

THE JUNE 13, 2006 SESSION
OF THE
WALWORTH COUNTY BOARD OF SUPERVISORS

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

Ricky Ackatz, Student, Lakeland School, delivered the invocation.

Roll Call

Roll call was conducted and all Supervisors were present except Supervisors Downing, Morrison, and Wagie-Troemel.

Amendments and Withdrawals From Agenda, if any

There were none.

Approval of the Agenda

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

Approval of the Minutes

- April 18, 2006 Walworth County Board Meeting

On motion by Supervisor Kuhnke, seconded by Supervisor Kupsik, the April 18, 2006 meeting minutes were approved.

- April 20, 2006 Walworth County Board Meeting

Supervisor Muzatko offered a motion, seconded by Supervisor Weber, to approve the minutes of April 20, 2006. Supervisor Burwell asked that page 12, paragraph three, Reports of Special Committees, be amended as follows: “Dorothy Burwell was moved from the ~~Human Resources~~ Lakeland Health Care Center to the Children with Disabilities Education Board.” The minutes were approved as amended by voice vote.

- May 9, 2006 Committee of the Whole Meeting

On motion by Supervisor Kupsik, seconded by Supervisor Weber, the May 9, 2006 Committee of the Whole Meeting minutes were approved.

- May 9, 2006 Walworth County Board Meeting

On motion by Supervisor Grant, seconded by Supervisor Weber, the minutes of the May 9, 2006 Walworth County Board meeting minutes were approved.

Comment Period by Members of the Public

Chris Perren, 629 N. Church Street, Elkhorn, requested to speak regarding what we trust in. She said that most people are ignorant of the law and that she just realized that Walworth County doesn't have to have a public nursing home. She said that we do have to house a prisoner. Ms. Perren said she thinks we have gone the wrong way in the County by housing so many prisoners compared to the number of residents in the nursing home. She said we trust the Supervisors to help us and make decisions for the County citizens. Ms. Perren said the public did not vote for any of the new buildings in the County. She said that it was not until the Lakeland School issue came up that anyone suggested a referendum. She thanked the Board for saving Lakeland School. She said that regarding the issue of downsizing the County Board, she would like to think that there would be an uneven number of Supervisors.

Special Order of Business

- Recognizing the efforts of individuals and American Legion Post 188 and VFW Post 7501 for purchase and dedication of the Walworth County stone at Highground Veterans Memorial Park at Neillsville, WI
- Presentation of Certificates by Chris Jordan, Walworth County Veterans Service Officer to:
Larry Weber, accepting on behalf of American Legion Post 188
John Kreidler, accepting on behalf of VFW Post 7501
Al and Diane Brockmann, Personal Donation

Chris Jordan, Veteran's Service Officer, gave a description of the High Ground Cemetery. She said that a stone was dedicated on April 29, 2006. The stone has an inscription and reads: Walworth County for Love, Honor, and Duty. Chris Jordan gave certificates of appreciation for the assistance of Larry Weber, John Kreidler, Al and Diane Brockmann. Chair Lohrmann presented the appreciation awards.

Appointments

1. Commission on Aging
 - Supervisor Joyce Ketchpaw – Term to end April 30, 2008
(The Executive Committee recommended reappointment 5-0)
2. Wisconsin River Rail Transit Commission
 - Supervisor Allan Polyock – Term to end April 30, 2009
(The Executive Committee recommended reappointment 5-0)

On motion by Supervisor Kupsik, seconded by Supervisor Grant, the appointments were approved.

Communications and Matters to Be Referred

1. Claims Received After the Agenda Mailing
 - a. Notice of Claim-REW Materials Wisconsin LLC against Builders Supply Corporation, J.P. Cullen & Sons, and Walworth County was referred to the Executive Committee.

- b. Notice of Claim-Carl William Berntsen and Marion Frances Berntsen vs Sheriff David Graves, Deputy Rahn Smith, Universal Mortgage Corp. was referred to the Executive Committee.
2. Claims – There were none.
 3. Communication from Supervisor Larry Hilbelink regarding a Sergeant at Arms at County Board meetings was referred to the Executive Committee.
 4. Letter from Patrick J. O'Connor, Director, Southeast Region Wisconsin Emergency Management, regarding 2006 First Half Progress Report was referred to the Executive Committee.
 5. Communication from Supervisor Margaret Downing regarding an ordinance amending Section 2-68 of the Walworth County Code of Ordinances relating to time limits on speakers during the public comment period at County Board and committee meetings was referred to the Executive Committee.
 6. Communication from Supervisor Joyce Ketchpaw regarding possible County Board Supervisor travel and tours was referred to the Executive Committee.
 7. Correspondence from Supervisors Kathy Ingersoll, Joyce Ketchpaw and Nancy Russell proposing to downsize the county board to twenty-one (21) members (To be referred to the Executive Committee). It is anticipated that a motion may be made to suspend the County Board rules and take immediate action on this item.
 8. Communication from Supervisor Larry Hilbelink regarding building a county airport on land owned by Walworth County was referred to the Public Works Committee.
 9. Letter from Attorney Lowell Sweet regarding the placement of permanent benches on the sidewalks adjacent to the courthouse lawn was referred to the Public Works Committee.
 10. Correspondence from the Land Conservation Committee regarding the nomination of a county board supervisor to serve on the Potters Lake Management District was placed on file.
 11. Written report of Supervisor Dorothy Burwell regarding her attendance at the Public Issues Leadership Development Conference in Washington D.C. was placed on file.
 12. Communication from Supervisor Dorothy Burwell regarding Rotary Club recognition of Land Conservation Lake Specialist Audrey Greene was placed on file.
 13. Report of the County Clerk Concerning Communications Received by the Board and Recommended to be Placed on File. This was sent in packet.
 14. Report of the County Clerk Concerning Communications Received by the Board After the Agenda Mailing – Clerk Bushey read the list, which was placed on Supervisors' desks and follows:
 - The High Ground Veterans Memorial Park brochure-topic of this evening's Special Order of Business;
 - Correspondence from County Clerk Kimberly Bushey-update on progress of the HAVA Compliant Equipment was placed on file;
 - Communication from the Wisconsin Historical Society regarding the nomination of the Sheboygan Light, Power and Railway Company Car #26 in East Troy, Walworth County, to the Wisconsin State Register of Historic Places and National Register of Historic Places was placed on file;
 - Polk County Resolution No. 28-06 – Requesting Governor and State Legislators Enact Legislation to Re-Emphasize the Transportation User Fee Concept Thus Segregating Fuel Tax Revenues and Vehicle Registration Fees Specifically for the Transportation Fund- previously referred to committee was placed on file;

- Ozaukee County Resolution No. 06-8 – Requesting Governor and State Legislators To Enact Legislation to Re-Emphasize the Transportation User Fee Concept-previously referred to committee was placed on file;
- Walworth County Sheriff’s Department 2005 Annual Report was placed on file;
- *The Mutual Effort*, Spring 2006 was placed on file;
- *Walworth County Senior Review*, June 2006 was placed on file

15. Report of County Clerk Concerning Zoning Petitions was referred to the County Zoning Agency, was included in the agenda packet, and is as follows:

- Bruce J. Gebert Trust (Warren E. Hansen, App.), Town of Geneva, A-1 to R-5
- Gary and Jean Mermal, Town of Lafayette, A-1 to A-2
- David and Linda Cowan, Town of Lyons, A-1 to A-4
- Michael P. Holmes, Town of Bloomfield, A-1 to C-2
- Michael & Caryl Foley, Town of East Troy, A-1 to C-2
- Gerald & Eloice Markham Trust, Town of LaGrange, A-1 to C-2
- Gerald & Susan Millin, Town of Sharon, R-4 to R-1
- Darrel & Amy Markhan, Town of Troy, A-1 to A-2
- Ordinance Amendment to Walworth County Code of Ordinances, Sec. 74-86 Zoning & 74-215 Shoreland (Signs)
- Ordinance Amendment to Walworth County Code of Ordinances, Secs. 58-3.2(2), 58-4.3, 58-5.2 (15 & 16), 58-6.2 (8) & 58-7.2 (9)
- Leonard Matthews (Atty. John Hotvedt, App.), Town of Lyons, A-2 to C-2

Supervisor Ketchpaw offered a motion, seconded by Supervisor Polyock, to suspend the County Board rules to take action on item #7, Correspondence from Supervisors Kathy Ingersoll, Joyce Ketchpaw and Nancy Russell proposing to downsize the county board to twenty-one (21) members (To be referred to the Executive Committee).

David Bretl, County Administrator, said that if the motion fails, the communication would be referred to the Executive Committee.

A roll call vote was taken to suspend the rules to take action on item #7, Communications and Matters to be Referred. The roll call vote failed. On motion by Supervisor Polyock, seconded by Supervisor Hilbelink, the motion was reconsidered because Supervisors’ votes were not properly recorded. Supervisor Kilkenny arrived at 6:28 p.m. Total vote: 25; Ayes: 10 – Grant, Ingersoll, Ketchpaw, Kilkenny, Lein, Lightfield, Parker, Russell, Weber, Lohrmann; Noes: 12 – Arnold, Burwell, Guido, Hawkins, Hilbelink, Kuhnke, Kupsik, Muzatko, Polyock, Schaefer, Stacey, Van Dreser; Absent: 3 – Downing, Morrison, Wagie-Troemel. The motion to suspend the rules failed. Item #7 was referred to Executive Committee for review as indicated on the agenda.

Unfinished Business

There was none.

New Business

Reports of Standing Committees

County Zoning Agency Report of Proposed Zoning Amendments

1. **Ordinance No. 364-06/06** – Amending Sections 74-71.1 and 74-199 of the Walworth County Code of Ordinances Relating to Zoning and Shoreland Zoning (Recommended by the County Zoning Agency 7-0). Ordinance Amendment to Walworth County Code of Ordinances Section 74-71.1 of the Zoning Ordinance and Section 74-199 of the Shoreland Zoning Ordinance – Revocation – approved 7 – 0 (4-25-06 public hearing)
 2. **Ordinance No. 363-06/06** – Amending Sections 58-1.1, 58-3.2, 58-4.2, 58-5.2 and 58-5.4 of the Walworth County Code of Ordinances Relating to Subdivisions (Recommended by the County Zoning Agency 7-0). Ordinance Amendment to Walworth County Code of Ordinances Sections 58-1.1, 3.2, 4.2, 5.2, and 5.4 – approved 7 – 0 (4-25-06 public hearing)
 3. Town of Delavan, Rezone R-2 to R-2A all lands within or intersecting the 1000 ft. shoreland boundary of Delavan Lake according to adopted guidance of the town’s master plan – approved 7 – 0 (5-18-06 public hearing)
 4. Duane and Linda Newman, Town of Lafayette, Rezone .28 acres of A-4 to A-1 and .11 acres of A-1 to A-4 – approved 7 – 0 (5-18-06 public hearing)
 5. Peter Mainka (Gene Kovacs, RSV Engineering, Inc., App.), Town of East Troy, Rezone 28.02 acres of A-1, A-2, & C-2 to M-3, A-1, & C-2 – approved 7 – 0 (5-18-06 public hearing)
 6. Regina H. Jarosz/Christine E. Schmidt (Charles Kopp, App.), Town of Bloomfield, Rezone 2.05 acres of A-2 & C-1 to B-4, C-1, & A-2 – approved 7 – 0 (5-18-06 public hearing)
 7. Rick Stacey, Town of Whitewater, Rezone 2.99 acres of A-3 to R-3 – approved 6 – 0 (5-18-06 public hearing)
 8. Daniel E. McLean (Peter S. Gordon, App.), Town of Bloomfield, Rezone 7.76 acres of A-2 to C-2 – approved 7 – 0 (5-18-06 public hearing)
- Ord. No. 364-06/06 – Amending Sections 74-71.1 and 74-199 of the Walworth County Code of Ordinances Relating to Zoning and Shoreland Zoning (Recommended by the County Zoning Agency 7-0). Ordinance Amendment to Walworth County Code of Ordinances Section 74-71.1 of the Zoning Ordinance and Section 74-199 of the Shoreland Zoning Ordinance – Revocation – approved 7 – 0 (4-25-06 public hearing)
2. Ordinance No. 363-06/06 – Amending Sections 58-1.1, 58-3.2, 58-4.2, 58-5.2 and 58-5.4 of the Walworth County Code of Ordinances Relating to Subdivisions (Recommended by the County Zoning Agency 7-0). Ordinance Amendment to Walworth County Code of Ordinances Sections 58-1.1, 3.2, 4.2, 5.2, and 5.4 – approved 7 – 0 (4-25-06 public hearing)
 3. Town of Delavan, Rezone R-2 to R-2A all lands within or intersecting the 1000 ft. shoreland boundary of Delavan Lake according to adopted guidance of the town’s master plan – approved 7 – 0 (5-18-06 public hearing)
 4. Duane and Linda Newman, Town of Lafayette, Rezone .28 acres of A-4 to A-1 and .11 acres of A-1 to A-4 – approved 7 – 0 (5-18-06 public hearing)
 5. Peter Mainka (Gene Kovacs, RSV Engineering, Inc., App.), Town of East Troy, Rezone 28.02 acres of A-1, A-2, & C-2 to M-3, A-1, & C-2 – approved 7 – 0 (5-18-06 public hearing)
 6. Regina H. Jarosz/Christine E. Schmidt (Charles Kopp, App.), Town of Bloomfield, Rezone 2.05 acres of A-2 & C-1 to B-4, C-1, & A-2 – approved 7 – 0 (5-18-06 public hearing)
 7. Rick Stacey, Town of Whitewater, Rezone 2.99 acres of A-3 to R-3 – approved 6 – 0 (5-18-06 public hearing)
 8. Daniel E. McLean (Peter S. Gordon, App.), Town of Bloomfield, Rezone 7.76 acres of A-2 to C-2 – approved 7 – 0 (5-18-06 public hearing)

A motion was offered by Supervisor Kupsik, seconded by Supervisor Kuhnke, to concur with the Report of the County Zoning Agency. Supervisor Stacey abstained from voting on item # 7. Items # 1, through # 6 and # 8 were approved by voice vote. Item # 7 was approved by voice vote. The Clerk noted that Supervisor Stacey abstained from voting on item # 7.

County Zoning Agency

1. Resolution No. 14-06/06 – Supporting the Town of Sugar Creek’s Ordinance Regulating Construction on Unimproved Roads (Recommended by the County Zoning Agency 7-0)

On motion by Supervisor Stacey, seconded by Supervisor Arnold, **Resolution No. 14-06/06** was approved.

Executive Committee

1. Ordinance No. 366-06/06 – Amending Section 2-140 (b) of the Walworth County Code of Ordinances Pertaining to Solid Waste Management Duties (Recommended by the Executive Committee 5-0)
2. Ordinance No. 368-06/06 – Creating Section 18-32 of the Walworth County Code of Ordinances Pertaining to Recognition of a Local HazMat Team (Recommended by the Executive Committee 5-0)
3. Resolution No. 15-06/06 – Recommending Inclusion of Advisory Resolutions on the Wisconsin Counties Association Platform (Recommended by the Executive Committee 5-0)

On motion by Supervisor Grant, seconded by Supervisor Parker, **Ordinance No. 366-06/06**, **Ordinance No. 368-06/06**, and **Resolution No. 15-06/06** were approved by voice vote.

Finance Committee

1. Resolution No. 12-06/06 – Authorizing a Transfer of \$955 from the 2006 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)

Supervisor Grant offered a motion, seconded by Supervisor Van Dreser, to approve Resolution No. 12-06/06. On motion by Supervisor Grant, seconded by Supervisor Hilbelink, **Resolution No. 12-06/06** was approved by unanimous consent.

Human Resources

1. Ordinance No. 365-06/06 – Amending Section 15-17 of the Walworth County Code of Ordinances Relating to the Reclassification of an Administrative Assistant Position in the Health and Human Services Department (Recommended by the Human Resources Committee 3-0)
2. Ordinance No. 367-06/06 – Amending Section 15-17 of the Walworth County Code of Ordinances Pertaining to Authorized Positions by Department Relative to the Public Works Department (Recommended by the Human Resources Committee 3-0)
3. Resolution No. 13-06/06 – Reauthorization of Self-Insurance for Worker’s Compensation (Recommended by the Human Resources Committee 3-0)

On motion by Supervisor Weber, seconded by Supervisor Ketchpaw, **Ordinance No. 365-06/06**, **Ordinance No. 367-06/06**, and **Resolution No. 13-06/06** were approved by voice vote. Supervisor Guido requested that his vote be recorded as No.

Public Works Committee

1. Resolution No. 16-06/06 – Authorizing Certain Changes to Walworth County’s Contract with Johnson Controls, Inc. (Recommended by the Public Works Committee 5-0)

A motion was offered by Supervisor Ingersoll, seconded by Supervisor Russell, to approve Resolution No. 16-06/06. Discussion ensued. **Resolution No. 16-06/06** was approved by voice vote.

Reports of Special Committees

There were none.

Chairperson’s Report

There was none.

Adjournment

On motion by Supervisor Stacey, seconded by Supervisor Polyock, the meeting was adjourned at 6:42 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 13, 2006 meeting.

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