

THE SEPTEMBER 8, 2005 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.

Invocation

Reverend Gerald Petersen, Sugar Creek Lutheran Church, delivered the invocation.

Roll Call

All Supervisors were present except Supervisors Kuhnke, Morrison, and Schaefer. A quorum was established.

Amendments, Withdrawals, and Approval of Agenda

Chair Lohrmann announced that an amended agenda and attachments was distributed to the Supervisors before the meeting this evening. On motion by Supervisor Grant, seconded by Supervisor Russell, the evening's amended agenda was approved.

Approval of the Minutes

On motion by Supervisor Ketchpaw, seconded by Supervisor Muzatko, the minutes of the August 9, 2005 County Board Meeting were approved.

Comment Period by Members of the Public

There were none.

Special Order of Business

- Presentation of Resolution No. 23-06/05 – Congratulating the University of Wisconsin-Whitewater Baseball Team on the Occasion of Their National Championship

Chair Lohrmann requested that Supervisors Lein, Grant, and Wagie-Troemel come forward to make the introductions and presentation.

Supervisor Lein said that it was a pleasure to congratulate the U.W. Whitewater Warhawks baseball team on their first baseball championship. He said that they had 45 victories and 7 defeats during the season. Supervisor Lein introduced the representatives from U.W. Whitewater: previous coach, Jim Miller, present coach, John Vodenlich, and Athletic Director Paul Plinske.

Chair Lohrmann read Resolution No. 23-06/05 which congratulated the team and representatives from the University of Wisconsin-Whitewater for winning the National Collegiate Athletic Association (NCAA) Division III Championship Series. This victory represents the first Division III baseball championship for the Warhawks and only the second time in history that a Wisconsin state college or university won an NCAA Division III Championship in baseball.

Chair Lohrmann presented the resolution to the team representatives and the Board gave a standing ovation.

Appointments/Elections

1. Local Emergency Planning Committee
 - Kevin Williams, Emergency Management
 - Kevin Kennedy, EMS
 - Rick Reed, DNR
 - Senator Neal Kedzie, State Senate
 - Michael Ciardo, Law Enforcement
 - David Fladten, EMS/Law Enforcement
 - Wendell Fry, A.R.C.
 - Patricia Grove, Public Health
 - Dani Maculan, Health & Human Services
 - Richard Kuhnke, Agriculture
 - David Graves, Sheriff, Elected
 - Ann Lohrmann, County Board Chairperson
 - Rod Smith, Fire Chiefs
 - Shane Crawford, County Highway
 - Lisa Seiser, Media
 - Allen Zimmerman, Industry
 - Eric Hudson, Industry
 - David Bretl, County Administrator(Recommended by the Executive Committee 7-0)

On motion by Supervisor Waelti, seconded by Supervisor Parker, the individuals recommended by the Executive Committee for appointment to the Local Emergency Planning Committee were approved.

Communications and Matters to Be Referred

1. Claims Received After Agenda Mailing – There were no claims submitted after the agenda mailing.
2. Claims:
 - a) SBC Bill for Damage to Property by County Highway Mower
 - b) Notice of Circumstances-Paul M. Blair
 - c) Notice of Claim-Jason FaustThe above claims were referred to the Executive Committee.
3. Outagamie County Resolution No. 53-2005-06-Supporting legislation which would address a driver's use of portable electronic devices, in particular a ban of cell phone use while driving was referred to the Executive Committee.

4. Communication from Marilyn Putz, Workforce Development Board, concerning appointments to the board was referred to the Executive Committee.
5. Communication from the Wisconsin Department of Administration – Preliminary Estimates of the Population for Walworth County for 2005 was referred to the Executive Committee.
6. Communication from Wisconsin Counties Association – 2005 Resolutions was referred to the Executive Committee.
7. Communication from James Stowell regarding his resignation from the Workforce Development Board was referred to the Executive Committee.
8. St. Croix County Resolution No. 26 (2005) requesting that state officials obtain independent audits of the calculations of sales taxes in past years and verification of the reliability of the system used for calculations for future years was referred to the Finance Committee.
9. Oneida County Resolution # 61-2005-Opposing the Shoreland Protection Program NR 115 rule as currently written was referred to the Land Conservation Committee.
10. Communication from Supervisor Nancy Russell regarding Chapter NR 115, Department of Natural Resources Shoreland Protection Program was referred to the County Zoning Agency and the Land Conservation Committee.
11. Communication from Frank Huntington, Wisconsin Department of Transportation regarding rail rehab project funding was referred to the Public Works Committee.
12. Communication from Supervisor Margaret Downing regarding invocation presenters was placed on file.
13. Communication from the Daughters of the American Revolution requesting that the week of September 17 – 23, 2005 be declared Constitution Week in the U. S. A motion was made to act upon the following resolution pursuant to Section 2-65 (c) (1) of the Walworth County Code of Ordinances: Res. No. 41-09/05 – Proclaiming the Week of September 17- 23 Official “Constitution Week in the U. S.”

Supervisor Grant offered a motion, seconded by Supervisor Arnold, to suspend the rules to vote on Resolution No. 41-09/05. On motion by Supervisor Van Dreser, seconded by Supervisor Ketchpaw, the rules of the County Board were suspended by unanimous consent. On motion by Supervisor Van Dreser, seconded by Supervisor Arnold, **Resolution No. 41-09/05** – Proclaiming the Week of September 17- 23 Official “Constitution Week in the U. S.” was approved by voice vote.

14. Report of the County Clerk Concerning Communications Received by the Board and Recommended to be Placed on File. This report was sent with the agenda packet.
15. Report of County Clerk Concerning Communications Received by the Board After the Agenda Mailing. There were none.
16. Report of County Clerk Concerning Zoning Gone Into Effect
 - County Zoning Agency, Text Amendment to Walworth County Code of Ordinances, Zoning and Shoreland Zoning, Section 74-186 (4) and (5) Review and approval of conditional uses
 - County Zoning Agency, Text Amendment to Walworth County Code of Ordinances, Walworth County, Wisconsin, Chapter 58, Sec. 58-3, Compliance
 - County Zoning Agency, Text Amendment of Walworth County Code of Ordinances, 74-44, 74-51, 74-61, Division 13 (Zoning), and 74-171, 74-178, 74-188, Division 13 (Shoreland Zoning)
 - Delavan Lake Animal Park, LLC (Dana Montana), Town of Delavan
 - Ruth J. Campshure, Town of Delavan

- Eugene R. Pawlak, Town of East Troy
 - Jay and Kari Homb, Town of Richmond
 - Glen Feltham, Town of Walworth
 - James P. Darling (Jeffrey R. Darling, Pers. Rep., App.), Town of Bloomfield
17. Report of County Clerk Concerning Zoning Petitions referred to the County Zoning Agency.
- Eleanor Connelly and John Daveler (David Heilmeyer, App.), Town of La Grange, A-2 to P-1. This rezone was referred from the County Board Chair directly to the County Zoning Agency for a hearing date of 8-25-05.
 - Anvan Companies (Atty. John L. Maier, Jr., App.), Town of Geneva, B-5 to B-4
 - Leslie L. Malsch (Robert M. Schorsch, App.), Town of Geneva, A-2 to A-4
 - Robert Bronisz (Robert Limosani, App.), Town of Geneva, C-4 to R-2
 - Rick and Denise Jansen, Town of Geneva, B-3 to R-1
 - Mark L. Borst, Town of Lyons, B-2 to B-4
 - Gary L. and Patricia A. Lang (Atty. John L. Maier, Jr., App.), Town of Lyons, A-2 to C-2
 - Text Amendment to Walworth County Code of Ordinances, Chapter 64 Telecommunications, 64-32 Conditional Use Application
 - Text Amendment to Walworth County Code of Ordinances, Chapter 30 Article VII, Fees and Funds, Division 1. Generally, Sec. 30-286 Consolidated fee schedule related to Public Hearing fees

Unfinished Business

Resolution No. 36-08/05 – Approving a Revised Contract Agreement Between Johnson Controls and Walworth County to Provide Facility Management Services (The County Board referred this item back to the Public Works Committee at the August 8, 2005 meeting. The Public Works Committee considered the revised contract agreement between Johnson Controls and Walworth County at a special meeting on September 8, 2005 prior to the County Board meeting.) Supervisor Polyock offered a motion, seconded by Supervisor Hilbelink, to approve the resolution and amended agreement. Discussion ensued. Administrator Bretl said that this section of the agreement pertains to management services. The revised agreement provides for technical assistance but reduces the scope of the original contract. **Resolution No. 36-08/05** was approved by voice vote.

New Business

Reports of Standing Committees

County Zoning Agency Report of Proposed Zoning Amendments

1. Ordinance No. 315-09/05 – Amending Sections 74-51, 74-61, 74-62, 74-178, 74-188, 74-189 of the Walworth County Code of Ordinances Relating to Zoning and Shoreland Zoning – Text Amendment to Walworth County Code of Ordinances 74-51, 74-61, 74-62 and Division 13 – Zoning; and 74-178, 74-188, 74-189 and Division 13 – Shoreland, approved 5-0 (7-21-05 public hearing)
2. SMILES (James Bendtsen, App.), Town of Darien, Rezone 35 acres of A-1 to A-2 – approved 5-0 (8-18-05 public hearing)
3. Robert P. Joost (C & D Landscaping & Design, Inc., App.), Town of Geneva, Rezone 4 acres of A-1 to A-4 – approved 5-0 (8-18-05 public hearing)

4. Lauderdale Farm, Inc. (Richard Lauderdale, App.), Town of Lafayette, Rezone 1.36 acres of A-1 to A-5 – approved 5-0 (8-18-05 public hearing)
5. Kenneth and Bonny Amon, Town of Lafayette, Rezone .86 acres of M-3 to A-5 – approved 5-0 (8-18-05 public hearing)
6. Eleanor Connelly and John Daveler (David Heilmeier, App.), Town of LaGrange, Rezone 3.38 acres of A-2 to P-1 – approved 5-0 (8-25-05 public hearing)

A motion offered by Supervisor Russell, seconded by Supervisor Kupsik, to concur with items # 1 through # 6 of the Report of the County Zoning Agency, was approved by voice vote.

Executive Committee

1. Ordinance No. 314-09/05 – Amending Section 2-144 of the Walworth County Code of Ordinances Pertaining to the Regular Monthly Meeting Time for the Children with Disabilities Education Board (Recommended by the Executive Committee 7-0)
2. Ordinance No. 316-09/05 – Creating Section 18-31 of the Walworth County Code of Ordinances Adopting the National Incident Management System (Recommended by the Executive Committee 7-0)

Supervisor Ketchpaw offered a motion, seconded by Supervisor Arnold, to approve item #1. On motion by Supervisor Grant, seconded by Supervisor Muzatko, **Ordinance No. 314-09/05** was approved by unanimous consent.

On motion by Supervisor Ketchpaw, seconded by Supervisor Grant, **Ordinance No. 316-09/05** was approved by voice vote.

Finance Committee

1. Ordinance No. 312-09/05 – Amending Section 30-286 of the Walworth County Code of Ordinances Relating to Fees (Recommended by the Finance Committee 7-0)
2. Ordinance No. 313-09/05 – Amending Sections 30-84, 30-87, 30-89, and 30-91 and Creating Section 30-96 of the Walworth County Code of Ordinances Relating to Purchasing (Recommended by the Finance Committee 7-0)
3. Resolution No. 39-09/05 – Authorizing a Transfer from the Contingency Fund to the Appropriate Account for Electrical Metering and Preventive Maintenance for County Boiler House (Recommended by the Finance Committee 7-0 and the Public Works Committee 6-0)

On motion by Supervisor Waelti, seconded by Supervisor Downing, **Ordinance No. 312-09/05** and **Ordinance No. 313-09/05** were approved by voice vote.

Supervisor Lein offered a motion to approve item # 3, seconded by Supervisor Downing. On motion by Supervisor Grant, seconded by Supervisor Russell, **Resolution No. 39-09/05** was approved by unanimous consent.

Human Resources Committee

1. Resolution No. 40-09/05 – Ratifying the 2005-2007 Association of Human Service Professionals Collective Bargaining Agreement (Recommended by the Human Resources Committee 4-0)
2. Ordinance No. 317-09/05 – Amending Section 15-17(n) of the Walworth County Code of Ordinances Relating to Authorized Positions in the Public Works Department (The Human Resources Committee will consider at a special meeting prior to the County Board meeting)

Supervisor Ketchpaw offered a motion, seconded by Supervisor Burwell, to approve item # 1. On motion by Supervisor Russell, seconded by Supervisor Waelti, **Resolution No. 40-09/05** was approved by unanimous consent.

A motion was offered by Supervisor Ketchpaw, seconded by Supervisor Muzatko, to approve item # 2. The Human Resources Committee met prior to the County Board meeting and recommended 4-0 to approve item # 2. **Ordinance No. 317-09/05** was approved by voice vote.

Reports of Special Committees

There were no Reports of Special Committees.

Chairperson’s Report

David Bretl announced that a budget workshop was held earlier in the day and the Administrator’s Budget was distributed. He requested that, if they did not have an opportunity to attend the workshop, the Supervisors please pick up a copy of the budget from the Clerk on their way out this evening. Bretl also said that a worksheet was distributed to the Supervisors this evening with comparisons from last year’s budget to this year’s Administrator’s Budget.

There will be a Committee of the Whole Meeting at 5:00 p.m. on October 11, 2005 with the regularly scheduled County Board meeting following on October 11, 2005 at 6:00 p.m.

Adjournment

On motion by Supervisor Downing, seconded by Supervisor Lightfield, the meeting of the County Board of Supervisors was adjourned at 6:38 p.m.

Kimberly S. Bushey
County Clerk

STATE OF WISCONSIN)
)SS
COUNTY OF WALWORTH)

I, Kimberly S. Bushey, County Clerk in and for the County aforesaid, do hereby certify that the foregoing is a true and correct copy of the proceedings of the County Board of Supervisors for the September 8, 2005 meeting.

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