

THE SEPTEMBER 7, 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.

Deacon Desales Wisniewski, Sheriff's Department Chaplain, delivered the invocation.

Roll Call

Roll call was conducted and all Supervisors were present except Supervisors Downing, Kuhnke, Muzatko, Polyock, and Schaefer.

Amendments and Withdrawals From Agenda, if any

There were none.

Approval of the Agenda

On motion by Supervisor Wagie-Troemel, seconded by Supervisor Morrison, the agenda was approved.

Approval of the Minutes

On motion by Supervisor Stacey, seconded by Supervisor Weber, the minutes of the August 8, 2006 Walworth County Board of Supervisors meeting were approved by voice vote.

Comment Period by Members of the Public

There were none.

Special Order of Business

- Presentation of Certificates of Appreciation to Kachel Family Foundation, Inc. and Geneva National Foundation, Inc. for Their Support of the New Lakeland School Facility

Supervisor Lein accepted the certificate for the Kachel family who could not be present. Jennifer Myers accepted for Geneva National Foundation, Inc. Chairperson Lohrmann thanked the Kachel Family and Geneva National Foundation for their generous donations. She said that people like these make dreams come true. Supervisor Lein said that the Kachels wanted to thank the County Board for continuing to support Lakeland School. Ricky Ackatz, student at Lakeland School, expressed thanks on behalf of all the students at the school and presented thank you cards made by the students to each of the contributors.

- Recognition of Health and Human Services Staff Involved in Clinical Re-certification

Chairperson Lohrmann introduced Dr. David Thompson, Clinical Psychologist and Interim Director of Health and Human Services.

Dr. Thompson said that the Health and Human Services Department has several clinics that are certified by the State of Wisconsin. One is the Alcohol and Drug Abuse Clinic, which is required by Statute and another is an Outpatient Mental Health Clinic. He said that certification by the State allows the department to recoup some of the revenues that are available. The State reviews the programs and staff credentials to determine if State standards are met. Dr. Thompson said that the department just recently underwent a State recertification and they were certified for a full year with no citations. He said he is very proud of this certification and gives credit to all the staff for this achievement. Dr. Thompson introduced the clinical staff and asked that they come forward to be recognized. The following staff were recognized: Lee Christensen, Sean Fauls, Sonia Hill, Nicole Heinrich, Jody Pickruhn, Carlo Nevicosi, Marlene Huffar, Harry Hansen, Sheri Skomski, Dr. Joseph Drinka, Dr. Steven Singer, Dr. Judith Arnold, Dr. Noel Narut, Medical Director Dr. Steven Ortell, Sharon Alder, and Liz Aldred. Chair Lohrmann thanked Dr. Thompson and the staff for their hard work and dedication.

Appointments

1. Wisconsin River Rail Transit Commission
 - Supervisor Jerry Grant – Term to begin upon appointment and end on April 30, 2007
(Recommended by the Executive Committee 5-0)
2. Local Emergency Planning Committee
 - Kevin Williams, Emergency Management
 - Kevin Kennedy, EMS
 - John Hagen, DNR
 - Senator Neal Kedzie, State Senate
 - Michael Ciardo, Law Enforcement
 - David Fladten, EMS/Law Enforcement
 - Julie Schoening, A.R.C.
 - Patricia Grove, Public Health
 - Vacant, 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 5-0)

On motion by Supervisor Stacey, seconded by Supervisor Parker, the appointments were approved as recommended by the Executive Committee.

Communications and Matters to Be Referred

1. Claims Received After the Agenda Mailing – There were none.
2. Claims: There were no claims.
3. Communication from the Wisconsin Department of Administration regarding 2006 preliminary population estimate for Walworth County was referred to the Executive Committee.

4. Communication from Walworth County Treasurer Kathy Du Bois regarding Sunshine Fund (It is anticipated that the County Board will vote to take action on this item at tonight's meeting, which may include a motion to approve a payroll deduction to replenish the fund.)
5. Communications concerning intergovernmental agreements and special education from the Walworth County School Districts: Traver School-Linn Joint #4; Reek Elementary School-Linn Joint #6; Elkhorn Area School District; Sharon Community School-Joint District #11; Genoa City/Bloomfield-Joint #2 School District; Walworth Joint District #1; Fontana Jt. 8 School District; Lake Geneva-Genoa City Union High School District and Lake Geneva Joint #1; was referred to the Children with Disabilities Education Board.
6. Communication from Supervisor Margaret Downing regarding allowing naming rights for donations and the formation of a Naming Rights Committee (To be referred to the Children with Disabilities Education Board)
7. Communication from Supervisor Dorothy Burwell regarding Fields Best Trip was referred to the Executive Committee.
8. Report of the County Clerk Concerning Communications Received by the Board and Recommended to be Placed on File. This was sent in the agenda packet and was placed on file.
9. 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:
 - Amended Report of Petitions Referred to Walworth County Zoning Agency – to be referred to the County Zoning Agency
 - *Walworth County Senior Review*, September 2006 – to be placed on file
10. Report of County Clerk Concerning Zoning Petitions was referred to the County Zoning Agency, was included in the agenda packet and an amended Report was placed on Supervisors' desks prior to the meeting, and is as follows:
 - a. Willow Springs Orchard LLC-Thomas G. Dunlap, Town of Darien, C-2 to A-4
 - b. Peter DiBrito, Town of Bloomfield, C-1 to B-4
 - c. Otto Jacobs Company, LLC, Town of Bloomfield, 15.96 acres of A-2 to B-4 & 15.13 acres of A-2, M-3, C-1 & P-2 to M-1
 - d. Otto Jacobs Company, LLC, Town of Bloomfield, C-1 to C-2, M-3 to C-2, A-1 to C-1, C-1 to B-2, & P-2 to B-2
 - e. Centerville Development Company (Atty. John L. Maier, Jr., Sweet & Maier, S.C., App.), Town of Delavan, A-1 to R-2 & B-2
 - f. Dorothy Heffernan Trust, Town of Geneva, A-2 to A-1
 - g. Tower View Mobile Court, Inc. a Wisconsin Corporation (Atty. Anthony A. Coletti, App.), Towns of Geneva & Lyons, C-2 & M-3 to B-5
 - h. Bonnie Stone (Walworth County Land Use and Resource Management Department, App.), Town of Lyons, C-4 to C-2
 - i. Gary V. Soukup, Town of Spring Prairie, A-1 & R-1 to B-2
 - j. Walter Kraayvanger (Walworth County Board Supervisor Ann Lohrmann, App.), Town of Troy, B-2 to C-2

On motion by Supervisor Ingersoll, seconded by Supervisor Ketchpaw, item 6, Communication from Supervisor Margaret Downing regarding allowing naming rights for donations and the formation of a Naming Rights Committee (To be referred to the Children with Disabilities Education Board), was referred to the Executive Committee.

A motion offered by Supervisor Morrison, seconded by Supervisor Hilbelink, to suspend the rules to take action on item 4, Communication from Walworth County Treasurer Kathy Du Bois regarding Sunshine Fund, was approved by voice vote. A motion offered by Supervisor Grant, seconded by Supervisor Hilbelink, to approve a payroll deduction of \$10.00 from each County Board Supervisor's payroll check to replenish the County Board Sunshine fund, was approved by voice vote.

New Business

Reports of Standing Committees

County Zoning Agency Report of Proposed Zoning Amendments

1. **Ordinance No. 386-09/06** – Amending Sections 74-86 and 74-215 of the Walworth County Code of Ordinances Relating to On-Premise Sign Modification (Recommended by County Zoning Agency 6-0). Ordinance Amendment to Walworth County Code of Ordinances, Sections 74-86 (Zoning and 74-215 (Shoreland) re signs – approved 6 – 0 (7-20-06 public hearing)
2. Floodplain Map Amendment re high hazard rating on the Lake Beulah Dam, Town of East Troy – approved 6 – 0 (8-17-06 public hearing)
3. J.R. Mini-Warehouses, LLC, Town of Sugar Creek, Rezone 6.65 acres of M-3 to M-1 – approved 6 – 0 (8-17-06 public hearing)
4. Melvyn W. and Janet A. Madaus Trust (Warren E. Hansen, App.), Town of Bloomfield, Rezone 29.87 acres of A-3 to R-1 – approved 6 – 0 (8-17-06 public hearing)
5. Stephanie Pennington, Town of Bloomfield, Rezone B-1 to R-2 – approved 6 – 0 (8-17-06 public hearing)
6. Norman L. and Jean A. Brummel Trust, Town of Darien, Rezone A-1 to A-5 – approved 4 – 2 (8-17-06 public hearing)
7. Esquire Lounge & Dining, LLC, Town of Delavan, Rezone .16 acres of R-2 to B-2 – approved 6 – 0 (8-17-06 public hearing)
8. Paloma Golf Group, Inc. (Farris, Hansen & Assoc., Inc., App.), Town of Geneva, Rezone C-1, C-4, & B-5 to C-1, C-4, & B-5 – approved 6 – 0 (8-17-06 public hearing)
9. Foxwood, LLC – Michael A. Lampe (Farris, Hansen & Assoc., Inc., App.), Town of Geneva, Rezone 3 acres of C-1, C-4, C-2 & B-5 to B-5 & C-1 – approved 6 – 0 (8-17-06 public hearing)
10. Hoganson Foundation, LTD (Gene Kovacs, RSV Engineering, Inc., Town of Spring Prairie, Rezone 5.96 acres of C-2 to A-2 – approved 6 – 0 (8-17-06 public hearing)

Supervisor Stacey offered a motion, seconded by Supervisor Kupsik, to approve the Report of the County Zoning Agency. Supervisor Ketchpaw requested that item 6 be pulled out for discussion. Items 1 through 5 and 7 through 10 were approved by voice vote. Discussion ensued on item 6.

Michael Cotter, Director of Land Use & Resource Management, explained the rezone. A roll call vote was held on item 6. Total vote: 25; Ayes: 12 – Arnold, Grant, Guido, Hawkins, Hilbelink, Kilkenny, Kupsik, Lein, Parker, Stacey, Wagie-Troemel, Weber; Noes: 8 – Burwell, Ingersoll, Ketchpaw, Lightfield, Morrison, Russell, Van Dreser, Lohrmann; Absent: 5 – Downing, Kuhnke, Muzatko, Polyock, Schaefer. Item 6, Norman L. and Jean A. Brummel Trust, Town of Darien, Rezone A-1 to A-5 – approved 4 – 2 (8-17-06 public hearing) was approved.

Executive Committee

1. Resolution No. 28-09/06 – Establishing Topics for County Board Committee of the Whole Meetings in October and January and Establishing an Additional Topic for a Committee of the Whole Meeting on March 13, 2007 (Recommended by the Executive Committee 5-0)

On motion by Supervisors Wagie-Troemel and Weber, **Resolution No. 28-09/06** was approved by voice vote.

Finance Committee

1. Ordinance No. 383-09/06 – Amending Section 30-155 of the Walworth County Code of Ordinances Relative to Petty Cash Banks (Recommended by the Finance Committee 7-0)
2. Ordinance No. 384-09/06 – Amending Section 30-170(a)(1) of the Walworth County Code of Ordinances Relative to Postemployment Health Benefits (Recommended by the Finance Committee 7-0)
3. Ordinance No. 385-09/06 – Amending Section 30-413 of the Walworth County Code of Ordinances Relative to Distribution of Paychecks (Recommended by the Finance Committee 7-0)
4. Ordinances to Create a CDEB Taxation District (The Finance Committee will consider at a special meeting prior to the County Board meeting.)
5. Ordinance No. 388-09/06 – Amending Chapter 9 of the Walworth County Code of Ordinances to Establish a Tuition Plan for Non-Walworth County Residents Served by the Walworth County CDEB (The Finance Committee will consider at a special meeting prior to the County Board meeting.)
6. Resolution No. 29-09/06 – Accepting a \$50,000 Donation for the Lakeland School Construction Project from the Kachel Family Foundation, Inc. (Recommended by the Finance Committee 7-0)
7. Resolution No. 30-09/06 – Accepting a \$350,000 donation from the Geneva National Foundation, Inc. to Upgrade the Aquatic Center at the New Lakeland School Facility (Recommended by the Finance Committee 7-0)

On motion by Supervisor Stacey, seconded by Supervisor Russell, item 1, **Ordinance No. 383-09/06**, item 2, **Ordinance No. 384-09/06**, item 3, **Ordinance No. 385-09/06**, and item 4, **Ordinance No. 387-09/06** were approved by voice vote. The Finance Committee approved item 4, Ordinance No. 387-09/06, 5-0, at a special meeting prior to the County Board meeting.

On motion by Supervisor Ketchpaw, seconded by Supervisor Grant, item 5, **Ordinance No. 388-09/06**, was approved as amended by the Finance Committee. The amendment is as follows: line 7 on page 1 should be deleted and the phrase “with the goal of fully recovering county costs to the extent allowed by law” should be added.

On motion by Supervisor Wagie-Troemel, seconded by Supervisor Burwell, item 6, **Resolution No. 29-09/06** was approved by voice vote.

Supervisor Weber offered a motion, seconded by Supervisor Morrison, to approve item 7, Resolution No. 30-09/06. Supervisor Weber said that he would like the full Board to recognize this level of donation by giving the contributor some kind of recognition, which would be displayed in the Aquatic Center of the new Lakeland School. Supervisor Weber said that an

example would be similar to that of the Whitewater High School where they have placed a plaque in the Aquatic Center identifying the contributors.

A motion was offered by Supervisor Weber, seconded by Supervisor Van Dreser, to amend Resolution No. 30-09/06 adding the following: it is the intent of the County Board to offer recognition in the form of a plaque which would identify the contributors and which would be placed in the Aquatic Center at the new Lakeland School facility. The amendment was approved by voice vote. **Resolution No. 30-09/06** was approved as amended.

Health & Human Services

1. Resolution No. 31-09/06 – Exemption from State Mandate Sec. 46.036(4)(c) Wisconsin Statutes (Recommended by the Health and Human Services Board 8-0. The Finance Committee will consider at a special meeting prior to the County Board meeting.)

Clerk Bushey announced that the Finance Committee met prior to this evening's meeting and approved the resolution 5-0. On motion by Supervisor Ketchpaw, seconded by Supervisor Parker, **Resolution No. 31-09/06** was approved by voice vote.

Human Resources

1. Ordinance No. 381-09/06 – Amending Sections 15-518, 15-538 and 15-572 of the Walworth County Code of Ordinances Relating to Worker's Compensation (Recommended by the Human Resources Committee 5-0)
2. Ordinance No. 382-09/06 – Amending Chapter 15 of the Walworth County Code of Ordinances Relating to Employee Use of County and Personal Vehicles (Recommended by the Human Resources Committee 5-0)
3. Ordinance No. 389-09/06 – Amending Section 15-17 of the Walworth County Code of Ordinances Relating to Authorized Positions by Department, Regarding Health & Human Services (The Human Resources Committee will consider at a special meeting prior to the County Board meeting)
4. Resolution No. 27-09/06 – Authorizing a Memorandum of Understanding by and between Walworth County and the Deputy Sheriffs Association Regarding Higher Education Incentives (Recommended by the Human Resources Committee 5-0)

A motion was offered by Supervisor Wagie-Troemel, seconded by Supervisor Grant, to approve items 1 and 4. Item 4 was removed from the motion and Supervisor Russell offered a motion, seconded by Supervisor Stacey, to amend item 1, page 1, line 17, with the following added after the word parent "pursuant to (d)(1)." The amendment was approved. **Ordinance No. 381-09/06** was approved as amended by voice vote.

Supervisor Grant offered a motion, seconded by Supervisor Wagie-Troemel, to approve item 2. County Administrator Bretl said that he is looking for a friendly amendment to this ordinance on line 18 for clarification. On motion by Supervisor Morrison, seconded by Supervisor Grant, Ordinance No. 382-09/06 was amended by adding the following after the words "liability insurance" as required by Sec. 34.55(c) of the Code of Ordinances. **Ordinance No. 382-09/06** was approved as amended by voice vote.

Supervisor Ketchpaw offered a motion, seconded by Supervisor Stacey, to approve item 3, Ordinance No. 389-09/06. The Human Resources Committee approved the ordinance 4-0 prior

to this evening's meeting. On motion by Supervisor Van Dreser, seconded by Supervisor Grant, **Ordinance No. 389-09/06** was approved by unanimous consent.

On motion by Supervisor Wagie-Troemel, seconded by Supervisor Hilbelink, item 4, **Resolution No. 27-09/06**, was approved by voice vote.

Reports of Special Committees

There were none.

Chairperson's Report

There was none.

Adjournment

On motion by Supervisor Wagie-Troemel, seconded by Supervisor Ketchpaw, the meeting was adjourned at 6:48 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 7, 2006 meeting.

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