

THE NOVEMBER 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 Government Center, 100 W. Walworth Street, Elkhorn, Wisconsin.

Art Lein, County Board Supervisor, District #6, delivered the invocation. Supervisor Lein acknowledged America's Veterans past and present for their service to their country. Chair Lohrmann asked all County Board Supervisors who are Veterans to stand to be acknowledged.

All Supervisors were present. A quorum was established.

Amendments, Withdrawals, and Approval of Agenda

On motion by Supervisor Schaefer, seconded by Supervisor Arnold, the agenda was approved.

Approval of the Minutes

On motion by Supervisor Grant, seconded by Supervisor Morrison, the minutes of the October 11, 2005 Committee of the Whole meeting were approved. On motion by Supervisor Kuhnke, seconded by Supervisor Ketchpaw, the minutes of the October 11, 2005 Walworth County Board of Supervisors meeting were approved.

Comment Period by Members of the Public

Chris Perrin, 629 N. Church Street, Elkhorn, addressed the Board regarding her daughter and resources of the Health & Human Services Department. Ms. Perrin said she has lived in Elkhorn for the last 25 years. She said she has a 25-year-old daughter who was born with disabilities. Ms. Perrin said her daughter resides in Slinger, WI, in Washington County today and she has also been in Rock, Racine, and Kenosha Counties. Ms. Perrin said she would like her daughter to be kept in Walworth County. She said that Walworth County is responsible for her daughter's care but she is not kept in Walworth County, which puts a hardship on those in her family that visit with her.

Julie Rice, 1919 S. Shore Drive, Delavan, is the Director of New Chance. Ms. Rice thanked the Board for providing 80% of the funding for the last five years for New Chance. Although they no longer have funding for New Chance, Ms. Rice said they are continuing to look for funding for educational and group services in Walworth County. Some of the students are in college, some are still in school and working, some have dropped out, and some can be found in the Walworth County jail but hopefully they will get their lives back on track thanks to the help of the Walworth County Board.

Appointments/Elections

There were none.

Communications and Matters to Be Referred

1. Claims Received After Agenda Mailing – There were none.
2. Claims:
 - a. SBC Claim for September 8, 2005 Property Damage by County mower was referred to the Executive Committee.
 - b. Notice of Circumstances of Claim – Juan Soto, Maria Soto and Jose Soto – Notice to Lakeland School – Incident of September 13, 2005 was referred to the Executive Committee.
3. Winnebago County Resolution 265-92005 – Authorize Support for Assembly Bill 257 and Senate Bill 126: Publishing Requirements for Ordinances was referred to the Executive Committee.
4. Letter from David M. Reddy resigning from the Civil Service Board was referred to the Executive and Human Resources Committees.
5. Communication from Wisconsin & Southern Railroad Co. and Economic Summary was referred to the Executive Committee.
6. Communication from Carol Grube regarding the reduction in services in the Health and Human Services Department was referred to the Health & Human Services Board.
7. Communication from Wisconsin Counties Association with a sample resolution requesting the State to pass legislation that would remove the costs of mental health placements from the property tax was referred to the Health & Human Services Board.
8. Langlade County Resolution #98-2005-Opposing Passage of Assembly Bill 575 Classifying Social Workers as Protective Occupation Participants in the Wisconsin Retirement System was referred to the Human Resources Committee.
9. Correspondence from the American Transmission Company regarding 10-Year Transmission System Assessment in Southeast Wisconsin was referred to the Land Conservation Committee.
10. Communication from Don Wichert, Director, Renewable Energy Program, Focus on Energy, regarding using wood resources to reduce energy and heating costs was referred to the Public Works Committee.
11. Report of the County Clerk Concerning Communications Received by the Board and Recommended to be Placed on File – The communications were in the agenda packet.
12. Report of County Clerk Concerning Communications Received by the Board After the Agenda Mailing - The following items were placed on Supervisors' desks:
 - November 8, 2005 Agenda – Amended November 7, 2005
 - Exhibit A – Proposed Amendments to 2006 Preliminary Budget as of 11/1/2005. Exhibit A should be inserted in Resolution 52-11/05, which will be considered this evening.
 - Communication from Mark O'Connell, President, WCA Services, Inc., with enclosed folder, which outlines in detail each program and how it can help our County. If anyone is interested in looking over the material, there are 10 folders available in the front of the County Board room.
 - Communication from Jayme Sellen, WCA Legislative Associate, asking County Board members to call Governor Doyle to encourage him to veto Senate Bill 4 regarding Board size, was referred to the Executive Committee.
 - Ozaukee County Resolution No. 05-51 (Amended) – Opposition to Public Library District Legislation was referred to the Executive Committee
 - Ozaukee County Resolution No. 05-52 – Alternate Exemption from the County Library Tax was referred to the Executive Committee.

A request by Supervisor Lohrmann and Supervisor Muzatko for a rezone of the Pleasant Lake Tap to R-1 was also distributed to the Supervisors and was referred to the County Zoning Agency.

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

- Eugene and Elizabeth Baas, Town of Lafayette, A-5 to B-4
- Art Pierce (Kapur Assoc.), Town of Bloomfield, A-3 to R-2
- Keith and Beth Mulhollon, Town of Lyons, A-1 to C-2
- Allen and Katherine Kittelson, Town of East Troy, A-3 to A-5
- Jerry W. and Patricia Brockwell (Richmond Cemetery Assn., App.), Town of Richmond, A-1 to P-2
- Frank Carfi (Adam Glauser, App.), Town of Bloomfield, C-1 & C-4 to R-2
- Ordinance Amendment to Walworth County Code of Ordinances, Chapter 74, 74-52/74-179, C-2 Upland Resource Conservation District
- Ordinance Amendment to Walworth County Code of Ordinances, Chapter 74, 74-54/74-181, R-5 and R-5A
- Ordinance Amendment to Walworth County Code of Ordinances, Chapter 74, 74-66 and 74-193, Public and semi-public uses

The closed session scheduled to take place at this time was postponed until the attorney arrived.

Unfinished Business

There was none.

New Business

Reports of Standing Committees

County Zoning Agency Report of Proposed Zoning Amendments

1. **Ordinance No. 320-11/05** – Amending Section 64-32(1)(a) of the Walworth County Code of Ordinances Relating to Conditional Use Application (Recommended by the County Zoning Agency 5-0) Ordinance Amendment to Walworth County Code of Ordinances, Chapter 64 Telecommunications, 64-32 Conditional Use Application – approved 5 – 0 (9-15-05 public hearing)
2. Ordinance 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 – approved 5 – 0 (9-15-05 public hearing). Amendments to the Public Hearing fees are incorporated in Ordinance No. 321-11/05, which will be considered under the Report of Finance Committee.
3. William Skinner, Town of Bloomfield, Rezone ½ acre of B-2 & R-1 to R-3 – approved 5 – 0 (7-21-05 public hearing)
4. Robert Castleman, Town of Geneva, Rezone 10.88 acres of A-2 to A-4 – modified and approved to reduce the acreage down to 6.67 acres – approved 5 – 0 (3-17-05 public hearing)
5. Joy Baptist Camp Association (Christopher D. Kidd, A.I.A., A.L.S., App.), Town of Whitewater, Rezone 17.73 acres of R-1 to P-1 – approved 5 – 0 (10-20-05 public hearing)
6. Walworth County Public Works Department (Mark Mullikin, App.), Town of Bloomfield, Rezone 6.5 acres of A-2 & M-3 to P-2 – approved 5 – 0 (10-20-05 public hearing)

7. Robert Bronisz (Robert Limosani, App.), Town of Geneva, Rezone .75 acres of C-4 to R-2 – approved 5 – 0 (10-20-05 public hearing)
8. Fred Leppin (Gene Kovacs, RSV Engineering, App.), Town of East Troy, Rezone 33.67 acres of A-2 to C-2 – approved 5 – 0 (10-20-05 public hearing)

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

Executive Committee

1. Ordinance No. 323-11/05 - Amending Section 2-45 (b) of the Walworth County Code of Ordinances Relating to County Board Compensation (Recommended by the Executive Committee 7-0)

Supervisor Schaefer offered a motion, seconded by Supervisor Hilbelink, to approve Ordinance No. 323-11/05. A motion was offered by Supervisor Grant, seconded by Supervisor Waelti, for unanimous consent. The motion for unanimous consent was withdrawn. Discussion ensued. Supervisor Downing offered a motion, seconded by Supervisor Arnold, to increase the Supervisors' pay to \$500 per month as indicated in the ordinance and increase the Chairperson's pay to \$1,000 per month. County Administrator Bretl suggested that the ordinance be split so that the Chairperson's salary would be separated from the balance of the ordinance. A motion offered by Supervisor Muzatko, seconded by Supervisor Guido, to divide the question, was approved by voice vote. Chairperson Lohrmann stated that this ordinance would require a 2/3 vote and that the changes would not take effect until the new Board is seated in April 2006. A roll call vote was taken on the motion to increase the Chairperson's pay to \$1,000 per month. Total vote: 25; Ayes: 23 – Arnold, Burwell, Downing, Felten, Grant, Guido, Hilbelink, Ketchpaw, Kupsik, Lein, Lightfield, Morrison, Muzatko, Parker, Polyock, Russell, Schaefer, Stacey, Van Dreser, Waelti, Wagie-Troemel, Weber, Lohrmann; Noes: 2 – Hawkins, Kuhnke; Absent: 0. Part I, (b) (1), line 9, **Ordinance No. 323-11/05** was **amended to increase the Chairperson's pay to \$1,000 per month.**

A roll call vote was taken on the balance of Ordinance No. 323-11/05. Total vote: 25; Ayes: 21 – Arnold, Burwell, Downing, Felten, Grant, Guido, Hilbelink, Ketchpaw, Kupsik, Lein, Lightfield, Morrison, Parker, Russell, Schaefer, Stacey, Van Dreser, Waelti, Wagie-Troemel, Weber, Lohrmann; Noes: 4 – Hawkins, Kuhnke, Muzatko, Polyock; Absent: 0. **The balance of Ordinance No. 323-11/05** was approved as presented.

Finance Committee

1. Ordinance No. 321-11/05 – Amending Section 30-286 of the Walworth County Code of Ordinances Relative to Fees (Recommended by the Finance Committee 6-0)
2. Resolution No. 52-11/05 – Adopting the 2006 Appropriation of the Walworth County Budget and CIP Plan (Recommended by the Finance Committee 5-0)
3. Resolution No. 53-11/05 – Establishing the Tax Levy to Support the 2006 Budget Appropriation (Recommended by the Finance Committee 5-0)
4. Resolution No. 54-11/05 – Ordering Chargeback of Delinquent Real Estate Taxes on Tax Parcel FDC 00041 to the Town of Delavan (Recommended by the Finance Committee 5-0)
5. Resolution No. 56-11/05 – Requesting a Change in the Laws Governing Use Value Assessments for Agricultural Land by the State of Wisconsin (Recommended by the Finance Committee 5-0)

A motion offered by Supervisor Waelti, seconded by Supervisor Kupsik, to approve item #1, **Ordinance No. 321-11/05** – Amending Section 30-286 of the Walworth County Code of Ordinances Relative to Fees; item #4, **Resolution No. 54-11/05** – Ordering Chargeback of Delinquent Real Estate Taxes on Tax Parcel FDC 00041 to the Town of Delavan; and item #5, **Resolution No. 56-11/05** – Requesting a Change in the Laws Governing Use Value Assessments for Agricultural Land by the State of Wisconsin, was approved by voice vote. Supervisor Polyock voted “No.”

A motion was offered by Supervisor Russell, seconded by Supervisor Lein, to approve item #2, Resolution No. 52-11/05 – Adopting the 2006 Appropriation of the Walworth County Budget and CIP Plan. Supervisor Muzatko offered a motion, seconded by Supervisor Morrison, to approve the Budget Amendments A, B (as amended tonight), C, D, and E as of November 1, 2005. Finance Director Nicki Andersen said that because of the amendment to increase the Chairperson’s salary to \$1,000 per month, \$2,132 would be added to Budget Amendment B. The amended amount would be a savings of \$2,483. The budget amendments were approved by voice vote.

The following are the Budget Amendments as amended and approved:

- A Technical Corrections – Operating Levy Impact (2,428).
- B Increase Co Board Supervisor Pay – Operating Levy Impact (~~4,615~~). After the amendment to Ordinance No. 323-11/05 the amount was changed to (2,483).
- C Amend Aging Plan for Older People – Operating Levy Impact (14,905).
- D Increased Transportation Aid – Operating Levy 0.
- E Allocate Budgets for AFSCME Contracts – Operating Levy 0.

Supervisor Felten commended the Finance Committee for the restraints issued for this budget year and for the department meeting those goals. Felten said that she is troubled because we decreased the total FTEs by 34.7% but increased the budget 4.5%. Felten also commented on the amount of money that has been returned to the general fund from several departments over the past few years. She asked if the reasons for this are because of over-budgeting expenses or because of not doing a good job of projecting our revenues. Felten said that she would vote for this budget but she has several concerns about how the nursing home, school, and Human Services programs will continue to operate in future years. Supervisor Polyock said that he objects to giving employees raises every year because he doesn’t think that they produce any more and he said he would vote against the budget for that reason.

Chair Lohrmann asked Vice-Chair Hilbelink to take the chair so that she could address the Board. She said that she agrees with Supervisor Felten that we have to sharpen our pencils and we need to prioritize. Lohrmann said that Administrator Bretl, staff, and the County Board worked very hard on this budget to find the money. She said that as the years go by we will have to make more difficult decisions on which programs to cut. Many of the Supervisors have been receiving calls from concerned citizens because of cutting programs and we will be receiving even more calls in the future. Lohrmann said we have held the line on taxes this year but we

may have to look at cutting programs in the future. Lohrmann said she thinks we have done a good job and she is confident that the Board will continue to do so.

Resolution No. 52-11/05, as amended by the Budget Amendments, was approved by voice vote. Supervisor Polyock voted “No.”

Nicki Andersen said that because of the amendment to Budget Amendment B, the following numbers were changed on Resolution No. 53-11/05 – Establishing the Tax Levy to Support the 2006 Budget Appropriation: line 20 changed from ~~\$48,051,541~~ to \$48,023,960; line 26 changed from ~~\$1,169,527~~ to \$1,177,292; line 34, County Library Levy, changed from ~~\$1,169,527~~ to \$1,177,292; line 36, County Operating Levy (Includes Charitable and Penal) changed from ~~\$40,335,149~~ to \$40,307,568; and line 39, Total, changed from ~~\$49,221,068~~ to \$49,201,252.

On motion by Supervisor Muzatko, seconded by Supervisor Ketchpaw, item #3, **Resolution No 53-11/05** Establishing the Tax Levy to Support the 2006 Budget Appropriation was **approved as amended**, by voice vote.

Health & Human Services Board

1. Resolution No. 50-11/05 – 2006 Amendment to the Walworth County Aging Plan for Older People 2003-2006 (Recommended by the Health & Human Services Board 7-0; Finance Committee will consider at a Special Meeting on October 27, 2005)
2. Resolution No. 51-11/05 – Authorizing 2006 Transportation Grant Application (Recommended by the Health & Human Services Board 7-0; Finance Committee will consider at a Special Meeting on October 27, 2005)

Supervisor Downing offered a motion, seconded by Supervisor Felten, to approve Resolution No. 50-11/05. On motion by Supervisor Van Dreser, seconded by Supervisor Grant, **Resolution No. 50-11/05** was approved by unanimous consent.

On motion by Supervisor Morrison, seconded by Supervisor Weber, **Resolution No. 51-11/05** was approved by voice vote.

Human Resources Committee

1. Ordinance No. 322-11/05 – Amending Section 15-17 of Chapter 15 of the Walworth County Code of Ordinances Relating to Authorized Positions by Department (Recommended by the Human Resources Committee 5-0)
2. Ordinance No. 324-11/05 – Amending Section 15-324 of the Walworth County Code of Ordinances So As To Exclude the Position of Family Court Commissioner and Certain Employees of the Children with Disabilities Education Board from the Performance-based Compensation Plan (Recommended by the Human Resources Committee 5-0)
3. Ordinance No. 325-11/05 - Amending Section 2-45 and Section 15-556 of the Walworth County Code of Ordinances Relating to Retiree Health Coverage (Recommended by the Human Resources Committee 5-0)
4. Resolution No. 57-11/05 – Approving the Annual Salary for the Family Court Commissioner (To be considered by the Human Resources Committee on November 8, 2005 prior to the County Board meeting.)

5. Resolution No. 58-11/05 Approving a Collective Bargaining Agreement By and Between Walworth County and AFSCME Local 1925 (To be considered by the Human Resources Committee on November 8, 2005 prior to the County Board meeting.)
6. Resolution No. 59-11/05 – Approving a Collective Bargaining Agreement By and Between Walworth County and AFSCME Local 1925A (To be considered by the Human Resources Committee on November 8, 2005.)
7. Resolution No. 60-11/05 – Approving a Collective Bargaining Agreement By and Between Walworth County and AFSCME Local 1925B (To be considered by the Human Resources Committee on November 8, 2005.)
8. Resolution No. 61-11/05 – Approving a Collective Bargaining Agreement By and Between Walworth County and AFSCME Local 1925C (To be considered by the Human Resources Committee on November 8, 2005.)

On motion by Supervisor Grant, seconded by Supervisor Morrison, item #1, **Ordinance No. 322-11/05** – Amending Section 15-17 of Chapter 15 of the Walworth County Code of Ordinances Relating to Authorized Positions by Department; item #2, **Ordinance No. 324-11/05** – Amending Section 15-324 of the Walworth County Code of Ordinances So As To Exclude the Position of Family Court Commissioner and Certain Employees of the Children with Disabilities Education Board from the Performance-based Compensation Plan; #3, **Ordinance No. 325-11/05** - Amending Section 2-45 and Section 15-556 of the Walworth County Code of Ordinances Relating to Retiree Health Coverage; and #4, **Resolution No. 57-11/05** – Approving the Annual Salary for the Family Court Commissioner, were approved by voice vote.

A motion was offered by Supervisor Waelti, seconded by Supervisor Burwell, to approve items #5 through #8 of the Human Resources Committee. The Human Resources Committee unanimously approved items #5 through #8 at a special meeting earlier today. Supervisor Van Dreser offered a motion, seconded by Supervisor Wagie-Troemel, for unanimous consent. Unanimous consent failed.

Resolution No. 58-11/05, Resolution No. 59-11/05, Resolution No. 60-11/05, and Resolution No. 61-11/05 were approved by roll call vote. Total vote: 25; Ayes: 23 – Burwell, Downing, Felten, Grant, Guido, Hawkins, Hilbelink, Ketchpaw, Kuhnke, Kupsik, Lein, Lightfield, Morrison, Muzatko, Parker, Russell, Schaefer, Stacey, Van Dreser, Waelti, Wagie-Troemel, Weber, Lohrmann; Noes: 2 – Arnold, Polyock; Absent: 0.

Supervisor Burwell pointed out that the end parenthesis was missing after the word employee on line 4 of Resolution No. 59-11/05, page 232 of the packet.

Land Conservation Committee

1. Resolution No. 49-11/05 – Supporting the Revisions to Chapter NR 115 of the Wisconsin Administrative Code (Recommended by the County Zoning Agency 5-0 and the Land Conservation Committee 7-0)

On motion by Supervisor Russell, seconded by Supervisor Kupsik, **Resolution No. 49-11/05** was approved by voice vote. Supervisor Waelti voted “No.”

Public Works Committee

1. Resolution No. 55-11/05 – Approving Terms and Conditions of Revenue Sharing Agreement By and Between Walworth County and the Town of Darien (Recommended by the Public Works Committee 7-0)

On motion by Supervisor Van Dreser, seconded by Supervisor Polyock, **Resolution No. 55-11/05** was approved by voice vote.

Special Order of Business

Closed Session

A motion by Supervisor Hilbelink, seconded by Supervisor Downing, to convene in closed session, pursuant to the exception contained in Wis. Stats. Sec. 19.85 (1)(e), for the purpose of conducting other specified public business whenever competitive or bargaining reasons require a closed session, with respect to the strategy regarding negotiations by and between Walworth County Children with Disabilities Education Board and the Lakeland Education Association was approved by roll call vote. Total vote: 25; Ayes: 25 – Arnold, Burwell, Downing, Felten, Grant, Guido, Hawkins, Hilbelink, Ketchpaw, Kuhnke, Kupsik, Lein, Lightfield, Morrison, Muzatko, Parker, Polyock, Russell, Schaefer, Stacey, Van Dreser, Waelti, Wagie-Troemel, Weber, Lohrmann; Noes: 0; Absent: 0.

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

A motion offered by Supervisor Kuhnke, seconded by Supervisor Felten, to proceed with negotiations as discussed in closed session, was approved by voice vote.

Reports of Special Committees

Chairperson Lohrmann asked the Supervisors to leave any old budget books on their desks and Finance staff will collect them for recycling.

County Administrator David Bretl gave a brief report on his trip to Germany and Walworth County's sister county in Germany. Bretl said that he traveled to Frankfurt and Waldeck-Frankenberg, our sister county. Bretl said his family did some sightseeing there and he gave a short speech at a meeting with the Burgermeisters, Mayors of the cities in the county, and then again at a legislative meeting. Bretl said he also presented Wisconsin flags compliments of Representative Lothian. He said that one of the important things to come out of his visit is the potential for a student exchange. Bretl said he ran in a marathon in Frankfurt and he set a personal record of 3.18.45. Bretl said he came in approximately 1,000 out of 9,000 runners.

Chairperson's Report

Chairperson Lohrmann announced that the next County Board meeting would be held on December 13, 2005 at 6:00 p.m.

Adjournment

On motion by Supervisor Downing, seconded by Supervisor Morrison, the meeting adjourned at 7:46 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 8, 2005 meeting.

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