

THE JUNE 8, 2004 SESSION
OF THE
WALWORTH COUNTY BOARD OF SUPERVISORS

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

Supervisor Allen Morrison delivered the invocation. Father David Braun, Retired, St. Francis Church, Lake Geneva, as listed on the agenda, was unable to attend.

All Supervisors were present except Supervisors Downing, Muzatko and Polyock and a quorum was established.

Amendments, Withdrawals, and Approval of Agenda

On motion by Supervisor Kuhnke, seconded by Supervisor Hilbelink, item #5, Correspondence from Supervisor Randy Hawkins regarding Towns and County Zoning, under Correspondence and Matters to be Referred, was withdrawn from the agenda.

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

Approval of the Minutes

On motion by Supervisor Grant, seconded by Supervisor Arnold, the minutes of the May 11, 2004 Orientation Meeting were approved.

Supervisor Morrison offered a motion, seconded by Supervisor Waelti, to approve the minutes of the May 11, 2004 regular meeting of the Walworth County Board. Supervisor Russell offered a motion, seconded by Supervisor Ketchpaw, to amend the minutes on Page 2, paragraph two, line 3, adding the word petitions after the word packet and changing the word from “850 petitions” to 850 signatures. The amended line would be as follows: “Ms. Malsch...submitted a packet of petitions of approximately 850 ~~petitions~~ signatures to the County Clerk’s office.”

Comment Period by Members of the Public

Bob Dignan, W4655 County J, East Troy, addressed the Supervisors in regard to the case of County of Walworth vs Randall Williams. Mr. Dignan said he does not understand why the County is still spending tax dollars to pursue an appeal of a case that the County has already won. Mr. Dignan would like the County to look at what is fair as opposed to what may be financially lucrative.

Randy Williams, N9103 Oakwood Lane, East Troy, addressed the Supervisors regarding Walworth County’s appeal against himself and his family. Mr. Williams said that the Corporation Counsel is seeking larger fines against him even though the County’s case has

already been won and the fines have been paid. Mr. Williams asked that the Corporation Counsel retract the appeal.

Bill Jacques, N6009 Bowers Road, Elkhorn, addressed the Supervisors regarding the composition of the zoning board. Mr. Jacques said that the zoning board is made up of three members from districts 11, 22, and 23, which have no constituents that are affected by the zoning board. He went on to say that after the vote tonight, there may be a fourth member who is not from a district affected by the zoning board. Mr. Jacques said he has land in four townships and three of those townships are asking to get out of County zoning because they have no representation. Mr. Jacques also addressed a problem he has with Land Conservation. Mr. Jacques thinks that there are too many restrictions placed on landowners trying to put farmland back into shape. He said he does not understand why the County wants to regulate agriculture in the County by keeping land zoned for agriculture, but does not want to be in the agriculture business.

Appointments/Elections

1. Commission on Aging
 - Appointment of Patti Pagel for a term from July 1, 2004 – June 30, 2007
 - Reappointment of:
 - Don Kret for a term from July 1, 2004 – June 30, 2007
 - Joyce Ketchpaw for a term from May 1, 2004 – April 30, 2006

On motion by Supervisor Goebel, seconded by Supervisor Russell, the above appointments were approved.

2. County Zoning Agency
 - G. Stewart Mathison – Term June 30, 2004 to June 30, 2006
 - Mr. Mathison received 6 votes for appointment.
 - A recommendation on his term was approved 7-0.
 - Jeffrey Schramm – Term: June 30, 2003 to June 30, 2005
 - Mr. Schramm received 5 votes for appointment.
 - A recommendation on his term was approved 7-0.

A motion was offered by Supervisor Lein, seconded by Supervisor Ketchpaw, to approve the above appointments to the County Zoning Agency. Discussion ensued. Supervisor Goebel explained the interview process of the Executive Committee. County Administrator Bretl explained that if the appointments are not approved at the meeting tonight, the citizen member holds the seat until replaced.

On motion by Supervisor Hilbelink, seconded by Supervisor Grant, the question was called. A roll call vote was held to approve the appointment of G. Stewart Mathison to the County Zoning Agency. Total vote: 22; Ayes: 10 – Felten, Goebel, Grant, Hilbelink, Ketchpaw, Lein, Lightfield, Russell, Weber, Lohrmann; Noes: 12 – Arnold, Burwell, Guido, Hawkins, Kuhnke, Morrison, Parker, Schaefer, Stacey, Van Dreser, Waelti, Wagie-Troemel; Absent: 3 – Downing, Muzatko, Polyock. The roll call vote failed and the appointment will be sent back to committee.

Supervisor Goebel offered a motion, seconded by Supervisor Grant, to approve Jeffrey Schramm as a citizen member on the County Zoning Agency. Discussion ensued. Supervisor Arnold stated that it would make sense, since the roll call vote failed to confirm Mr. Mathison, to send Mr. Schramm's appointment back to committee also as he received one less vote from the Executive Committee than Mr. Mathison. Supervisor Goebel offered a motion to withdraw his motion, seconded by Supervisor Arnold, to approve Mr. Schramm's appointment and recommended that the Board refer both appointments back to the committee. The appointments will be sent back to the committee.

2. Lake Geneva Library Board
 - Virginia Cornue – Term to expire June 30, 2007

On motion by Supervisor Morrison, seconded by Supervisor Wagie-Troemel, Virginia Cornue's appointment to the Lake Geneva Library Board was approved.

3. Economic Development Advisory Committee
 - Dave Bollweg, Town of Linn
 - Greg Holden, Town of Linn (alternate)
 - Chris Collins, Town of Sugar Creek
 - Jim Simons, Town of Spring Prairie (alternate)
 - Joe Cardiff, City of Lake Geneva (alternate)
 - Bill Loesch, Village of East Troy
 - Todd Watters, Village of Walworth

On motion by Supervisor Goebel, seconded by Supervisor Schaefer, the above appointments to the Economic Development Board were approved.

Communications and Matters to Be Referred

1. Claims
2. Notice of Claim – There were no claims.
3. Correspondence from Supervisor Randy Hawkins regarding Federal funding and County support of Lakeland School was referred to the Children with Disabilities Education Board.
4. Letter from Dave Bollweg, Town of Linn Chairman, regarding withdrawal from County zoning was referred to the County Zoning Agency.
5. Correspondence from Supervisor Randy Hawkins regarding Towns and County Zoning to be referred to the County Zoning Agency was removed from the agenda and placed on file.
6. Letter from Supervisor Jerry Grant resigning from the Health and Human Services Board was referred to the Health and Human Services Board.
7. Correspondence from Supervisor Randy Hawkins regarding Random Drug Testing of County Employees was referred to the Human Resources Committee.
8. Correspondence from Supervisor Randy Hawkins regarding Assisting Displaced LHCC Employees and Extend a Care was referred to the Lakeland Health Care Center Board.

9. Letter from Karen Barber, Executive Director, Association for the Prevention of Family Violence, regarding office space at the Lakeland Health Care Center or the downtown Courthouse was referred to the Public Works Committee.
10. Report of the County Clerk Concerning Communications Received by the Board and Recommended to be Placed on File was included in your agenda packet.

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

- Tonight's agenda, amended June 7, 2004, with attached applications to serve as citizen representatives for the Commission on Aging.
- Letter from Supervisor Roy Lightfield regarding Camp Dewan was referred to the County Zoning Agency.
- Letter from Sheriff David Graves and a resolution to designate Walworth County Sheriff's Department as Walworth County Wireless 9-1-1 Answering Point was referred to the Executive Committee.
- Page 2 of the minutes of the Lakeland Health Care Center Board of Trustees Meeting of May 20, 2004 which was omitted from the minutes agenda packet was placed on file.
- Official Directory of Walworth County 2004-2005
- Letter from Rick Stacey regarding Agri-Business Direct Marketing was referred to Executive Committee.
- Correspondence from Village Presidents regarding Smart Growth Plan was referred to County Zoning Agency.

11. The following Report of County Clerk Concerning Zoning Gone into Effect was read and placed on file:

- Hidden Valley Properties, LLC (Atty. James Howe, App.), Town of Lafayette
- Dr. William Basil, Town of Lyons
- David Ahler, Town of Lafayette
- Stanley and Maria Odling (Maria Odling, App.), Town of Delavan

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

- Concetta Gerambia and Daniel Hurzeler, Town of Bloomfield, R-2 to B-4
- Kenneth Held, Town of Lyons, A-1 to A-4
- Kevin A. Hellenbrand (RSV Engineering, App.), Town of East Troy, A-1 to B-2
- Michael and Mary Pautz, Town of Troy, A-2 to C-2
- Richard E. and Joan L. Osborne (Joan L. Osborne, App.), Town of LaGrange, A-1 to C-2
- Jozef Gorga, Town of Bloomfield, A-2 to R-2
- S. Terry Woods, Town of Linn, A-1 & A-2 to A-5
- Amendment to the Walworth County Land Use Plan and the 2000 Walworth County Park and Open Space Plan in regard to removing that portion of the Ice Age Trail running on the east, west, and south sides of Whitewater Lake. Copies of the 2020 Land Use Plan shall be

available at the Walworth County Clerk's Office or at the office of the Walworth County Land Use and Resource Management Department.

Unfinished Business

New Business

Reports of Standing Committees

County Zoning Agency Report of Proposed Zoning Amendments

1. Text Amendment to Walworth County Code of Ordinances, Subdivisions, Chapter 58 (58-4.5, 58-4.9, 58-4.10, 58-7.5, 58-7.6, 58-7.7), approved 5-0 (4-27-04 public hearing)
2. Michael P. Johnston, Town of Delavan, Rezone one acre of A-1 to B-2, approved 5-0 (3-18-04 public hearing)
3. Surrey Ridge Investments, LLC, Town of Troy, Rezone 5.67 acres of A-1 to C-2, approved 5-0 (4-27-04 public hearing)
4. Michael J. Nigbor, Town of Lafayette, Rezone 1.44 acres of A-1 to A-5, approved 5-0 (4-27-04 public hearing)
5. Donald Woelky (Atty. David W. Schiltz, App.), Town of Geneva, Rezone .13 acres of A-2, R-1 & C-1 to B-3, approved 5-0 (4-27-04 public hearing)
6. Terry and Peggy Lilley, Town of Lyons, Rezone .14 acres C-4 to R-2, approved 5-0 (4-27-04 public hearing)
7. Carl S. Michalski et al (Regency Hills Development Corp., App.), Town of Bloomfield, Rezone 95.23 acres of A-1, C-1, C-2, & C-4 to R-2, C-1, & C-4, approved 4-1 (4-27-04)
8. Dennis L. Unbehaun, Town of Bloomfield, Rezone 52.33 acres of A-1 to A-2, denied 4-1 (4-27-04 public hearing)
9. Plat of the Second Addition to Oakwood Cemetery, Town of Sharon, Walworth County, 3.5 acres, approved 5-0 (7-21-02 public hearing)

Supervisor Van Dreser offered a motion to concur with the Report of the County Zoning Agency, seconded by Supervisor Russell. Supervisor Waelti asked to separate items #7 & #8. The motion to concur with the Report of the County Zoning Agency on Items #1, #2, #3, #4, #5, #6, and #9 were approved. Discussion ensued on item #7. Item #7 was approved by voice vote. Supervisors Van Dreser, Burwell, Guido, Morrison, Lohrmann, Lightfield, and Arnold requested their votes be recorded as "No." Discussion ensued on Item #8. The motion to concur with the County Zoning Agency Report on the denial of item #8 was approved. Supervisors Waelti, Schaefer, and Guido voted no.

County Zoning Agency

1. Resolution No. 15-06/04 – Approving the Proposed Plat of the Second Addition to Oakwood Cemetery Located in the Town of Sharon

On motion by Supervisor Kuhnke, seconded by Supervisor Morrison, **Resolution No. 15-06/04** was approved.

Executive Committee

1. Ordinance No. 265-06/04 – Amending Chapter 2 of the Code Specifying Procedures for the Manner in Which the Board will Direct Litigation
2. Resolution No. 16-06/04 – Establishing Dates for Quarterly “Committee of the Whole” Meetings of the County Board Beginning in July 2004

On motion by Supervisor Goebel, seconded by Supervisor Russell, **Ordinance No. 265-06/04** was approved by voice vote.

On motion by Supervisor Goebel, seconded by Supervisor Ketchpaw, **Resolution No. 16-06/04** was approved by voice vote.

Finance Committee

1. Resolution No. 14-06/04 – Creating Sufficient Funding for Unemployment Compensation Expenses Related to Elimination of Horticulturist Position

Supervisor Lightfield offered a motion to approve Resolution No. 14-06/04, seconded Supervisor Russell. This resolution required a 2/3 vote. On motion by Supervisor Van Dreser, seconded by Supervisor Morrison, **Resolution No. 14-06/04** was approved by unanimous consent.

Human Resources Committee

1. Ordinance No. 266-06/04 – Amending Chapter 15 of the Walworth County Code of Ordinances to Change Compensation Practices for RN and LPN Unit Supervisor Positions

On motion by Supervisor Burwell, seconded by Supervisor Hilbelink, **Ordinance No. 266-06/04** was approved by voice vote.

Public Works

1. Resolution No. 13-06/04 – Supporting the Installation of 45 m.p.h. Speed Limit Signs at the Intersection of CTH “J” and Briggs Street in the Town of Troy

On motion by Supervisor Felten, seconded by Supervisor Ketchpaw, **Resolution No. 13-06/04** was approved by voice vote.

Reports of Special Committees

There were no reports of special committees.

Chairperson's Report

The Chairperson had no report.

Supervisor Hilbelink announced that the one-year anniversary of the bike club was on Saturday. Supervisor Hilbelink said that eight benches were donated and added to the trail and it has improved the overall appearance of the trail.

Supervisor Lein announced that the American Legion Post of Whitewater is conducting a raffle. He read the list of items to be raffled. If anyone is interested, the tickets are 6 for \$5.00. The drawing will be on July 11, 2004 in the Legion building at Whitewater and you do not need to be present. Supervisor Lein said he has tickets for sale after the meeting.

Supervisor Guido thanked the Chairperson for her brilliant idea to have the auction for Lakeland School instead of the annual dinner.

Adjournment

On motion by Supervisor Van Dreser, seconded by Supervisor Waelti, the meeting of the Walworth County Board of Supervisors adjourned at 6:55 p.m.

Kimberly S. Bushey
County Clerk

STATE OF WISCONSIN)
)SS
COUNTY OF WALWORTH)

I, Kimberly S. Bushey, County Clerk in and for the County aforesaid, do hereby certify that the foregoing is a true and correct copy of the proceedings of the County Board of Supervisors for the June 8, 2004 meeting.

(These minutes are not final until approved by the County Board at the next regularly scheduled County Board meeting.)