

FEBRUARY 10, 2009
WALWORTH COUNTY BOARD OF SUPERVISORS
MEETING

The Walworth County Board of Supervisors meeting was called to order by Chair Russell at 6:03 p.m. in the County Board Room at the Walworth County Government Center, 100 W. Walworth Street, Elkhorn, Wisconsin.

Roll call was conducted and all Supervisors were present.

David Graves, Walworth County Sheriff, delivered the invocation.

Amendments, Withdrawals, and Approval of Agenda

A motion was offered by Supervisor Stacey, seconded by Supervisor Weber, to approve the agenda.

Approval of the Minutes

On motion by Supervisor Hawkins, seconded by Supervisor Grant, the minutes of the January 13, 2009 Committee of the Whole and the January 13, 2009 Walworth County Board of Supervisors meeting were approved by voice vote.

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

There were none.

Special Order of Business

- Presentation of Resolution 45-11/08 – Recognizing Philip Evenson, Executive Director of Southeastern Wisconsin Regional Planning Commission (SEWRPC) for His Work on the Commission (previously adopted on November 12, 2008)

Chair Russell read the resolution to recognize Mr. Evenson for his work on the Commission. Former Supervisor Allen Morrison came forward to recognize Mr. Evenson. Mr. Evenson said he is very honored to receive this recognition. He thanked everyone for helping over the years in the Commission and throughout the County. He is most proud of the 1974 – Jim Johnson, Planning and Zoning, Stan Einfelt, Bill Seymore, Corporation Counsel at that time. Gene Holister, Chair of the Board at that time. He said it was a team effort. He thanked Al Morrison for coming. He said he worked with him for 25 years or more. Al Morrison said it is a great privilege for him to be present tonight to recognize Phil Evenson.

Communications and Matters to Be Referred

Chair Russell announced that unless there was a request for an individual communication to be discussed, the Clerk would dispense with the reading of each title and the Chair would direct that all communications be referred or placed on file as indicated on the agenda.

1. Claims Received After Agenda Mailing – There were none.
2. Claims: a) AT&T – Damage to Telephone Pedestal was referred to the Executive Committee.
3. Communication from Anthony A. Coletti, Attorney, regarding a request to adopt amendments to Shoreland Ordinance Section 74-167 (To be referred to the County Zoning Agency)
4. Communication from Robert Leibsle, Attorney, regarding a request to adopt amendments to County Zoning and Shoreland Zoning which pertain to condominium campgrounds, Sections 74-189(7)(c) and (h), and 74-62(7)(c), and (h) (To be referred to the County Zoning Agency)
5. Communication from Michael Van Den Bosch, WCEDA, with a request for an Additional Public Hearing in regard to the Solar Energy System Ordinance, Large Wind Energy System Ordinance, and Small Wind Energy System Ordinance (To be referred to the County Zoning Agency)
6. Communication from Attorney Theodore Johnson regarding Catherine Suchan tax foreclosure sale (To be referred to the Finance Committee)
7. Communication from Wisconsin Employment Relations Commission Order of Dismissal regarding the election petition filed on July 30, 2008 by the Wisconsin Professional Police Association/SORD (To be referred to the Human Resources Committee)
8. Communication from Donald & Agnes Peiffer, East Troy, WI offering a donation of land to the County (To be referred to the Public Works Committee)
9. Communication from Christina Boskovic regarding television recycling (To be referred to the Public Works Committee)
10. Communication from the City of Elkhorn, with the City of Elkhorn 2030 Comprehensive Plan, and Notice of Public Hearing to receive input regarding the Plan-The complete Plan is on file in the County Clerk's Office, Elkhorn City Hall, Matheson Memorial Library, and is available on the City of Elkhorn website www.cityofelkhorn.org (Notice of Public Hearing to be referred to the Smart Growth Committee)
11. Report of the County Clerk Concerning Communications Received by the Board and Recommended to be Placed on File
12. Report of County Clerk Concerning Communications Received by the Board After the Agenda Mailing. The following items were placed on Supervisors' desks and referred or placed on file as indicated:
 - Communication from the Village of Darien regarding a proposal to construct a sludge storage lagoon in the Town of Darien – To be referred to the County Zoning Agency
 - Communication from Governor Doyle announcing a Homeland Security grant award to Walworth County in the amount of \$161,500 for protection of sites critical to the State's infrastructure – To be referred to the Executive Committee
 - Communication from Butch Eucker recommending disapproval of the Southeastern Wisconsin Regional Water Supply Planning Program Plans – To be referred to the Land Conservation Committee
 - Communication from Gathering Waters Conservancy requesting County sponsorship of the 2nd Annual Land Legacy Gathering – To be referred to the Land Conservation Committee
 - Communication from the Wisconsin Division of Transportation System Development regarding Federal funding for local transportation programs and Congestion

Mitigation and Air Quality program in 2009 – To be referred to the Public Works Committee

- Wisconsin Humanities Council correspondence concerning hosting the Smithsonian traveling exhibit, *Key Ingredients: America by Food* – To be referred to the Public Works Committee
- Communication from the Wisconsin Division of Intergovernmental Relations regarding the incorporation of a portion of lands comprising the Town of Bristol, Kenosha County, Wisconsin, as the Village of Bristol, Kenosha County Circuit Court Case No. 08-CV-114 – To be placed on file
- Communication from Irvin L. Young Auditorium and the Irvin L. Young Library in Whitewater regarding a community reading initiative in the country – To be placed on file
- *Walworth County Senior Review*, February 2009 – To be placed on file

13. Report of County Clerk Concerning Zoning Petitions was referred to the County Zoning Agency.

- Delsie J. Everett (James Peterson Sons, Inc., App.), Town of Lyons, A-1 & C-2 to M-3
- Etheleen Haak, Town of Geneva, A-1 & A-2 to A-5
- Lost Nation Farms, LLC (Cindy Balestrieri, App.), Town of Sugar Creek, A-2 & A-4 to A-4 & C-2
- John Pounder, Town of Darien, A-1 to C-2 & C-1 and A-2 to C-2 & C-4
- Thomas & Nancy Horter and Robert Mueller, Town of East Troy, C-4 to R-1
- Debra L. Zachow, Town of East Troy, C-1 to R-1
- Create Chapter 65, Walworth County Code of Ordinances, Large Wind Energy System Ordinance
- Create Chapter 65.20 Walworth County Code of Ordinances, Small Wind Energy System Ordinance
- Create Chapter 65.40, Walworth County Code of Ordinances, Solar Energy System Ordinance

Unfinished Business

New Business

Reports of Standing Committees

County Zoning Agency Report of Proposed Zoning Amendments

1. **Ordinance No. 530-02/09** – Amending Sections 14-5 and 14-6 of the Walworth County Code of Ordinances Relating to Citations-*Vote required: Majority* (Recommended by the County Zoning Agency 7-0) Amendment to Chapter 14 CITATIONS, Walworth County Code of Ordinances – approved 7 – 0 (12-18-08 public hearing)
2. **Ordinance No. 531-02/09** – Amending Chapter 64 of the Walworth County Code of Ordinances Relating to Telecommunications Towers, Antennas and Related Facilities-*Vote required: Majority* (Recommended by the County Zoning Agency 7-0) Amendment to Section 64 Article II, Telecommunications Towers, Antennas and Related Facilities, Walworth County Code of Ordinances – approved 7 – 0 (12-18-08 public hearing)

3. Jerry and Ellen Dean, Town of Walworth, Rezone .25 acres of M-1 to A-5 – denied (5-15-08 public hearing—referred back from December 9, 2008 County Board meeting and denied a second time at 1-15-09 CZA meeting 7 - 0)
4. Lawrence M. Mitten, Town of East Troy, Rezone 12.11 acres of A-1 to C-2 – approved 7 – 0 (1-15-09 public hearing)

On motion by Supervisor Stacey, seconded by Supervisor Bromley, the Report of Proposed Zoning Amendments was approved as recommended by the County Zoning Agency.

Executive Committee

1. Approval of 2009-2010 County Board Meeting Schedule-*Vote required: Majority* (Recommended by the Executive Committee 4-0)
2. Ordinance No. 527-02/09 – Repealing Section 2-2 of the Walworth County Code of Ordinances and Creating Sections 18-1, 18-2, 18-3, 18-4 and 18-5 thereof Relative to Emergency Declarations-*Vote required: Two-Thirds* (Recommended by the Executive Committee 4-0)
3. Resolution 68-02/09 – Authorizing an Agreement by and between the County and Southeastern Wisconsin Regional Planning Commission (SEWRPC) for the Provision of County Surveyor Services for Walworth County for 2009-*Vote required: Majority* (Recommended by the Executive Committee 4-0)

On motion by Supervisor WEber, seconded by Supervisor Grant, item 1, **Approval of 2009-2010 County Board Meeting Schedule** and item 3, **Resolution No. 68-02/09** were approved by voice vote.

A motion was offered by Supervisor Grant, seconded by Supervisor Weber, to approve item 2, Ordinance No. 527-02/09. On motion by Supervisor Van Dreser, seconded by Supervisor Stacey, **Ordinance No. 527-02/09** was approved by unanimous consent.

Finance Committee

1. Ordinance No. 528-02/09 – Amending Section 30-156 of the Walworth County Code of Ordinances Relating to the Acceptance and Use of Donations-*Vote required: Majority* (Recommended by the Public Works Committee 4-0 and Finance Committee 4-0)
2. Ordinance No. 529-02/09 – Amending Section 30-230(a) of the Walworth County Code of Ordinances Relating to Safekeeping of Investments-*Vote required: Majority* (Recommended by the Finance Committee 4-0)

On motion by Supervisor Stacey, seconded by Supervisor Weber, item 1, **Ordinance No. 528-02/09**, and item 2, **Ordinance No. 529-02/09** were approved by voice vote.

Human Resources Committee

1. Ordinance No. 532-02/09 – Amending Section 15-17 of the Walworth County Code of Ordinances Relating to an Associate Nutrition Specialist Position in Health and Human Services-*Vote required: Majority* (Recommended by the Human Resources Committee 5-0)

2. Ordinance No. 533-02/09 – Amending Section 15-320 of the Walworth County Code of Ordinances Relating to Pay Plans-*Vote required: Majority* (Recommended by the Human Resources Committee 5-0)

On motion by Supervisor Ingersoll, seconded by Supervisor Weber, item 1, **Ordinance No. 532-02/09**, and item 2, **Ordinance No. 533-02/09**, were approved by voice vote.

Reports of Special Committees

There were none.

**Comment Period by Members of the Public Concerning Items Not on the Agenda
Chairman’s Report**

Mary Price, 209 W. Second Avenue, Elkhorn, addressed the Supervisors regarding the parking lot snow removal at the Lakeland Health Care Center. She is an employee at the LHCC. She said their building is open 24 hours a day. She said the employees have done their best to get to work during the concussion, sprained her left wrist and ankle, etc. She said many have fallen in the parking lot and feels that they deserve a parking lot that is clear so that they can report to work safely.

Chairpersons Report

Chair Russell thanked the Board for the beautiful flowers. She said all the cards and phone calls meant a lot to her.

Adjournment

On motion by Supervisor Schaefer , seconded by Supervisor Stacey, the meeting was adjourned at 6:26 p.m.

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 February 10, 2009 meeting.