

THE MAY 8, 2007 SESSION
OF THE
WALWORTH COUNTY BOARD OF SUPERVISORS
AMENDED

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 Jean Wallenfang, United Church of Christ, Williams Bay, delivered the invocation.

All Supervisors were present except Supervisor Ingersoll and Kuhnke. A quorum was established.

Amendments, Withdrawals, and Approval of Agenda

On motion by Supervisor Wagie-Troemel, seconded by Supervisor Stacey, the agenda was approved by voice vote.

Approval of the Minutes

On motion by Supervisor Morrison, seconded by Supervisor Schaefer, the minutes of the April 17, 2007 ~~Committee of the Whole~~ Walworth County Board Meeting and April 23, 2007 Special County Board meeting were approved.

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

Michael Bettinger, W6098 Hwy 12, Whitewater, said he has been a businessman at LaGrange General Store in Walworth County for 25 years and has been on the Walworth County Tourism Board for six years. He spoke regarding the quest to bring the Olympics to Walworth County. He said he has been involved in bicycling through his business and has done a lot of bicycling all over the country. Mr. Bettinger said he would like to see the bicycling events brought to Walworth County for the 2016 Olympics. He said the Kettle Moraine is an excellent, unique area for bicycling and he thinks this will help Chicago in getting the world bid for the 2016 Olympics. Mr. Bettinger urged the Supervisors to support this endeavor.

State Representative Kim Hixson, 327 S. Woodland Drive, Whitewater, spoke regarding his support of the WCEDA Bid for Olympic venues. He said that he moved to Wisconsin from Tennessee just after the 1996 Olympics Games were held in Atlanta. At the time of the Atlanta Games, the kayak events were held in Polk County, Tennessee. He said that Polk County is in a very depressed area of Tennessee. He said that since that time, the economic benefit to Polk County has been tremendous. Representative Hixson said that he brought two letters in support of the WCEDA bid for the bicycling event. The items were distributed to the Supervisors. One of the pieces of correspondence was from several members of the legislative delegation representing Walworth County and the other was from the Secretary of Wisconsin Department of Tourism, which he read aloud. Both letters were in support of the Olympic endeavor in Walworth County.

Special Order of Business

Recognition of UW-Whitewater Wheelchair Basketball Team - National Champions

Item # 3 of the Executive Committee, Resolution No. 17-05/07 – Congratulating the University of Wisconsin-Whitewater Wheelchair Basketball Team on the Occasion of Their National Championship, was considered at this time. On motion by Supervisor Van Dreser, seconded by Supervisor Wagie-Troemel, **Resolution No. 17-05/07** was approved by voice vote.

Chair Lohrmann said that U.W. Whitewater has had a number of championship teams and now again this year with the U.W. Whitewater Warhawks championship wheelchair basketball team. They finished the season with the number one ranking in the nation. This is the team's fourth national championship trophy this decade and the seventh championship overall.

Supervisor Lein said that the U.W. Whitewater athletic program is outstanding and these gentlemen are incredible athletes. He said that U.W. Whitewater would be sending four members of the wheelchair basketball team to the Olympics. Lein introduced Coach Tracy Chenoweth. Coach Chenoweth introduced the members of the team who were present. Of those present, two were from Wisconsin, one from Minnesota, one from Israel and one from Germany. The Coach thanked the Board for having them at the meeting and for recognizing the team.

At this time Public Comment continued.

Peter Scherrer, 5054 Ruedebusch Road, Burlington, said he lives in Walworth County and is a building contractor and wanted to encourage the Board to look at the 2016 Olympic venue and the economic benefit to our County.

Paul Plinske, Athletic Director, U.W. Whitewater, 1135 W. South Street, Whitewater, said he was very proud of the accomplishments of the Wheelchair team. He said that the opportunity to host the 2016 Olympics would be a great benefit to the University. Mr. Plinske said that the University could serve as a host to several teams from across the globe that would come on the campus for training sessions previous to the Olympic Games. He said the International Olympic Committee would subsidize and assist in the renovation and upgrading of our infrastructure and we would have housing opportunities that the campus would benefit from. He said that U.W. Whitewater is excited about the potential of the venue and he urged the Board to look at this opportunity with a clear and open mind.

Kevin Brunner, Whitewater City Manager, and Vice-President of the Walworth County Economic Development Alliance, 1155 W. South Street, Whitewater, said he was there to support the Olympic bid for Walworth County. He said it is amazing to him to see that Whitewater has become the wheelchair basketball mecca of the world and now we can become known for other things. He said he thinks the rolling terrain is a natural for cycling venues and also Whitewater would be good for kayaking and canoeing venues. He said, as Representative Hixson pointed out, the economic impact of the Olympics would bring many benefits to Walworth County before and years after the actual games.

Bruce Bradshaw, W4780 Potters Road, Elkhorn, said he is President of the Walworth County Visitors Bureau, and urged the Board to support the Olympic bid for 2016. He said this is our chance to showcase all the things that are positive about Walworth County.

Appointments

1. 911 Governing Board
 - Melody Lentz
 - Jay Maritz
 - Jean Froggatt
 - Timothy O'Neill
 - Jerry Grant
 - John Kramer, EMS
 - Rod Smith, Walworth County Fire Chief's Assoc.

(Recommended by the Executive Committee 4-0)

On motion by Supervisor Weber, seconded by Supervisor Morrison, the appointments were approved as recommended by the Executive Committee.

Communications and Matters to Be Referred

1. Claims Received After Agenda Mailing
2. Claims: There were none.
3. Ozaukee County Resolution 07-3 Opposition to Proposed Statewide Smoking Ban and Associated Tax Increase was referred to the Executive Committee.
4. Brown County Resolution in Support of Increasing the Medicaid Reimbursement Rate for Dental Care was referred to the Health & Human Services Board.
5. Correspondence from Supervisor Downing regarding National Association of Counties prescription drug discount program was referred to the Human Resources Committee.
6. Request from Housing Authority of Walworth County for consideration to locate its office in the Government Center west wing was referred to the Public Works Committee.
7. Letter of appreciation from the Association for the Prevention of Family Violence (APFV) thanking the Board for the opportunity to discuss the agency's services 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 Supervisor Larry Hilbelink concerning setting County Board salaries and benefits for 2008-2010 elected term was referred to the Executive Committee
 - Communication from Attorney James R. Mills of Mills & Boehm, LLP, regarding Thomas Kasun, Jr., Town of East Troy – was referred to the Executive Committee
 - Communication from AFSCME Wisconsin Council 40 concerning commencing negotiations for successor agreements with the unions was referred to the Human Resources Committee
 - Communication from County Treasurer Kathy DuBois with 2004 Personal Property Taxes Uncollectible in 2005 was placed on file
 - Communication from Shane Crawford, Deputy County Administrator-Intergovernmental Relations/Public Works Director, concerning Walworth County Cupola, May 3, 2007 *Janesville Gazette* article by Mike Heine was placed on file
 - Thank you from Mrs. Charles Grant was placed on file
 - Ozaukee County Resolution No. 07-9 – Loss of Federal Entitlement Benefits – previously referred to committee was placed on file
 - *Walworth County Senior Review*, May 2007 was placed on file

- Mediation/Information Packet from Fred Burkhardt, Executive Vice President, Walworth County Economic Development Alliance, regarding 2016 Olympics was placed on file
- Also, placed on Supervisors' desks but not attached to the list:
- Correspondence from the Wisconsin Legislature supporting the Walworth County Economic Development regarding 2016 Olympics was placed on file
 - Correspondence from the Wisconsin Department of Tourism supporting the 2016 Bid for Olympics 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
- Henry Kawalec, Town of Bloomfield, A-2 & C-1 to A-2 & C-1
- S. Terry Woods, Ltd., Inc., Town of Linn, A-5 to A-4
- Honey Creek Estates, LLC/East Troy Sod Farms, Inc., Town of East Troy, A-1 to A-2
- Donald Barker (Adam Friemoth, App.), Town of Lafayette, A-1 to A-2
- Joe Leedle (Joseph Walter Leedle, App.), Town of Linn, A-1 to C-2
- Michael R. & Jean T. Katzenberg, Town of Lyons, R-1, A-2, & C-2 to R-1
- James O. Jacobson, Town of Richmond, C-2 to A-5 & A1
- Amendment to Walworth County Code of Ordinances, Walworth County, Wisconsin, Section 74-38/74-163 Use Regulations

Unfinished Business

New Business

Reports of Standing Committees

County Zoning Agency Report of Proposed Zoning Amendments

1. **Ordinance No. 435-05/07** – Amending Chapter 70 of the Walworth County Code of Ordinances Relating to Utilities (Recommended by the County Zoning Agency 7-0) Ordinance Amendment to Walworth County Code of Ordinances, Walworth County, Wisconsin, Chapter 70 Utilities – approved 7 – 0 (3-15-07 public hearing)
2. **Ordinance No. 436-05/07** – Amending Sections 74-54, 74-63, 74-131, 74-181, 74-190 and 74-263 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, Walworth County, Wisconsin, Chapter 74 Sections 74-54, 74-63 & 74-131 Zoning Ordinance and Sections 74-181, 74-190, 74-263 Shoreland Zoning Ordinance – approved 7 – 0 (3-15-07 public hearing)
3. Robert Friemoth (Tom Larson, Teronomy Builders, Inc., App.), Town of Lafayette, Rezone 6.92 acres of A-1 to B-4 – approved 7 – 0 (4-19-07 public hearing)
4. Joe and Wendy Staller, Town of Richmond, Rezone .67 acres of A-1 to A-4 – approved 7 – 0 (4-19-07 public hearing)

On motion by Supervisor Kupsik, seconded by Supervisor Stacey, items 1 through 4 of the County Zoning Agency Report of Proposed Zoning Amendments were approved by voice vote.

Executive Committee

1. Resolution No. 15-05/07 – Denying the Claim of Del Prairie Stock Farm (The Executive Committee will make a recommendation at a special meeting prior to the May 8, 2007 County Board meeting)
2. Resolution No. 17-05/07 – Congratulating the University of Wisconsin-Whitewater Wheelchair Basketball Team on the Occasion of their National Championship (Recommended by the Executive Committee 4-0)
3. Resolution No. 20-05/07 – In Support of Holding Certain 2016 Olympic Events in Walworth County (The Executive Committee will consider at a special meeting prior to the May 8, 2007 County Board Meeting)

County Administrator Bretl said that items 2 and 3 were recommended unanimously at the earlier Executive Committee meeting.

On motion by Supervisor Ketchpaw, seconded by Supervisor Hilbelink, item 1, **Resolution No. 15-05/07** – Denying the Claim of Del Prairie Stock Farm, was approved by voice vote.

Supervisor Arnold offered a motion, seconded by Supervisor Ketchpaw, to approve Resolution No. 20-05/07.

Fred Burkhardt, Executive Vice-President, WCEDA, addressed the Board at this time regarding the proposal to offer an Olympic venue to Walworth County. He said this is a once in a lifetime opportunity to compete and to join the City of Chicago to bring at least one venue and also training facilities to Whitewater and Walworth County. He said that the economic impact is significant and the risks are minimal.

Mr. Burkhardt introduced Tom Schuller who was an Olympian in the 1980 Moscow Olympics in Olympic Road Cycling. Mr. Schuller said he has been in cycling all his life and still works in the business. He manages a company in Wauwatosa, WI and has managed some 28 Olympians winning medals from Atlanta to Athens and Sydney in Mountain Biking and Road Cycling. He said, as an avid cyclist to this day, and after growing up and living in Chicago and now Wauwatosa, he believes that from Champaign, IL to the Fox Valley there is no better area for cycling than here in Walworth County. He said there would be competition for the venue from other areas around Chicago and in Wisconsin but he thinks the area here is the best around for cycling and said that he hopes the Board will help make this come to fruition. Mr. Burkhardt again asked for the Board's support in the Olympic endeavor.

On motion by Supervisor Ketchpaw, seconded by Supervisor Stacey, **Resolution No. 20-05/07** was approved by unanimous consent.

Finance Committee

1. Resolution No. 10-05/07 – Transferring Monies from the Contingency Fund to the Appropriate Public Works Department Account for Herbicides to be Used in County Parks and Funding for Same (Recommended by the Finance Committee 7-0)
2. Resolution No. 11-05/07 – Initial Resolution Authorizing Not to Exceed \$1,400,000 General Obligation Promissory Notes for Highway Projects (Recommended by the Finance Committee 7-0)

3. Resolution No. 12-05/07 – Authorizing a Transfer from the Contingency Fund to the Appropriate Account for Additional Staffing in the Treasurer’s Office (Recommended by the Finance Committee 7-0)
4. Resolution No. 13-05/07 – Authorizing Write Off of 2004 Personal Property Taxes Uncollectible in 2005 (Recommended by the Finance Committee 7-0)
5. Resolution No. 14-05/07 Authorizing List of Financial Depositories and Investment Firms for County Funds (Recommended by the Finance Committee 7-0)
6. Resolution No. 16-05/07 – Resolution Amending Resolution No. 84-02/06 to Reduce the Amount of General Obligation Bonds or Promissory Notes Authorized for the Lakeland School Project to \$17,100,000 (Recommended by the Finance Committee 6-1)

Supervisor Stacey offered a motion, seconded by Supervisor Guido, to approve item 1, Resolution No. 10-05/07. On motion by Supervisor Van Dreser, seconded by Supervisor Hilbelink, **Resolution No. 10-05/07** was approved by unanimous consent.

Supervisor Stacey offered a motion, seconded by Supervisor Arnold, to approve item 2, Resolution No. 11-05/07 – Initial Resolution Authorizing Not to Exceed \$1,400,000 General Obligation Promissory Notes for Highway Projects. A roll call vote was held. This resolution required 19 votes to pass. Total vote: 25; Ayes: 23 – Arnold, Burwell, Downing, Grant, Guido, Hawkins, Hilbelink, Ketchpaw, Kilkenny, Kupsik, Lein, Lightfield, Morrison, Muzatko, Parker, Polyock, Russell, Schaefer, Stacey, Van Dreser, Wagie-Troemel, Weber, Lohrmann; Noes: 0; Absent: 2 – Kuhnke, Ingersoll. **Resolution No. 11-05/07** was approved.

A motion was offered by Supervisor Russell, seconded by Supervisor Arnold, to approve item 3, Resolution No. 12-05/07. This resolution required a 2/3 vote. On motion by Supervisor Wagie-Troemel, seconded by Supervisor Stacey, **Resolution No. 12-05/07** was approved by unanimous consent.

Supervisor Russell offered a motion, seconded by Supervisor Stacey, to approve items 4 & 5. Supervisor Russell asked that the corrected detail that was placed on Supervisors’ desks be inserted in Resolution No. 13-05/07 – Authorizing Write Off of 2004 Personal Property Taxes Uncollectible in 2005, instead of what was in the packet. **Resolution No. 13-05/07**, with the corrected detail, was approved by voice vote. Supervisor Polyock requested that his vote be recorded as No.

Item 5, **Resolution No. 14-05/07** – Authorizing List of Financial Depositories and Investment Firms for County Funds was approved by voice vote.

A motion was offered by Supervisor Grant, seconded by Supervisor Burwell, to approve item 6, Resolution No. 16-05/07 – Resolution Amending Resolution No. 84-02/06 to Reduce the Amount of General Obligation Bonds or Promissory Notes Authorized for the Lakeland School Project to \$17,100,000. Discussion ensued. Resolution No. 16-05/07 required a ¾ vote. A roll call vote was held. Total vote: 25; Ayes: 22 – Burwell, Downing, Grant, Guido, Hawkins, Hilbelink, Ketchpaw, Kilkenny, Kupsik, Lein, Lightfield, Morrison, Muzatko, Parker, Polyock, Russell, Schaefer, Stacey, Van Dreser, Wagie-Troemel, Weber, Lohrmann; Noes: 1 – Arnold; Absent: 2 – Kuhnke, Ingersoll. **Resolution No. 16-05/07** was approved.

Human Resources

1. Ordinance No. 433-05/07 – Amending Section 15-17 of Chapter 15 of the Walworth County Code of Ordinances Relating to Substitute Teacher Position Control in the Walworth County Children with Disabilities Education Board (Recommended by Human Resources Committee 5-0)
2. Ordinance No. 434-05/07 – Amending Section 15-17 of the Walworth County Code of Ordinances Relating to the Creation of an Additional Position in the Treasurer's Office (Recommended by Human Resources Committee 5-0)
3. Resolution No. 19-05/07 – Approving Side Letter Agreement between Walworth County & Highway Employees' Union 1925 (The Human Resources Committee will consider at a special meeting prior to the May 8, 2007 County Board meeting)

On motion by Supervisor Ketchpaw, seconded by Supervisor Burwell, item 1, **Ordinance No. 433-05/07** was approved by voice vote. Supervisor Wagie-Troemel offered a motion, seconded by Supervisor Morrison, to approve item 2, Ordinance No. 434-05/07. This required a 2/3 vote. On motion by Supervisor Van Dreser, seconded by Supervisor Muzatko, **Ordinance No. 434-05/07** was approved by unanimous consent.

On motion by Supervisor Wagie-Troemel, seconded by Supervisor Polyock, item 3, **Resolution No. 19-05/07** was approved by voice vote. Supervisor Lohrmann requested that her vote be recorded as No.

Land Conservation

1. Resolution No. 09-05/07 – Supporting the White River Grant Application (Recommended by the Land Conservation Committee 6-0)

On motion by Supervisor Muzatko, seconded by Supervisor Lightfield, **Resolution No. 09-05/07** was approved by voice vote.

Public Works

1. Ordinance No. 432-05/07 – Amending Chapter 16 of the Walworth County Code of Ordinances Relating to Public Property to Create Articles I, II, III and IV (Recommended by the Public Works Committee 5-0)
2. Resolution No. 18-05/07 – Approving an Agreement with State Long Distance Telephone Company Concerning a Lease of Space for Equipment on County-Owned Communications Tower (Recommended by the Public Works Committee 5-0)

A motion was offered by Supervisor Ketchpaw, seconded by Supervisor Downing, to approve item 1. Supervisor Polyock offered an amendment, seconded by Supervisor Ketchpaw, to item 1, Ordinance No. 432-05/07 to change lines 39 through 46 to read as follows:

“(a) Pursuant to Sec. 83.035 of the Wisconsin Statutes, the public works committee may enter into contracts with cities, villages and towns within County borders to enable the County to construct and maintain streets and highways in such towns and municipalities.

(b) The public works director may execute road transfer agreements between the county and municipalities with prior approval by the public works committee.”

The amendment was approved by voiced vote. **Ordinance No. 432-05/07** was approved as amended.

On motion by Supervisor Morrison, seconded by Supervisor Downing, item 2, **Resolution No. 18-05/07** was approved by voice vote.

Reports of Special Committees

There were no Reports of Special Committees.

Chairperson's Report

There was none.

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

There were none.

Adjournment

On motion by Supervisor Wagie-Troemel, seconded by Supervisor Downing, the meeting was adjourned at 7:00 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 May 8, 2007 meeting.