

**RESOLUTION
ROCK COUNTY BOARD OF SUPERVISORS**

Richard Greenlee
INITIATED BY



Richard Greenlee
DRAFTED BY

County Board Staff Committee
SUBMITTED BY

February 12, 2018
DATE DRAFTED

**AUTHORIZING CORPORATION COUNSEL TO FILE FOR PARTY STATUS ON BEHALF
OF ROCK COUNTY IN CASE NO. 18 CV 40, IN RE THE MATTER OF: THE
INCORPORATION OF A PORTION OF LANDS COMPRISING THE TOWN OF BELOIT**

1 **WHEREAS**, the Town of Beloit has filed a petition for incorporation with the Rock County Circuit
2 Court in Rock County Circuit Court case number 18 CV 40; and
3
4 **WHEREAS**, pursuant to Wisconsin Statute the Circuit Court shall hold a hearing on whether the
5 standards set forth in Wis. Stat. § 66.0205 have been met, and if the Court finds such standards met,
6 refer the petition for incorporation to the board of incorporation for consideration of the standards set
7 forth in Wis. Stat. § 66.0207; and
8
9 **WHEREAS**, pursuant to Wisconsin Statute, Rock County is not automatically a party to the Court
10 proceedings; and
11
12 **WHEREAS**, any person found by the Court to be a person in interest may become a party; and
13
14 **WHEREAS**, becoming a party to the incorporation proceeding gives Rock County the right to
15 participate in all stages of the incorporation process; and
16
17 **WHEREAS**, the Rock County Board of Supervisors has resolved to oppose the Town of Beloit's
18 petition for incorporation in Resolution No. 18-1B-443; and
19
20 **WHEREAS**, it is in Rock County's interest to petition the Court to become a party to the incorporation
21 proceedings to protect the County's interests, preserve its rights, and be able to fully participate in the
22 incorporation process.
23
24 **NOW, THEREFORE, BE IT RESOLVED** by the Rock County Board of Supervisors duly assembled
25 this 2nd day of February, 2018, that the Rock County Corporation Counsel, is hereby
26 authorized to take all appropriate and necessary action to become a party in Rock County Circuit Court
27 case number 18 CV 40, and to take any further action as is necessary to effectuate the stated policy of
28 the Board of Supervisors in Resolution No. 18-1B-443.

18-2B-459

Respectfully submitted:

COUNTY BOARD STAFF COMMITTEE

J Russell Podzilni
J Russell Podzilni, Chair

Sandra Kraft
Sandra Kraft, Vice Chair

Absent
Eva Arnold

Henry Brill
Henry Brill

Betty Jo Bussie
Betty Jo Bussie

Mary Mawhinney
Mary Mawhinney

Louis Peer
Louis Peer

Alan Sweeney
Alan Sweeney

Terry Thomas
Terry Thomas

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FISCAL NOTE:

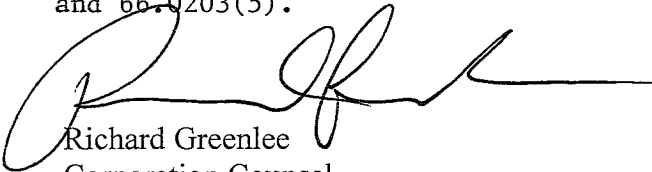
Fiscal impact is unknown at this time.



Shefry Oja
Finance Director

LEGAL NOTE:

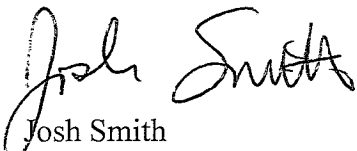
The County is authorized to take this
action pursuant to Wis. Stats. §§ 59.01
and 66-0203(5).



Richard Greenlee
Corporation Counsel

ADMINISTRATIVE NOTE:

Recommended.



Josh Smith
County Administrator