

THE JANUARY 10, 2006 SESSION
OF THE
WALWORTH COUNTY BOARD OF SUPERVISORS

The Walworth County Board of Supervisors meeting was called to order by Chairperson Lohrmann at 6:06 p.m. in the County Board Room at the Walworth County Government Center, 100 W. Walworth Street, Elkhorn, Wisconsin.

County Board Supervisor Stanley Muzatko, District # 3, delivered the invocation.

All Supervisors were present. A quorum was established.

Amendments, Withdrawals, and Approval of Agenda

A motion was offered by Supervisor Downing, seconded by Supervisor Grant, to approve the agenda, with the amendment to move the public comment to follow the first closed session. The evening's agenda was approved as amended.

Approval of the Minutes

On motion by Supervisor Polyock, seconded by Supervisor Schaefer, the minutes of the December 13, 2005 County Board of Supervisors Meeting were approved.

On motion by Supervisor Grant, seconded by Supervisor Russell, and approved by voice vote, the rules were suspended to permit consideration and possible action regarding publicity surrounding county employee Dani Maculan. Supervisor Guido requested his vote be recorded as "No".

Closed Session

A motion was made by Supervisor Polyock, seconded by Supervisor Schaefer, to convene in closed session, pursuant to the exception contained in Wis. Stats. Sec. 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, with respect to consideration and possible action regarding publicity surrounding county employee, Dani Maculan, was approved by roll call vote. Total vote: 25; Ayes: 24 – Arnold, Burwell, Downing, Felten, Grant, Hawkins, Hilbelink, Ketchpaw, Kuhnke, Kupsik, Lein, Lightfield, Morrison, Muzatko, Parker, Polyock, Russell, Schaefer, Stacey, Van Dreser, Waelti, Wagie-Troemel, Weber, Lohrmann; Noes: 1 – Guido; Absent: 0.

On motion by Supervisor Felten, seconded by Supervisor Morrison, the Board convened in open session to take action with respect to the closed session item.

Chairperson Lohrmann opened the floor to anyone wishing to speak regarding Health and Human Services.

The following spoke against the reorganization process at Health and Human Services:

Chris Perrin, 629 N Church, Elkhorn; Tina Behnke, W3797 Hwy 11, Elkhorn; Judith M. Townsend, 155 W Geneva St, Williams Bay; Ellen Holly, W5108 Wandawega Dr; Tom Spellman, 270 Country Club Dr, Lake Geneva; Mike & Gwen Mumford, W3228 McDonald Rd, Lake Geneva; Thomas Berger, AFSCME Council 40, P.O. Box 044635, Racine; JoAnn Kutzler Reconnu, 250 Havenwood Dr; Kathy Erskine, N6227 Co Rd H, Elkhorn; Shirley O'Neil, 5680 Parliament Lane, #329, Delavan; Mary Whitmore, 211 N. Washington St, Elkhorn; Pat Sharp, 414 Sandy Ln, Elkhorn; Maria Ruby, 400 S. Edwards Blvd, Lake Geneva; Jan Gurrie, W2767 Kniep Rd; Carol Grube, 204 Madison St, Apt 208, Walworth; Dorothy Prokop, N3211 Nymph Rd; Glenn Cherney, 1237 Pleasant St, Lake Geneva; Bill Holzheimer, 2918 South Rd, Burlington; Ann M. Serpe, N6235 Tamarack Ct, Elkhorn; Mary Abbott, W4229 Potter Rd, Elkhorn; Amanda Christianson speaking by proxy for Mary Faltinson, 114 Donna Ave, Darien; Julie Rice, 1919 S. Shore Dr, Delavan; Mary Chambers, W1045 Sundew, Genoa City.

Dell Gigante, N7791 Bell School Rd, spoke in favor of the actions taken. He reminded the Supervisors that they must act in the best interest of Walworth County taxpayers.

The Clerk read comments into the record from Pat Ross, 310 Cottage, Whitewater; E. Grossback, Joseph Fairbanks, 110 N. Church St., Elkhorn; and Mel Fowlkes, 506 E. Geneva St., Delavan, who expressed concern over the dramatic changes at Health and Human Services.

Supervisor Van Dreser thanked all who came in to speak, and feels that the Board needs to look into the issues presented by the public, requesting that the matter be placed on next month's agenda.

A motion was offered by Supervisor Van Dreser, seconded by Supervisor Polyock, to enable the County Board to go on record as stating that the County Board does not endorse the comments made by Supervisor Guido in the newspaper, and that Supervisor Guido was speaking solely as an individual. Furthermore, the Board supports the efforts of Administrator Bretl to manage county spending.

Supervisor Van Dreser reminded everyone that we have committees through which to work these kinds of issues, and he felt Supervisor Guido should have worked within the committee structure, not the newspaper.

A motion was offered by Supervisor Hilbelink, seconded by Supervisor Grant, to add the Board's support of the efforts by department heads and staff to the original motion.

Supervisor Ketchpaw agreed with Supervisor Van Dreser, saying that she is not comfortable lumping in department heads and staff in the motion, but she does fully support Administrator Bretl. She thinks the committee should take a closer look into the issues stated this evening.

Supervisor Burwell urged people to contact their State Representatives and Senators, asking them to help fund the Health and Human Services programs. She stated that we are under a tax freeze and, without assistance from the State, these cuts cannot be avoided.

Chairperson Lohrmann asked Supervisor Hilbelink to take the chair.

Chairperson Lohrmann addressed the Supervisors. She said these issues have been discussed with the committees, and Ms. Maculan and Administrator Bretl have explained the reorganization. The Board receives updates from Administrator Bretl, keeping them up to date

on what has changed. She supports the amendment and the restructure at Health and Human Services.

Chairperson Lohrmann returned to the chair.

The amendment to the original motion adds the following: Department Heads and Staff to manage county spending. Total vote: 25; Ayes: 21 – Arnold, Burwell, Downing, Felten, Grant, Hilbelink, Kuhnke, Kupsik, Lein, Lightfield, Morrison, Muzatko, Parker, Polyock, Russell, Schaefer, Stacey, Waelti, Wagie-Troemel, Weber, Lohrmann; Noes: 4 – Guido, Hawkins, Ketchpaw, Van Dreser; Absent: 0.

The motion as amended is as follows: The Walworth County Board does not endorse comments by Supervisor Guido. Supervisor Guido was speaking solely as an individual. Furthermore, the Board supports the efforts by Administrator Bretl, Department Heads, and Staff to manage county spending. The motion was approved by voice vote. The following Supervisors requested their vote be recorded as “No”: Ketchpaw, Guido, and Hawkins.

Comment Period by Members of the Public

There were none.

Special Order of Business

Overview Regarding Features of the New County Board Room – Shane Crawford, Public Works Director

A motion by Supervisor Muzatko, seconded by Supervisor Polyock, to put the demonstration on hold until next month’s meeting, was approved by voice vote.

Crawford recognized John Miller for his efforts in the County Board Room project, and noted his upcoming departure for overseas service.

Appointments/Elections

1. County Zoning Agency
 - Allen Ritchey
 - Jeffrey Schramm – Term to commence upon appointment and end June 30, 2007
(The Executive Committee recommended the reappointment of Jeffrey Schramm 7-0)
2. Housing Authority Board
 - Karen Barber – Term to commence upon reappointment and end June 30, 2010
 - John Ramstad – Three-year term to commence upon appointment and end on December 31, 2008
(The Executive Committee recommended the reappointment of Karen Barber for a five-year term and appointment of John Ramstad for a three-year term 7-0)
3. Lakeland Health Care Center
 - LaVerne Duncan – Three-year term to commence upon election and end on January 5, 2009
(Recommended by the Executive Committee 7-0)

On motion by Supervisor Muzatko, seconded by Supervisor Russell, Jeffrey Schramm was appointed to the County Zoning Agency, Karen Barber was reappointed to the Housing Authority Board, and John Ramstad was appointed to the Housing Authority Board.

Chair Lohrmann opened the floor for nominations for election to the citizen position on the Lakeland Health Care Center Board of Trustees. Supervisor Ketchpaw offered a motion, seconded by Supervisor Weber, to nominate LaVerne Duncan. Supervisor Arnold offered a motion, seconded by Supervisor Schaefer, to nominate Don McGough. Discussion ensued. Supervisor Grant informed the Board that Don McGough was interviewed, and Mr. McGough had withdrawn his application. Supervisor Arnold and Supervisor Schaefer withdrew their nomination. Nominations were closed, and LaVerne Duncan was elected to the Lakeland Health Care Center Board of Trustees by voice vote.

Communications and Matters to Be Referred

1. Claims Received After Agenda Mailing
2. Claims:
 - a) Notice of Summons – University of Chicago/Yerkes Observatory, Third-Party Plaintiffs vs. Village of Williams Bay, Wisconsin and Walworth County, Wisconsin, Third-Party Defendants (To be referred to the Executive Committee)
3. Communication from WCA regarding 2006 Meeting Dates (To be referred to the Executive Committee)
4. Communication from Town and Country Resource Conservation & Development – Notice of Annual Meeting (To be referred to the Land Conservation Committee)
5. Clark County Resolution #52-11-05 – To Request State Legislators to Return to Part Time Status (To be referred to the Executive Committee)
6. Correspondence from Wisconsin County Mutual Insurance Corporation with a dividend check in the amount of \$5,113 (To be referred to the Finance Committee)
7. Communication from the USDA Farm Service Agency Office regarding the reduction of Walworth County’s farm land (To be referred to the Public Works Committee)
8. Report of the County Clerk Concerning Communications Received by the Board and Recommended to be Placed on File
9. Report of County Clerk Concerning Communications Received by the Board After the Agenda Mailing: The following items were placed on the Supervisors’ desks:
 - Amended Walworth County Board of Supervisors Agenda-Amended 1/09/06
 - Correspondence from Southeastern Wisconsin Regional Planning Commission regarding the Walworth County automated mapping base will be placed on file
 - Correspondence from ATC Transmission Company regarding informational meetings January 12, 2006 and February 7, 2006 regarding the upgrades to electric transmission lines and construction of new lines will be placed on file.
 - Correspondence from ANR Pipeline/El Paso Pipeline Group regarding safety issues will be placed on file.
 - Ozaukee County Resolution No. 05-73 Support Assembly Bill 726 – Motor Vehicle Fuel Tax will be referred to the Public Works Committee.
 - Ozaukee Resolution No. 05-76 Term Limits Referendum will be referred to the Executive Committee.
 - Ozaukee Resolution No. 05-79 Opposing AB129 and SB117 Relating to the Collection of Delinquent Property Taxes will be referred to the Finance Committee.

- Ozaukee Resolution No. 05-80 Amendment to Senate Bill 272 – Organization and Funding of Public Libraries, Public Library Systems and Grant Rule-making Authority will be referred to the Finance Committee.
- Ozaukee Resolution No. 05-81 Amendment to Senate Bill 272- Joint Libraries will be referred to the Finance Committee.
- Ozaukee Resolution No. 05-82 – Amendment to Senate Bill 273 Provide an Alternate Exemption for County Library Tax with Approval of a County Board will be referred to the Finance Committee.
- Correspondence from State Representative Samantha J. Kerkman acknowledging receipt of Walworth County Board Resolution 64-12/05 regarding Assembly Bill 575 Classifying Social Workers as Protective Occupations will be placed on file.

Also placed on Supervisors’ desks were the following:

Budget in Brief from the Finance Department

Memo from County Administrator David Bretl regarding reposting and hiring of a Deputy Administrator/Employee Relations.

10. Report of County Clerk Concerning Zoning Petitions (To be referred to the County Zoning Agency) The list was mailed with the agenda and packet.

- JMA Pleasant Lake Properties, LLC (Conservation Development, LLC, App.), Town of Sugar Creek, A-3 to R-1
- Mann Ventures, LLC, Town of Sugar Creek, R-1 & B-5 to R-5
- Estate of Warren S. Bentley (Atty. Edward F. Thompson, App.), Town of Delavan, R-2 to C-2
- Jerry and Marleen Siegler, Town of Lyons, C-2 to A-1
- Catherine I. Skinner, Town of Bloomfield, C-2 to A-5 & A-5 to C-2
- Frank Carfi (Adam Glauser, App.), Town of Bloomfield, C-1 & C-4 to R-2
- Dan McLean (Scott Lowell, App.), Town of Bloomfield, A-2 to C-2
- Tim and Rose Tippit, Town of Walworth, A-1 to A-5

Unfinished Business

There was none.

New Business

Reports of Standing Committees

County Zoning Agency Report of Proposed Zoning Amendments

1. Ord. No. 331-01/06 – Amending Chapters 74-51, 74-52, 74-54, 74-178, 74-179 and 74-181 of the Walworth County Code of Ordinances Relating to Conservation Developments (Recommended by the County Zoning Agency 6-0) Ordinance Amendment to Walworth County Code of Ordinances, Walworth County, Wisconsin, re Chapter 74, 74-51, 74-52, 74-54, 74-178, 74-179, 74-181, C-2 Upland Resource Conservation District – approved 6 – 0 (11-17-05 public hearing)
2. Ord. No. 332-01/06 – Amending Sections 74-66 and 74-193 of the Walworth County Code of Ordinances Relating to Public and Semi-Public Uses (Recommended by the County

Zoning Agency 6-0) Ordinance Amendment to Walworth County Code of Ordinances, Sec. 74-66 and Sec. 74-193, Public and semi-public uses – approved 6 – 0 (11-17-05 public hearing)

3. Ord. No. 333-01/06 – Amending Sections 74-54 and 74-181 of the Walworth County Code of Ordinances Relating to Planned Residential Development Districts (Recommended by the County Zoning Agency 6-0) Ordinance Amendment to Walworth County Code of Ordinances, Walworth County, Wisconsin re Chapter 74, 74-54 / 74-181, R-5 and R-5A – approved 6 – 0 (11-17-05 public hearing)
4. Manfred and Lisa Koenig, Jr., Town of Lafayette, Rezone .2 acres of A-1 to A-4 – approved 7 – 0 (12-15-05 public hearing)
5. Jerry W. and Patricia Brockwell (Richmond Cemetery Assn., App.), Town of Richmond - approved 7 – 0 (12-15-05 public hearing)
6. Mary Ellen Garber, Town of Darien, Rezone 1.042 acres of A-1 to A-5 – approved 7 – 0 (12-15-05 public hearing)
7. Manfred and Michaelene Woller, Town of Lafayette, Rezone 21 acres of A-2, B-6, & P-2 to C-2 – approved 7 – 0 (12-15-05 public hearing)
8. Roger H. and Elizabeth Wolff (Atty. Anthony A. Coletti, App.), Town of Linn, Rezone 3.59 acres of R-1 to C-2 – approved 7 – 0 (12-15-05 public hearing)
9. Daniel J. Walsh, Trustee of the Daniel J. Walsh Trust (Atty. Richard I. Kratz, App.), Town of Linn, Rezone 1.68 acres of C-4 to R-1 – approved 7 – 0 (12-15-05 public hearing)
10. Gary L. and Patricia A. Lang, Town of Lyons, Rezone 2.05 acres of A-2 to C-2 – approved 7 – 0 (12-15-05 public hearing)

Chair Lohrmann noted for the record that Supervisor Guido had left the meeting without permission.

A motion offered by Supervisor Kuhnke, seconded by Supervisor Schaefer, to concur with the Report of the County Zoning Agency, was approved by voice vote.

Executive Committee

1. Ord. No. 334-01/06 – Amending Section 26-237 of the Walworth County Code of Ordinances Relating to Application Notice and Hearing (Recommended by the Executive Committee 7-0)
2. Ord. No. 336-01/06 – Amending Section 26-237 of the Walworth County Code of Ordinances Relating to Elimination of the Requirement of Mailing a Registered Letter in the Case of Applications for Special Sanitary Permits (Recommended by the Executive Committee 7-0)
3. Res. No. 70-01/06 – Changing the Time and Location of the March, 2006, County Board Meeting (Recommended by the Executive Committee 7-0)
4. Res. No. 71-01/06 – Denying the Claim of James Thuemmler (Recommended by the Executive Committee 7-0)
5. Res. No. 75-01/06 – Denying the Claim of Paul Blair (Recommended by the Executive Committee 7-0)
6. Res. No. 76-01/06 – Opposing Assembly Bill 756 Shifting Sheriff's Department Patrol and Investigative Costs to Small Municipalities (Recommended by the Executive Committee 7-0)
7. Res. No. 77-01/06 – Establishing a Committee of the Whole Meeting of the County Board to Include a Presentation by WCA Legislative Director Craig Thompson Relative

to Effective Communication with State Legislators (Recommended by the Executive Committee 7-0)

8. Res. No. 79-01/06 – Approving an Agreement By and Between Walworth County and Ayres Associates Inc. Regarding the Walworth County Judicial Center (The Executive Committee will consider this item at their January 10, 2006 meeting)

A motion was offered by Supervisor Grant, seconded by Supervisor Kupsik, to approve Executive Committee items #1 through #7.

A motion was offered by Supervisor Grant, seconded by Supervisor Kupsik, to amend item #1, Ord. No. 334-01/06 to change the number from “26-88” on line 30 to read “26-70”, and to amend item #2, Ord. No. 336-01/06 to change the number “26-88” on line 11 to read “26-70”. **Ord. No. 334-01/06** and **Ord. No. 336-01/06** were approved, as amended, by voice vote. Items #3 through #7, **Res. No. 70-01/06**, **Res. No. 71-01/06**, **Res. No. 75-01/06**, **Res. No. 76-01/06**, and **Res. No. 77-01/06**, were approved by voice vote.

Closed Session

A motion by Supervisor Morrison, seconded by Supervisor Van Dreser, to convene in closed session, pursuant to the exception contained in Wis. Stats. Sec. 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, with respect to discussion of Resolution 79-01/06 – Approving an Agreement By and Between Walworth County with Ayres Associates Inc. Regarding the Walworth County Judicial Center, was approved by roll call vote. Total vote: 24; Ayes: 24 – Arnold, Burwell, Downing, Felten, Grant, Hawkins, Hilbelink, Ketchpaw, Kuhnke, Kupsik, Lein, Lightfield, Morrison, Muzatko, Parker, Polyock, Russell, Schaefer, Stacey, Van Dreser, Waelti, Wagie-Troemel, Weber, Lohrmann; Noes: 0; Absent: 1 – Guido.

On motion by Supervisor Van Dreser, seconded by Supervisor Hilbelink, the Board convened in open session to take action with respect to the closed session item.

A motion was offered by Supervisor Muzatko, seconded by Supervisor Felten, to approve Res. No. 79-01/06. On motion by Supervisor Kuhnke, seconded by Supervisor Van Dreser, **Res. No. 79-01/06** was approved by unanimous consent.

Finance Committee

1. Ord. No. 335-01/06 – Amending Section 30-457 of the Walworth County Code of Ordinances Relative to Meal Expense Reimbursement (Recommended by the Finance Committee 5-0)
2. Res. No. 72-01/06 – Authorizing a Transfer of \$2,730 from the 2005 Contingency Fund to the Appropriate Account for the Purpose of Paying Costs Associated with Lakeland Animal Welfare Society, Inc. Services (Recommended by the Finance Committee 6-0)
3. Res. No. 73-01/06 – Authorizing the Transfer of \$7,500 from the 2005 Contingency Fund for the Purpose of Conducting a Needs Assessment for Impact Fees (Recommended by the Finance Committee 4-2)
4. Res. No. 74-01/06 – Supporting 2005 AB 802 and LRB3832 Requiring the State of Wisconsin to More Equitably Share Federal Inter-Governmental Transfer Funds with Local Governments Operating Nursing Homes (Recommended by the Finance Committee 7-0)

On motion by Supervisor Kuhnke, seconded by Supervisor Weber, items #1 and #4, **Ord. No. 335-01/06** and **Res. No. 74-01/06**, were approved by voice vote.

On motion by Supervisor Kuhnke, seconded by Supervisor Hawkins, and approved by voice vote, item #3, **Res. No. 73-01/06**, was referred back to Corporation Counsel for a two-month period in order to conduct additional research.

A motion was offered by Supervisor Van Dreser, seconded by Supervisor Polyock, to approve item #2, Res. No. 72-01/06. Supervisor Polyock indicated he would like to look further into the agreement between Walworth County and LAWS.

On motion by Supervisor Van Dreser, seconded by Supervisor Morrison, **Res. No. 72-01/06** was approved by unanimous consent.

Human Resources Committee

1. Ord. No. 337-01/06 – Amending Section 15-17 Of Chapter 15 Of The Walworth County Code Of Ordinances Relating To Authorized Positions By Department

On motion by Supervisor Downing, seconded by Supervisor Burwell, **Ord. No. 337-01/06** was approved by voice vote.

Parks Committee

1. Res. No. 78-01/06 – Recognizing the Former Members of the Parks Advisory Board for their Service (Recommended by the Parks Committee 7-0)

On motion by Supervisor Van Dreser, seconded by Supervisor Morrison, **Res. No. 78-01/06** was approved by voice vote.

Reports of Special Committees

There were no Reports of Special Committees.

Chairperson's Report

Adjournment

On motion by Supervisor Downing, seconded by Supervisor Hilbelink, the meeting was adjourned at 10:15 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 January 10, 2006 meeting.

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