the Supplemental Payment to the County pursuant to paragraph 5.1.(2)(g) of this Agreement. To that extent, this Agreement shall benefit the Bank, its successors and assigns.

8.13. Term. This Agreement shall terminate on April 1, 2005, unless terminated sooner pursuant to the provisions of Part VII.

IN WITNESS WHEREOF, each of the Parties has caused this Agreement to be executed in its name and in its behalf by its proper officials and officers, as of the day and year first above written.

(SEAL)

WALWORTH COUNTY, WISCONSIN

By: Ann Lohrmann,
Chairperson

Attest: Kimberly S. Bushey,
County Clerk

WISCONSIN DEPARTMENT OF
ADMINISTRATION

By: _____
Marc J. Marotta, Secretary

WISCONSIN DEPARTMENT OF HEALTH AND
FAMILY SERVICES

By: _____
Helene Nelson, Secretary

EXHIBIT "A"

Methods of Implementation for Wisconsin
Medicaid Nursing Home Payment Rates

(ON FILE IN COUNTY CLERK'S OFFICE)

EXHIBIT "B"

Signatory County

Walworth County

EXHIBIT "C"

Intergovernmental Transfer

<u>Signatory County:</u>	<u>Percentage Share:</u>	<u>Amount:</u>
Walworth	100.000%	\$87,300,000
TOTAL	100.000%	\$87,300,000

EXHIBIT "D"

Supplemental Payment - Walworth County

Percentage Share of Intergovernmental Transfer:	\$87,300,000
Percentage Share of Bank Fees:	20,845
Program Implementation Costs:	<u>30,000</u>
Supplemental Payment Amount:	\$87,350,845

EXHIBIT "E"

State Instruction Letter

January __, 2005

U.S. Bank, National Association
777 East Wisconsin Avenue
Milwaukee, WI 53202
Ladies and Gentlemen:

Pursuant to and in consideration of the execution of the Intergovernmental Transfer Agreement dated as of January 1, 2005, by and among the Department of Administration, the Department of Health and Family Services and Walworth County (the "Signatory County"), upon receipt of a deposit of immediately available funds (by wire transfer or interbank transfer or any combination thereof) in the amount of \$87,300,000 by the Signatory County into our State Account No. 4346842729 maintained with you, you are hereby irrevocably and unconditionally instructed instantaneously to transfer immediately available funds from said State Account to the Signatory County Account maintained with you in the amount set forth in Schedule A attached hereto and made a part hereof.

Very truly yours,

Secretary, Department of
Administration

Secretary, Department of Health
and Family Services

Acknowledged and accepted
this ____ day of January,
2005.

U.S. BANK, NATIONAL ASSOCIATION

By: _____
Title: _____

Schedule A to State Instruction Letter

<u>Name and Account No.</u>	<u>Amount of Transfer/Deposit</u>
Walworth County, Account No. 4346842711	\$87,350,845

EXHIBIT "F"
Signatory County Instruction Letter

Date: January __, 2005

U.S. Bank, National Association
777 East Wisconsin Avenue
Milwaukee, WI 53202

Ladies and Gentlemen:

Pursuant to and in consideration of the execution of the Intergovernmental Transfer Agreement dated as of January 1, 2005 (the "IGT Agreement") by and among the Wisconsin Department of Administration, the Wisconsin Department of Health and Family Services and Walworth County, Wisconsin (the "County"), and in connection with the Bank's purchase of the County's Taxable Revenue

Anticipation Note dated January __, 2005 in the aggregate principal amount of \$87,300,000 (the "Note"), you are hereby instructed as follows:

1. Upon the deposit of immediately available funds in the amount of \$87,300,000 into our Signatory County Account No. 4346842711 maintained with you, representing the purchase price of the Note, you are hereby irrevocably and unconditionally authorized to debit said Signatory County Account and transfer said amount, representing the County's Percentage Share of the Intergovernmental Transfer under the IGT Agreement, to the State of Wisconsin Account No. 4346842729 (the "State Account") maintained with you.

2. Upon receipt of a transfer or transfers of immediately available funds in the aggregate amount of \$87,350,845 from the State Account into our Signatory County Account No. 4346842711 maintained with you, you are hereby irrevocably and unconditionally authorized to debit said Signatory County Account and transfer immediately available funds in the amounts and to the persons set forth on Schedule I attached hereto and made a part hereof.

Very truly yours,

WALWORTH COUNTY, WISCONSIN

By: _____

Name: _____

Title: _____

Acknowledged and accepted
this ____ day of January,
2005.

U.S. BANK, NATIONAL ASSOCIATION

By: _____

Title: _____

Schedule I to Walworth County Instruction Letter

Payment of Funds on Closing Date
from Signatory County Account No. 4346842711

<u>Payee/Instructions</u>	<u>Amount</u>	<u>Reason for Payment</u>
U.S. Bank, National Association	\$87,300,000.00	Principal due on Note
U.S. Bank, National Association	\$ 20,845.00	Percentage Share of Bank's Fees
Transfer to following consultants (per County instructions):		
Public Financial Management, Inc.	\$ 5,000.00	Program implementation costs (financial advisory and legal fees and expenses)
Quarles & Brady LLP	25,000.00	

EXHIBIT B
(Form of Note)

TAXABLE REVENUE ANTICIPATION NOTE

No. ___

Dated January __, 2005

KNOW ALL MEN BY THESE PRESENTS that Walworth County, Wisconsin (the "County") hereby acknowledges itself to owe and promises to pay, solely from the sources pledged below, in lawful money of the United States of America to _____, _____, _____, or registered assigns (the "Bank"), on April 1, 2005, the sum of _____ Dollars (\$ _____) together with interest thereon and at a rate set forth below:

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

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

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

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

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

This Note is issued pursuant to Section 67.12(1) of the Wisconsin Statutes in anticipation of receiving payments to which the County is entitled under an Intergovernmental Transfer Agreement between the County and the State of Wisconsin dated as of January 1, 2005 (the "IGT Agreement"), and for the purpose of paying the cost of general and current municipal expenses, consisting of payments to be made by the County under the IGT Agreement, as authorized by a resolution of the Governing Body of the County duly adopted at a lawful open meeting held on December 14, 2004. Said resolution is recorded in the official minutes of said Governing Body for said date.

THIS NOTE IS PAYABLE ONLY FROM PAYMENTS MADE UNDER THE IGT AGREEMENT WHICH THE COUNTY IS ENTITLED TO RECEIVE AND ANTICIPATES RECEIVING IN THE CURRENT FISCAL YEAR (THE "IGT PAYMENTS"), AND, TO THE EXTENT NECESSARY, OTHER AVAILABLE REVENUES RECEIVED FOR OPERATION AND MAINTENANCE OF THE COUNTY. THIS NOTE DOES NOT CONSTITUTE AN INDEBTEDNESS OF THE COUNTY WITHIN THE MEANING OF ANY CONSTITUTIONAL OR STATUTORY LIMITATION OR PROVISION. BOTH THE PRINCIPAL OF AND INTEREST ON THIS NOTE ARE PAYABLE IN LAWFUL MONEY OF THE UNITED STATES AT THE OFFICE OF THE COUNTY TREASURER, COURTHOUSE SQUARE, ELKHORN, WISCONSIN.

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

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

WALWORTH COUNTY, WISCONSIN

By: _____
Chairperson

(SEAL)

And: _____
County Clerk

On motion by Supervisor Kuhnke, seconded by Supervisor Morrison, item 4, Resolution 80-12/04, was approved by voice vote.

Resolution No. 80-12/04
Authorizing List Of Financial Depositories And Investment Firms For County Funds

Moved/Sponsored by: Finance Committee

WHEREAS, Section 59.61 (2), Wisconsin Statutes, requires that the county board designate one or more credit unions, banks, savings banks, savings and loan associations, or trust companies organized and doing business under the laws of this state or federal law, located in this state, as county depositories. In addition to the depositories specified above the local government pooled-investment fund may be designated as a depository for investment purposes; and,

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

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

AnchorBank, FSB
Associated Bank, N.A.
Bank One, Wisconsin
Citizens Bank of Mukwonago, EastTroy
Commercial Bank, Whitewater
Community Bank of Delavan
F & M Bank - Wisconsin
First Citizens State Bank
First National Bank and Trust
Mid America Bank
Peoples Bank
St. Francis Bank (Div of Mid America FSB)
State Financial Bank
U S Bank
Walworth State Bank

and

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

qualified as public depositories under Chapter 34 of the Wisconsin Statutes, shall be and are hereby designated until further action, as public depositories for all public monies coming into the hands of the treasurer and/or the clerk of circuit court of the County of Walworth, State of Wisconsin.

BE IT FURTHER RESOLVED THAT, the Treasurer and the clerk of circuit court are authorized to invest funds pursuant to the Walworth County Investment Policy in securities authorized by that policy utilizing brokers approved by the county board.

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

BE IT FURTHER RESOLVED, that in accordance therewith, all checks shall be signed by facsimile signatures of the following persons: county board chair, treasurer and county clerk.

BE IT FURTHER RESOLVED, that for those funds invested and/or deposited by the clerk of circuit court, pursuant to s.59.40, Wis. Stats., that said funds may be withdrawn on order, check or wire transfer upon the facsimile signature of the clerk of circuit court.

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

ACCOUNT DESCRIPTION	AUTHORIZING SIGNATURE(S)
Treasurer:	
Depository	County Board Chair, County Clerk, County Treasurer (by facsimile)
Accounts Payable	County Board Chair, County Clerk, County Treasurer (by facsimile)
Payroll	County Board Chair, County Clerk, County Treasurer (by facsimile)
Clerk of Courts:	
Depository	Clerk of Circuit Court, Courts Office Manager, Register in Probate
General	Clerk of Circuit Court, Courts Office Manager, Register in Probate
CCAP Account (Consolidated Court Automation Program)	Clerk of Circuit Court, Courts Office Manager, Register in Probate
Sheriff:	
Sheriff Trust	Sheriff, Undersheriff, Account Clerk (2)
Civil Process	Sheriff, Undersheriff, Account Clerk (2)
Huber Trust	Sheriff, Undersheriff, Account Clerk (2), Correctional Sergeants (14)
Inmate Trust	Sheriff, Undersheriff, Account Clerk (2), Correctional Sergeants (14)
Lakeland Health Care Center:	
Resident Fund	Administrator, Business Office Manager
Donated Funds	Administrator, Business Office Manager
Resident Council Fund	Social Work Supervisor
Lakeland School	
Student Council	Student Council Advisor, Administrator, School Bookkeeper
Health and Human Services Dept.	
Supportive Home Care	David L. Scrima, S.C.

Money Market Ckg.
Nutrition Sites (4)

Director, Assistant Director, Protective Payee
County Board Chair, County Clerk, County Treasurer
(by facsimile)

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

BE IT FURTHER RESOLVED, that the county board chair, county clerk, county administrator, treasurer and clerk of circuit court are hereby authorized and directed to sign the appropriate contract and necessary ancillary agreements on behalf of Walworth County.

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

BE IT FURTHER RESOLVED, that all previous resolutions relating to authorized depositories are hereby repealed and are no longer in force or effect.

Ann Lohrmann	12/22/04	Kimberly S Bushey	
County Board Chairperson	Date	County Clerk	Date

County Board Meeting Date: December 14, 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	12/7/04	N. Andersen	12/7/04
County Administrator/ Corporation Counsel	Date	Deputy County Administrator - Finance	Date

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

Policy and Fiscal Note
Resolution No. 80-12/04

- I. Title: Authorizing List of Financial Depositories and Investment Firms for County Funds
- II. Purpose and Policy Impact Statement: This resolution updates resolution 62-10/03 as to list of authorized financial depositories. The authorized financial institutions are subject to ongoing review.

Following is a list of changes to the former resolution:

- Delete First Banking Center
- Delete Fort Community Credit Union
- Add Division Name to St. Francis Bank (Div of Mid America FSB)
- Add State Financial Bank

Reference changes:

- Remove individual names of county board chair, treasurer and county clerk

Change clerk of courts to clerk of circuit court
Change county board chairman to county board chair
Remove actual imprint of facsimile signatures

III. Budget and Fiscal Impact: Adoption of this updated resolution helps provide internal controls related to cash and cash handling activities. There is no budget impact.

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

Committee: Finance Meeting Date: December 14, 2004

Vote: 7 - 0

County Board Meeting Date: December 14, 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	12/7/04	N. Andersen	12/7/04
County Administrator/ Corporation Counsel	Date	Deputy County Administrator - Finance	Date

Supervisor Hilbelink offered a motion, seconded by Supervisor Arnold, to approve Resolution No. 81-12/04. County Administrator Bretl gave an overview of this resolution. Bretl said that the electrical system at the County Annex complex is aging and there are a number of advantages to a new loop system, which is being proposed tonight. Bretl listed advantages of the new system: safety, reliability, expandability, legality of separate metering for legal purposes, and the cost factor of owning an infrastructure which would be shifted over to the utility at the end of its useful life.

Shane Crawford, Director of Public Works, said that he distributed a packet to the Supervisors with additional information regarding the resolution. Crawford introduced Curt Krupp, Muermann Engineering, subcontractor for Plunkett Raysich, and Art Schmitz, Electric Utility Director, City of Elkhorn. Mr. Krupp showed a diagram of the plan and explained the plan. Crawford said this system would also meter each building to show how much electricity is used in each building. Art Schmitz addressed the Board and explained the advantages of the loop. Mr. Schmitz said it is important that the loop be in place before the new nursing home facility is completed. This system would complete the loop around the complex and would upgrade the buildings. Crawford said he was uncomfortable with the use of the Contingency Fund and the approval would put the money in a budget for use for this project and then later the Public Works committee would approve the plan.

On motion by Supervisor Van Dreser, seconded by Supervisor Morrison, Resolution No. 81-12/04 was approved by unanimous consent.

Resolution No. 81-12/04

Authorizing the Transfer of \$95,285 from the Contingency Fund
to the Appropriate Project Fund for the Purpose of
Upgrading Electrical Systems at the County Annex Complex

Moved/Sponsored by: Finance Committee

WHEREAS, electrical service at the county annex complex has been in need of upgrades for some time;
and,

Land Conservation Committee

1. Resolution No. 73-12/04 – Supporting the Application for the Control of Invasive Species Grant
2. Resolution No. 74-12/04 – Supporting the Amendment to the Regional Water Quality Management Plan for the Sanitary Sewer Service Area for the Walworth County Metropolitan Sewerage District-Delavan/Delavan Lake Sanitary Sewer Service Area
3. Resolution No. 75-12/04 – Opposing the Amendment to the Sanitary Sewer Service Area for the City of Lake Geneva and Environs

Supervisor Burwell requested that item 3 be considered separately.

On motion by Supervisor Van Dreser, seconded by Supervisor Burwell, item 1, Resolution No. 73-12/04 and item 2, Resolution No. 74-12/04, were approved by voice vote.

Resolution No. 73-12/04
Supporting the Application for the Control of Invasive Species Grant

Moved/Sponsored by: Land Conservation Committee

WHEREAS, the Walworth County Board of Supervisors adopted the amended County Land & Water Resource Management Plan pursuant to Resolution No. 98-02/04; and,

WHEREAS, the Walworth County Land & Water Resource Management Plan addressed the goal to protect and restore the natural communities to sustain bio diversity and increase public awareness; and,

WHEREAS, *Alliaria petiolata*, more commonly known as garlic mustard, a non-native invasive biannual plant, is threatening to displace native flora; and,

WHEREAS, grant funding is available to partially reimburse counties for costs incurred to control the spread of garlic mustard (“Grant”); and,

WHEREAS, the purpose of the Grant is to inform and educate the general public on methods to suppress and/or eradicate the growth of invasive species when funding sources become available; and,

WHEREAS, the Grant would offset local expenditures for up to 50% of eligible administrative costs and the contribution of existing personnel involved in the program; and,

WHEREAS, the Grant, if awarded, will commence in May, 2005.

NOW, THEREFORE, BE IT RESOLVED, that the Walworth County Board of Supervisors authorizes and directs the appropriate land use and resource management staff, as designated by the county board chairperson, to submit a Grant application for the purpose of obtaining the Grant; and

BE IT FURTHER RESOLVED, that upon receipt of the Grant, land use and resource management department, on behalf of the Walworth County land conservation committee, will submit the appropriate budget amendments and redirect personnel to offset the grant expenditures.

Ann Lohrmann
County Board Chairman

Kimberly S. Bushey
County Clerk

County Board Meeting Date: December 14, 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	12/6/04	N. Andersen	12/6/04
County Administrator/ Corporation Counsel	Date	Deputy County Administrator - Finance	Date

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

Policy and Fiscal Note
Resolution No. 73-12/04

- I. Title: Supporting the Application for the Control of Invasive Species Grant
- II. Purpose and Policy Impact Statement: Provide the tools and staff available to inform and educate students, various groups and organizations, landowners and municipalities in the suppression of invasive species throughout Walworth County.
- III. Budget and Fiscal Impact: The grant will reimburse the county at a rate of 50% for educational tools and equipment used in the program, along with reimbursement of the administrative expenditures related to printing, postage, mileage and salaries and/or consultants to implement this program. Grant revenues to cover the administration of this program will be based on actual expenses to obtain the goals of the grant and offset by in-kind hours of existing personnel. County's administrative costs will not exceed \$52,807 including in kind for 50% reimbursement of \$26,401 through this federal Grant Award.

The appropriate budget amendment will be submitted to the finance department by the land use and resource management department upon receipt of the grant. Funds in the existing 2005 land conservation budget will be used to fulfill the county's requirement for the grant.

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

Committee: Land Conservation Committee Meeting Date: November 11, 2004

Vote: 7-0

County Board Meeting Date: December 14, 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	12/6/04	N. Andersen	12/6/04
County Administrator/ Corporation Counsel	Date	Deputy County Administrator - Finance	Date

Resolution No. 74-12/04

Supporting the Amendment to the Regional Water Quality Management Plan for the Sanitary Sewer Service Area for the Walworth County Metropolitan Sewerage District – Delavan/Delavan Lake 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

Policy and Fiscal Note
Resolution No. 74-12/04

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 – Delavan/Delavan Lake 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 Sewerage District - Delavan/Delavan Lake 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: November 15, 2004

Vote: 7 - 0

County Board Meeting Date: December 14, 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	11/23/04	N. Andersen	11/29/04
County Administrator/ Corporation Counsel	Date	Deputy County Administrator - Finance	Date

Supervisor Polyock offered a motion, seconded by Supervisor Russell, to approve item 3, Resolution No. 75-12/04. Discussion ensued. Michael Cotter addressed the Board. Cotter said that the Land Conservation Committee raised concerns about the proposed amendment extending into the primary environmental corridor, the permitted density allowable in that area, and the steep slopes in the primary environmental corridor. Cotter said that he received a letter from SEWRPC, which addresses the concerns of the Land Conservation Committee. Cotter said that all three concerns have been met and that SEWRPC has requested that the County approve the resolution. Supervisor Burwell offered a motion, seconded by Supervisor Lightfield, to amend Resolution No. 75-12/04, page two, line two, (page 96, line 2 of the agenda packet), by changing the word “opposes” to approves, and that the title be changed from “Opposing” to Approving the Amendment to the Sanitary Sewer Service Area for the City of Lake Geneva and Environs. The amendment was approved by voice vote. Resolution No. 75-12/04 was approved as amended by voice vote.

Resolution No. 75-12/04

~~Opposing~~ Approving the Amendment to the Sanitary Sewer Service Area for the City of Lake Geneva and Environs
AMENDED

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, by letter dated October 14, 2004 the City of Lake Geneva requested that SEWRPC amend the Sanitary Sewer Service Area for the City of Lake Geneva and Environs to include certain lands located immediately adjacent to, but 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 City of Lake Geneva to Amend the Lake Geneva 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 City of Lake Geneva and SEWRPC held on November 22, 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 November 15, 2004 regular meeting; and,

WHEREAS, on November 15, 2004 the Land Conservation Committee raised concerns about the proposed amendment extending into the primary environmental corridor, the permitted density allowable in that area, and the steep slopes in the primary environmental corridor; and,

WHEREAS, the Land Conservation Committee directed Land Use and Resource Management staff to attend the public hearing and voice the concerns about the primary environmental corridor, steep slopes, and density; and

WHEREAS, SEWRPC will take action on this proposed amendment to the regional water quality management plan and the plan will be submitted to the Wisconsin Department of Natural Resources and the Wisconsin Department of Commerce for their review.

NOW, THEREFORE, BE IT RESOLVED by the Walworth County Board of Supervisors that Walworth County ~~opposes~~ approves the Amendment to the Sanitary Sewer Service Area for the City of Lake Geneva and Environs; and

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

Ann Lohrmann
County Board Chairperson

Kimberly S. Bushey
County Clerk

Action Required: Majority X Two-thirds _____ Other _____

County Board Meeting Date: December 14, 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	11/24/04	N. Andersen	11/29/04
County Administrator/ Corporation Counsel	Date	Deputy County Administrator - Finance	Date

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

Policy and Fiscal Note
Resolution No. 75-12/04

I. Title: Opposing the Amendment to the Sanitary Sewer Service Area for the City of Lake Geneva and Environs.

II. Purpose and Policy Impact Statement:

The purpose of this resolution is to oppose the amendment to the regional water quality management plan for the sanitary sewer service area for the city of Lake Geneva and environs.

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: Land Conservation Meeting Date: November 15, 2004

Vote: 7 - 0

County Board Meeting Date: December 14, 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	11/24/04	N. Andersen	11/24/04
County Administrator/ Corporation Counsel	Date	Deputy County Administrator- Finance	Date

Chairperson's Report

Chairperson Lohrmann informed the Supervisors that Supervisor Jerry Grant is recuperating at Meritor Hospital and is accepting visitors. Lohrmann said that the Board wishes him well.

Chairperson Lohrmann announced that this would be Supervisor Chris Goebel's last County Board meeting. She said that it has been a great privilege to work with him and that the Board wishes him well. Supervisor Goebel thanked the Board, and said that he would miss everyone.

Chairperson Lohrmann announced that Michael Kohl, Director of Health & Human Services, is retiring. Lohrmann acknowledged the hard work and dedication of Kohl in his work as Director of Health & Human Services and she said that the Board also wishes him well.

The next County Board meeting will be held on January 11, 2005 with an Orientation at 5:00 p.m. and the regular meeting at 6:00 p.m.

Reports of Special Committees

There were no Reports of Special Committees.

Adjournment

On motion by Supervisor Downing, seconded by Supervisor Morrison, the meeting of the County Board of Supervisors was adjourned at 8:15 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 December 14, 2004 meeting.