

THE APRIL 17, 2007 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.

Reverend Scott McLeod, United Church of Christ, Elkhorn, delivered the invocation.

All Supervisors were present except Supervisor Russell. A quorum was established.

Amendments, Withdrawals, and Approval of Agenda

On motion by Supervisor Stacey, seconded by Supervisor Kuhnke, the agenda was approved by voice vote.

Approval of the Minutes

On motion by Supervisor Lightfield, seconded by Supervisor Grant, the minutes of the March 13, 2007 Committee of the Whole Meeting and March 13, 2007 Walworth County Board of Supervisors meeting were approved.

Comment Period by Members of the Public Concerning Items on the Agenda

Jim Simons, N6292 Paradise Dr., Burlington, spoke regarding the 2008 Budget. Mr. Simons urged the Board to carefully consider the budget and vote for a zero budget for 2008.

Appointments

1. Commission on Aging
 - Patti Pagel – Term: July 1, 2007-June 30, 2010
(Recommended by the Executive Committee 5-0)
2. Community Partner Advisory Group (CPAG)
 - Kathy Baumeister
 - Bob Handel
 - John Holmes
 - Darlene Pinnow
 - Doc Sterken

(Recommended by the Executive Committee 5-0)
3. Walworth County Housing Authority Board
 - June Yantis – Term ending June 30, 2011
(Recommended by the Executive Committee 5-0)
4. Lakeshore Library System Board
 - Signe Emmerich – Term ending December 31, 2009
 - Laurie Kant-Hull – Term ending December 31, 2009
(Recommended by the Executive Committee 5-0)

On motion by Supervisor Morrison, seconded by Supervisor Ketchpaw, the appointments were approved by voice vote.

Communications and Matters to Be Referred

1. Claims Received After Agenda Mailing
2. Claims: a) Jeffrey J. and Janet J. Ray v. Walworth County Board of Adjustment-Petition For Writ of Certiorari, Notice of Motion and Motion For Temporary Restraining Order and Injunction and Supporting Affidavit and Summons received April 9, 2007 was referred to the Executive Committee.
3. Letter from Attorney Thomas J. Shannon requesting consideration of a zoning ordinance amendment requiring notification to property owners potentially affected by petitions to subdivide neighboring properties was referred to the County Zoning Agency.
4. Communication from Supervisor Art Lein regarding recognition of the UW-Whitewater wheelchair basketball team at the May County Board Meeting was referred to the Executive Committee.
5. Letter from Kevin Conlon requesting the installation of reflectors on Walworth County roads was referred to the Public Works Committee.
6. Communication from James E. Davis, President, AARP Walworth County Chapter #5310 regarding the use of the west wing of the Government Center as a space for a Senior Center for Walworth County residents was referred to the Public Works Committee.
7. Communication from Chairperson Ann Lohrmann regarding 2007-2008 planning was placed on file.
8. Report of the County Clerk Concerning Communications Received by the Board and Recommended to be Placed on File was mailed with the agenda packet.
9. Report of County Clerk Concerning Communications Received by the Board After the Agenda Mailing – The following items were placed on the Supervisors’ desks:
 - Communication from Bret Strong regarding his resignation from the Board of Adjustment was referred to the Executive Committee.
 - Communication from Larry Hilbelink regarding changing the vote for rescission from a majority to 2/3 was referred to the Executive Committee.
 - Communication from Pine Knolls Subdivision-Second Petition for Detachment from the Whitewater-Rice Lake Management District from Property Owners of the Pine Knolls Subdivision was referred to the Land Conservation Committee.
 - Communication from Supervisor Larry Hilbelink regarding the rescission of Resolution No. 48-01/07 was referred to the Public Works Committee.
 - Communication from Supervisor Daniel Kilkenny with regard to his concerns pertaining to Chair Lohrmann’s letter of April 5, 2007 to the County Board of Supervisors was placed on file.
 - Communication from Supervisor Sandra Wagie-Troemel regarding County Board accomplishments and working together as a cohesive Board was placed on file.
 - Wisconsin County Mutual Insurance Corporation - *The Mutual Effort* Winter 2007 was placed on file
 - *Walworth County Senior Review*, April 2007 was placed on file
10. Report of County Clerk Concerning Zoning Petitions was referred to the County Zoning Agency. The list was mailed with the agenda packet and follows.
 - Jon Kasnick, Town of Delavan, B-1 to B-2
 - Robert Friemoth (Tom Larson, Teronomy Builders, Inc., App.), Town of Lafayette, A-1 to B-4
 - Joe and Wendy Staller, Town of Richmond, A-1 to A-4
 - Various Owners (Town of LaGrange, App.), Town of LaGrange, C-2 to A-1

Unfinished Business

New Business

Reports of Standing Committees

County Zoning Agency Report of Proposed Zoning Amendments

1. **Ordinance No. 426-04/07** – Amending Chapter 26 of the Walworth County Code of Ordinances Relating to Nonmetallic Mining Reclamation (Recommended by the County Zoning Agency 6-0) Ordinance Amendment to Section 26, Article VI, Non-Metallic Mining Reclamation Ordinance, Walworth County Code of Ordinances – approved 6 – 0 (2-15-07 public hearing)
2. **Ordinance No. 427-04/07** – Amending Sections 58-1.1 and 58-3.1 of the Walworth County Code of Ordinances Relating to Parcels (Recommended by the County Zoning Agency 6-0) Ordinance Amendment to Sections 58-1.1.1 and 58-3.3.1(3), Walworth County Subdivision Control Ordinance, Walworth County Code of Ordinances – approved 6 – 0 (2-15-07 public hearing)
3. **Ordinance No. 428-04/07** – Amending Sections 74-38, 74-39, 74-131, 74-163, 74-164 and 74-263 of the Walworth County Code of Ordinances Relating to Regulations and Definitions (Recommended by the County Zoning Agency 6-0) Ordinance Amendment to Section 74-38/74-163, 74-39/74-164, and 74-131/74-263, Walworth County Zoning and Shoreland Zoning Ordinance, Walworth County Code of Ordinances – approved 6 – 0 (2-15-07 public hearing)
4. William J. Leonard & Sons, Town of Linn, Rezone 31 acres of M-3 to A-1 & C-4 – approved 7 – 0 (3-15-07 public hearing)
5. Rita M. Leahy, Town of Lyons, Rezone 2.7 acres of A-1 to A-4 – approved 7 – 0 (3-15-07 public hearing)
6. Dean Chudy (Warren Hansen, App.), Town of Bloomfield, Rezone .21 acres of M-1 to C-1 – approved 7 – 0 (3-15-07 public hearing)
7. Norman H. Wrzesinski (Douglas G. Olson, App.), Town of Darien, Rezone 3.14 acres of A-3 to R-1 – approved 7 – 0 (3-15-07 public hearing)
8. Matthew and Mary Polyock, Town of Linn, Rezone 11.18 acres of A-1, C-4, & C-1 to A-1, C-4, & A-5 – approved 7 – 0 (3-15-07 public hearing)
9. Lyle and Beverly Blaedow, Town of Richmond, Rezone .43 acres of B-2 to R-1 – approved 7 – 0 (3-15-07 public hearing)
10. Millard Community Church (Bruce Hanson, Agent), Town of Sugar Creek, Rezone 1.70 acres of A-1 to P-2 – approved 7 – 0 (3-15-07 public hearing)
11. D & M Enterprises, Town of Sugar Creek, Rezone 2.1 acres of C-4 to R-5 – approved 7 – 0 (3-15-07 public hearing)

Supervisor Kupsik offered a motion, seconded by Supervisor Kuhnke, to approve the Report of the County Zoning Agency. Supervisor Polyock recused himself from item 8. Items 1 through 7 and 9 through 11 were approved by voice vote. Item 8 of the Report of the County Zoning Agency was approved by voice vote. Supervisor Polyock abstained from the vote on item 8 and left the room during the vote.

County Zoning Agency

1. Resolution No. 02-04/07 – Approving the Plat of the Richmond Cemetery Association (Recommended by the County Zoning Agency 6-0)

A motion was offered by Supervisor Kupsik, seconded by Supervisor Wagie-Troemel, to approve Resolution No. 02-04/07. Supervisor Kilkenny abstained from the vote. **Resolution No. 02-04/07** was approved by voice vote with Supervisor Kilkenny abstaining.

Executive Committee

1. Approval of 2007-2008 County Board Meeting Schedule (Recommended by the Executive Committee 5-0)
2. Ordinance No. 430-04/07 – Amending Chapter 2 of the Walworth County Code of Ordinances Relating to Rules and Duties of Members (Recommended by the Executive Committee 5-0)
3. Resolution No. 03-04/07 – Recommending Certain Amendments to 2005 Wisconsin Act 100 (Recommended by the Executive Committee 5-0)
4. Resolution No. 04-04/07 – Establishing an Additional Topic for a Committee of the Whole Meeting on October 9, 2007 (Recommended by the Executive Committee 5-0)

On motion by Supervisor Weber, seconded by Supervisor Grant, item 1, **2007-2008 County Board Meeting Schedule** and item 4, **Resolution No. 04-04/07**, were approved by voice vote.

A motion was offered by Supervisor Weber, seconded by Supervisor Grant, to approve item 2, Ordinance No. 430-04/07. Discussion ensued. County Administrator Bretl explained that the Executive Committee would initially investigate any complaint but, statutorily, any removals would have to take place by the County Board. A roll call vote was held on Ordinance No. 430-04/07. Total vote: 25; Ayes: 17 – Arnold, Burwell, Downing, Grant, Hilbelink, Ketchpaw, Kuhnke, Kupsik, Lein, Lightfield, Muzatko, Parker, Stacey, Van Dreser, Wagie-Troemel, Weber, Lohrmann; Noes: 7 – Guido, Hawkins, Ingersoll, Kilkenny, Morrison, Polyock, Schaefer; Absent: 1 – Russell. **Ordinance No. 430-04/07** was approved.

On motion by Supervisor Grant, seconded by Supervisor Wagie-Troemel, item 3, **Resolution No. 03-04/07**, was approved by voice vote. Supervisors Lohrmann, Stacey, and Arnold requested that their votes be recorded as No.

Finance Committee

1. Resolution No. 01-04/07 – Closing Fiscal Year 2006 (Recommended by the Finance Committee 7-0)
2. Resolution No. 07-04/07 - Establishing 2008 Budget Guidance (Recommended by the Finance Committee 6-1)

A motion offered by Supervisor Stacey, seconded by Supervisor Kuhnke, to approve **Resolution No. 01-04/07**, was approved unanimously.

A motion was offered by Supervisor Ketchpaw, seconded by Supervisor Stacey, to approve item 2, Resolution No. 07-04/07 – Establishing 2008 Budget Guidance. Supervisor Stacey offered a motion, seconded by Supervisor Polyock, to amend the resolution as follows: lines 9 and 10 would read “The tax levy increase for fiscal year 2008 not exceed the county’s self-imposed cap of 0.0%.” Discussion ensued.

Bretl introduced Stacie Johnson, Budget Manager, to present a Power Point demonstration. The 2008 Budget Projection was given to the Finance Committee earlier and also distributed to the Supervisors at this meeting. Bretl presented the background of the 2008 budget and said that the figures are based on a "best guess" looking ahead to 2008, although the figures provide the general direction of our revenue and costs. Bretl said he prefers the figures to be more conservative when projecting revenues.

Johnson said that her projection is based on the 2007 adopted budget. It projects revenues and expenditures and where the mill rate might be on those levies. A 6% growth factor was used in calculation of equalized values, which is lower than has been used previously. Johnson explained there is a 1.41% increase projected in revenue. The projection for expenses for 2008 shows an increase of 5.13%. The projected levy for 2008 is \$58,442,359 or an 11.87% increase in the levy from 2007. Using our self-imposed cap we would need to remove \$3.6 million from the budget. Bretl said that \$3.6 million is a significant reduction in spending in programs and staff.

Supervisor Ketchpaw asked Supervisor Stacey what could be cut or where the cuts would be coming from with a 0% cap? Supervisor Stacey said he is not sure where cuts can be made but he wants to be more in line with other counties. Supervisor Kilkenny said we are improving the financial condition of the County. We have to provide services, and there are bargaining rules that we cannot control. Supervisor Burwell said that when we reduced the rate extremely low in the 1990s, the next year it went way up and she doesn't want that to happen.

Chair Lohrmann asked Vice-Chair Stacey to take the Chair so that she could address the Board. She said that there are a lot of people who can't afford the high taxes anymore and we need to remember those people. Chair Lohrmann returned to the Chair.

Supervisor Grant said he thinks we need to fulfill the County's needs. He said we have dropped the mill rate 24% over the last few years and it is important that people understand that. Supervisor Kilkenny said there are areas that actually had their taxes go down and the voting on the downsizing reflected that. Bretl said that if we maintain the 4.8% we would have to reduce the budget by \$3.6 million and 0% would require a \$6.8 million cut from the budget. If we are at 2.5% then \$4.9 million would have to be cut. Bretl said that he would recommend against a projected list of positions to cut at this time.

On motion by Supervisor Hilbelink, seconded by Supervisor Grant, the question was called. A roll call vote was held on Supervisor Stacey's amendment for a 0% increase. Total vote: 25; Ayes: 4 – Arnold, Lein, Stacey, Lohrmann; Noes: 20 – Burwell, Downing, Grant, Guido, Hawkins, Hilbelink, Ingersoll, Ketchpaw, Kilkenny, Kuhnke, Kupsik, Lightfield, Morrison, Muzatko, Parker, Polyock, Schaefer, Van Dreser, Wagie-Troemel, Weber; Absent: 1 – Russell. Roll call vote failed.

A motion was offered by Supervisor Stacey, seconded by Supervisor Arnold, to amend the resolution for a 2.4% increase. Discussion ensued.

Supervisor Russell arrived at 7:15 p.m.

Supervisor Ketchpaw said that the Board can't say that they want a new school and then also want a 0% increase. She said these are significant cuts. Citizens want the school and they want the nursing home. She said we cannot compare our County with Kenosha County or Milwaukee County. We have taken on more obligations and we have to pay for it. She doesn't think the 2.4% will do the job and we would be cutting off Sheriff services and human services. Supervisor Downing said she agrees with Supervisor Ketchpaw that we do have to pay for the County's services. She doesn't want a mass lay-off of employees. Supervisor Russell said that along with new construction comes demand for services. We cannot continue to say that we are not going to increase services when our population growth is one of the largest in the state. On motion by Supervisor Hilbelink, seconded by Supervisor Downing, the question was called.

A roll call vote was held on the amendment to Resolution No. 07-04/07 to change the 4.841% to 2.4%. Total vote: 25; Ayes: 6 – Arnold, Lightfield, Muzatko, Polyock, Stacey, Lohrmann; Noes: 19 – Burwell, Downing, Grant, Guido, Hawkins, Hilbelink, Ingersoll, Ketchpaw, Kilkenny, Kuhnke, Kupsik, Lein, Morrison, Parker, Russell, Schaefer, Van Dreser, Wagie-Troemel, Weber; Absent: 0. Roll call vote failed.

Bretl said that if we want to maintain our current services and current employee count the increase would be \$6.2 million or 11.87%.

A roll call vote was held on Resolution No. 07-04/07 as is. Total vote: 25; Ayes: 17 – Arnold, Burwell, Guido, Hawkins, Hilbelink, Ingersoll, Ketchpaw, Kilkenny, Kuhnke, Kupsik, Morrison, Parker, Russell, Schaefer, Van Dreser, Wagie-Troemel, Weber; Noes: 8 – Downing, Grant, Lein, Lightfield, Muzatko, Polyock, Stacey, Lohrmann; Absent: 0. **Resolution No. 07-04/07** was approved as recommended by the Finance Committee.

Health & Human Services Board

1. Resolution No. 05-04/07 – Seeking Funding and Technical Assistance to Expand the Walworth County Health and Human Services Department's Aging and Long Term Care Divisions (Recommended by the Health & Human Services Board 8-0)

On motion by Supervisor Hilbelink, seconded by Supervisor Weber, **Resolution No. 05-04/07** was approved by voice vote.

Human Resources

1. Ordinance No. 429-04/07 – Amending Section 15-17 of Chapter 15 of the Walworth County Code of Ordinances Relating to the Creation of Casual HS Worker I (Crisis Intervention) Positions in Health & Human Services (Recommended by the Human Resources Committee 5-0)
2. Ordinance No. 431-04/07 – Amending Section 15-17 of Chapter 15 of the Walworth County Code of Ordinances Relating to the Elimination and Reclassification of Certain Positions at the Lakeland Health Care Center (Recommended by the Lakeland Health Care Center Board of Trustees 6 - 0 and will be considered by the Human Resources Committee at a special meeting prior to the April 17, 2007 County Board meeting)

Bretl said that the Human Resources Committee unanimously recommended passage of Ordinance No. 431-04/07 at their special meeting earlier this evening.

A motion was offered by Supervisor Schaefer, seconded by Supervisor Ketchpaw, to approve Ordinance No. 429-04/07. On motion by Supervisor Van Dreser, seconded by Supervisor Hilbelink, **Ordinance No. 429-04/07** was approved by unanimous consent.

On motion by Supervisor Ingersoll, seconded by Supervisor Wagie-Troemel, **Ordinance No. 431-04/07** was approved by voice vote.

Land Conservation

1. Resolution No. 06-04/07 - Supporting the Amendment to the Regional Water Quality Management Plan for the Sanitary Sewer Service Area for the Walworth County Metropolitan Sewerage District - Elkhorn Sanitary Sewer Service Area (Recommended by the Land Conservation Committee 7-0)

On motion by Supervisor Morrison, seconded by Supervisor Muzatko, **Resolution No. 06-04/07** was approved by voice vote.

Reports of Special Committees

There were no Reports of Special Committees.

Chairperson's Report

Chair Lohrmann said that a form requesting a special meeting of the County Board was circulated tonight. The special meeting will be held on Monday, April 23 at 4:30 p.m. The meeting will be concerning redistricting.

Comment Period by Members of the Public Concerning Items Not on the Agenda

No comment cards were received.

Adjournment

On motion by Supervisor Schaefer, seconded by Supervisor Stacey, the meeting was adjourned at 7:36 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 April 17, 2007 meeting.