

**APRIL 17, 2008**  
**WALWORTH COUNTY BOARD OF SUPERVISORS**  
**MEETING**

The Walworth County Board of Supervisors meeting was called to order by Chair Russell at 6:02 p.m. in the County Board Room at the Walworth County Government Center, 100 W. Walworth Street, Elkhorn, Wisconsin.

All Supervisors were present.

David Weber, County Board Supervisor, District # 7, delivered the invocation.

**Amendments, Withdrawals, and Approval of Agenda**

A motion was offered by Supervisor Hawkins, seconded by Supervisor Weber, to approve the agenda. On motion by Supervisor Van Dreser, seconded by Supervisor Weber, the agenda was amended by moving Finance Committee item 2, Resolution No. 03-04/08 – Accepting a \$200,000 Donation for Walworth County’s Drunk Driving Prevention Efforts from the Time Is Now Foundation, to immediately follow the Comment Period by Members of the Public Concerning Items on the Agenda. The evening’s agenda was approved as amended by voice vote.

**Approval of the Minutes**

On motion by Supervisor Grant, seconded by Supervisor Stacey, the minutes of the March 11, 2008 Walworth County Board Meeting, as amended to correct scrivener’s error on page 5, Chair Russell’s term of office should be 2002 not 1992, were approved by voice vote.

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

There were none at this time.

On motion by Supervisor Van Dreser, seconded by Supervisor Weber, **Resolution No. 03-04/08** – Accepting a \$200,000 Donation for Walworth County’s Drunk Driving Prevention Efforts from the Time Is Now Foundation was approved by voice vote.

**Special Order of Business**

- Acceptance of Donation from the Time is Now Foundation to Fund Drunk Driving Prevention Initiatives

Chair Russell asked Sal Dimiceli, members of the Criminal Justice Coordinating Committee present at this meeting, Joyce Ketchpaw, Kurt Picknell, Undersheriff, and Mr. Dimiceli’s neighbor, Harry, to come forward to accept the donation. Chair Russell asked Dr. David Thompson, Health and Human Services, to briefly describe the Program. Dr. Thompson said that the C.A.T.E. program is designed to eliminate repeat drunk driving in Walworth County.

The program involves a collaborative effort between the Health and Human Services Department, the Sheriff Department and Jail, the Public Defenders office, the District Attorney's office, and the Circuit Court. The program will be offered to individuals in Walworth County who have repeat OWIs to try to do something permanently to avoid re-offending. The donated funds must be used for programs designed to prevent and eliminate drunk driving in Walworth County.

Mr. Dimiceli explained his involvement in the Time is Now Foundation and explained the C.A.T.E. program saying that the program is designed to help change repeat offenders' behavior patterns. He said that Dr. Thompson put together this C.A.T.E. program because the behavior patterns need to be corrected, since just locking up the offenders has not been working. He said that a GPS bracelet will be placed on the offender's leg that will monitor alcohol use as well as monitor them if they leave the premises. There is zero tolerance and if they cannot change their behavior patterns they go back to jail. Mr. Dimiceli said that the donation is not from him but from the people who are personally involved and want the program because they need this protection. Mr. Dimiceli also talked about the human trafficking of women of all ages in our County and other states and about the Children Advocacy Board and the movement now to ask for a piece of land from the County for a building to protect the children of the County. He asked that the Board seriously consider the request of the Association for Prevention of Family Violence for the donation of land to build a Child Abuse Prevention Center.

Mr. Dimiceli presented the check for \$200,000 to the County Board. He said he has another \$50,000 that will go to the program, as well. He said that many times we wonder where our money is going and after meeting a lot of the people working for the County he applauds everyone who is working for the County for the wonderful job they are doing. Chair Russell and the entire Board thanked Mr. Dimiceli for his very generous donation.

### **Appointments**

1. Lakeshores Library System Board
  - John Halverson – Term ending December 31, 2010
  - Lowell Wilson – Term ending December 31, 2010(Recommended by the Executive Committee 5-0)

On motion by Supervisor Weber, seconded by Supervisor Grant, John Halverson and Lowell Wilson were appointed to the Lakeshores Library System Board.

### **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: The Summons and Complaint of Rhyner's Construction Company which was received after the agenda mailing, was included on the

Report of the County Clerk of Communications Received After the Agenda Mailing and was referred to the Executive Committee.

2. Claims: a) Heather E. Ancarrow & State Farm Insurance Companies-County truck backed into insured's vehicle was referred to the Executive Committee.
3. Communication from the Honorable Bruce E. Schroeder, Kenosha County Circuit Court, Branch 3, concerning the *State v. Mark D. Jensen* trial recently held in Walworth County was referred to the Executive Committee.
4. Vilas County Resolution 2008-34 – Opposition of H.R. 2421, the Clean Water Restoration Act of 2007 was referred to the Land Conservation Committee.
5. Communication from State Representative Thomas A. Lothian regarding Walworth County's resolution supporting Assembly Bill 321 and an update on the progress of the Bill was placed on file.
6. Report of the County Clerk Concerning Communications Received by the Board and Recommended to be Placed on File. This was in the agenda packet.
7. Report of County Clerk Concerning Communications Received by the Board After the Agenda Mailing. The following items were placed on Supervisors' desks:
  - Summons and Complaint – Rhyner's Construction Company, Inc. v. South Bay, Inc., Town of Walworth, and County of Walworth was referred to the Executive Committee
  - Communication from WalCoMet – Policy Statement No. 01 of 2008 Opposing Unsewered Development Within the Sanitary Sewer Service Area of WalCoMet was referred to the County Zoning Agency
  - Communication from State Senator Neal Kedzie regarding the 2007 Pier Protection Act was referred to the County Zoning Agency
  - Communication from Gen Krahn-Reed, Executive Director, Association for the Prevention of Family Violence – Request for the consideration of a donation of County land for the construction of a Walworth County Family and Children's Center was referred to the Public Works Committee
  - Walworth County Resolution No. 07-04/08 – Nominating Members to the Various Committees of the County Board (The Nominating Committee met on April 16, 2008 and recommended the committee appointments as shown on the final resolution attached to this report)
  - Communication from State Representative Stephen L. Nass regarding Walworth County's resolution supporting Assembly Bill 321 and an update on the progress of the Bill was placed on file
  - Kewaunee County Resolution No. 53-4-08 – 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 and was placed on file
  - Communication from the Wisconsin Counties Association regarding the 2008 WCA District Meetings was placed on file
  - *Walworth County Senior Review*, April 2008 was placed on file
8. Report of County Clerk Concerning Zoning Petitions was referred to the County Zoning Agency.
  - Tower View Mobile Court, Inc. (Atty. Dale L. Thorpe, App.), Town of Darien, R-6 to R-2; A-1 to C-1; & A-1 to R-6

- G & S Unique Properties LLC (Greg Gray and Ray Sims, App.), Town of Darien, A-3 to M-1
- Tuscany Developers LLC (Allan Church, App.), Town of Walworth, A-3 to A-5
- Patrick H. and Diane L. Read, Town of Geneva, A-1 to C-2
- Michael Lazzaroni Investment Trust (John Engermann, App.), Town of Linn, R-4 to R-1
- Amendment to Walworth County Code of Ordinances, 74-131/74-263, Zoning and Shoreland Zoning

### **Unfinished Business**

There was none.

### **New Business**

### **Reports of Standing Committees**

#### **County Zoning Agency Report of Proposed Zoning Amendments**

1. Mark McKibben, Town of Troy, Rezone .92 acres of A-4 to B-4 – approved 7 – 0 (3-20-08 public hearing)
2. Gregory W. Zito, Town of Sugar Creek, Rezone 15 acres of A-1, A-4 & C-4 to C-1, C-4, & A-4 – approved 7 – 0 (3-20-08 public hearing)
3. Dale, Monica and Larry Albrecht (Lance and Debbie Petrasek, App.), Town of Troy, Rezone 5 acres of A-1 to C-2 – approved 7 – 0 (3-20-08 public hearing)
4. Ronald E. and Kay Ann Naber, Town of Troy, Rezone 5 acres of A-1 to C-2 – approved 7 – 0 (3-20-08 public hearing)

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

### **Executive Committee**

1. Approval of 2008-2009 County Board Meeting Schedule-*Vote required: Majority* (Recommended as modified for budget purposes by the Executive Committee 5-0)
2. Resolution No. 04-04/08 – Modifying the Walworth County Smart Growth Technical Advisory Committee Structure to Include Five County Board Supervisors – *Vote required: Majority* (Recommended by the Executive Committee 5-0)
3. Resolution No. 05-04/08 – Authorizing Payment of the Claim of Bradley S. August-*Vote required: 2/3* (Recommended by the Executive Committee 5-0)
4. Resolution No. 06-04/08 – Requesting Increased Reimbursement from the State Department of Corrections for Prisoners Held in County Jails-*Vote required: Majority* (Recommended by the Executive Committee 5-0)

On motion by Supervisor Grant, seconded by Supervisor Van Dreser, item 1, **Approval of 2008-2009 County Board Meeting Schedule**, item 2, **Resolution No. 04-04/08**, and item 4, **Resolution No. 06-04/08**, were approved by voice vote. Supervisor Bromley offered a motion,

seconded by Supervisor Weber, to approve item 3, Resolution No. 05-04/08. A roll call vote was held. Total vote: 11; Ayes: 11 – Bromley, Grant, Hawkins, Holst, Ingersoll, Kilkenny, Schaefer, Stacey, Van Dreser, Weber, Russell; Noes: 0; Absent: 0. **Resolution No. 05-04/08** was approved.

### **Finance Committee**

1. Ordinance No. 489-04/08 – Amending Section 30-286 of the Walworth County Code of Ordinances Relative to Fees-*Vote required: Majority* (Recommended by the Finance Committee 7-0)
2. Resolution No. 03-04/08 – Accepting a \$200,000 Donation for Walworth County’s Drunk Driving Prevention Efforts from the Time Is Now Foundation-*Vote required: Majority* (Recommended by the Finance Committee 5-2)

On motion by Supervisor Schaefer, seconded by Supervisor Ingersoll, **Ordinance No. 489-04/08** was approved by voice vote. Resolution No. 03-04/08 was approved earlier in the meeting.

### **Human Resources Committee**

1. Ordinance No. 483-04/08 – Amending Section 15-525 of the Walworth County Code of Ordinances Relating to Donor Program Eligibility-*Vote required: Majority* (Recommended by the Human Resources Committee 4-0)
2. Ordinance No. 484-04/08 – Amending Section 15-17 of the Walworth County Code of Ordinances Relating to Clerical Positions at Lakeland Health Care Center-*Vote required: 2/3* (Recommended by the Human Resources Committee 4-0)
3. Ordinance No. 485-04/08 – Amending Section 15-63 of the Walworth County Code of Ordinances Relating to Probationary Periods-*Vote required: Majority* (Recommended by the Human Resources Committee 4-0)
4. Ordinance No. 486-04/08 – Amending Section 15-17 of the Walworth County Code of Ordinances Relating to Deputy Coroner Positions-*Vote required: Majority* (Recommended by the Human Resources Committee 4-0)
5. Ordinance No. 487-04/08 – Amending Section 15-17 of the Walworth County Code of Ordinances Relating to Children and Family Services Management Positions- *Vote required: Majority* (Recommended by the Human Resources Committee 4-0)
6. Ordinance No. 488-04/08 – Amending Section 15-74 of the Walworth County Code of Ordinances Relating to Change in Bargaining Unit-*Vote required: Majority* (Recommended by the Human Resources Committee 4-0)
7. Resolution No. 01-04/08 – Setting Salaries for Register of Deeds, County Treasurer and County Clerk for 2009-2012-*Vote required: Majority* (Recommended by the Human Resources Committee 4-0)
8. Resolution No. 02-04/08 – Approving a Revised Amendment to the Employment Contract of Michael Cotter for Performing the Duties of Deputy Corporation Counsel-*Vote required: Majority* (Recommended by the Human Resources Committee 4-0)

On motion by Supervisor Van Dreser, seconded by Supervisor Weber, item 1, **Ordinance No. 483-04/08**, item 3, **Ordinance No. 485-04/08**, item 4, **Ordinance No. 486-04/08**, item 5,

**Ordinance No. 487-04/08**, item 6, **Ordinance No. 488-04/08**, item 7, **Resolution No. 01-04/08**, item 8, **Resolution No. 02-04/08**, were approved by voice vote.

A motion was offered by Supervisor Schaefer, seconded by Supervisor Grant, to approve item 2. A roll call vote was held. Total vote: 11; Ayes: 11 – Bromley, Grant, Hawkins, Holst, Ingersoll, Kilkenny, Schaefer, Stacey, Van Dreser, Weber, Russell; Noes: 0; Absent: 0. **Ordinance No. 484-04/08** was approved.

### **Reports of Special Committees**

1. Resolution No. 07-04/08 – Nominating Members to the Various Committees of the County Board-*Vote required: Majority* (Nominating Committee to meet to make recommendations on April 16, 2008 and forward a final resolution to the Board for consideration)
2. Elections of committee members for Lakeland Health Care Center Board of Trustees and Children with Disabilities Education Board (Nominating Committee to meet to make recommendations on April 16, 2008)

Clerk Bushey said that the Nominating Committee met and made recommendations on April 16, 2008. Those recommendations are incorporated in the final copy of Resolution No. 07-04/08, which was placed on Supervisors' desks. Bretl said that the Board could choose to deviate from the recommendation of the Nominating Committee to nominate Supervisors for the elected positions of the Health and Human Services Board/Lakeland Health Care Center Board and Children with Disabilities Education Board. A motion offered by Supervisor Van Dreser, seconded by Supervisor Stacey, to approve **Resolution No. 07-04/08**, including the elections of the members of the Health and Human Services Board/Lakeland Health Care Center Board and Children with Disabilities Education Board, was approved by voice vote.

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

Sandy Troemel, 210 Parkside Drive, Whitewater, congratulated the Supervisors on well-run campaigns. She said that the electors know that the incumbents they re-elected are truly for all the taxpayers of Walworth County and that these Supervisors have made and will make decisions that benefit the entire County and not just a small segment. She said that she thinks the new Lakeland School is fantastic and she said she thinks that the kids in this County will thrive. She congratulated the Board for electing Chair Russell, Vice-Chair Grant, and Executive Chair Weber on Tuesday night and said this was a sign that this Board is going to work well together. She said that the next major step for the Board is to get Mr. Bretl's contract signed. She wished the Supervisors the best of luck and said that she knows they will work hard and do a good job for the County.

### **Chairperson's Report**

Chair Russell announced that Committee meetings would be held next week.

## Adjournment

On motion by Supervisor Stacey, seconded by Supervisor Schaefer, the meeting was adjourned at 6:40 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 April 17, 2008 meeting.

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