

MARCH 9, 2010
WALWORTH COUNTY BOARD OF SUPERVISORS
MEETING

The Walworth County Board of Supervisors meeting was called to order by Chair Russell at 6:15 p.m. in the County Board Room at the Walworth County Government Center, 100 W. Walworth Street, Elkhorn, Wisconsin.

Roll call was conducted and the following Supervisors were present: Vice-Chair Jerry A. Grant, Randy A. Hawkins, Claudia J. Holst, Daniel G. Kilkenny, Joe Schaefer, Jim Van Dreser, David A. Weber, and Chair Nancy Russell. Absent: F. Mark Bromley, Kathy Ingersoll and Rick Stacey.

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

Amendments, Withdrawals, and Approval of Agenda

On motion by Supervisor Hawkins, seconded by Supervisor Grant, the evening's agenda was approved.

Approval of the Minutes

On motion by Supervisor Schaefer, seconded by Supervisor Holst, the minutes of the December 29, 2009 Special Meeting, corrected with scrivener's errors, was approved by voice vote. On motion by Supervisor Grant, seconded by Supervisor Weber, the February 9, 2010 Walworth County Board Meeting minutes were approved by voice vote.

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

There were none.

Appointments

1. Agriculture and Extension Education Committee
 - Jerry Hawver – Two year term to begin upon appointment (Recommended by the Executive Committee 5-0)
2. Walworth County Metropolitan Sewerage District Board
 - Dean Logterman – Term to begin February 28, 2010 and end February 28, 2015 (Recommended for reappointment by the Executive Committee 5-0)
3. Williams Bay Library Board
 - Andrew Woss – Term to begin upon appointment (Recommended by the Executive Committee 5-0)

On motion by Supervisor Van Dreser, seconded by Supervisor Weber, the appointments were approved as recommended by the Executive Committee as follows: Jerry Hawver was appointed

to the Agriculture and Extension Education Committee – Two year term to begin upon appointment; Dean Logterman was reappointed to the Walworth County Metropolitan Sewerage District Board – Term to begin February 28, 2010 and end February 28, 2015; and Andrew Woss was appointed to the Williams Bay Library Board – Term to begin upon appointment.

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
2. Claims: a) Notice of Claim and Claim Against Walworth County-Paul Demchenko vs Walworth County was referred to the Executive Committee.
3. Correspondence from Governor Jim Doyle regarding the award of a Multi-jurisdictional Law Enforcement Drug Task Force Support Grant was referred to the Executive Committee.
4. Portage County Resolution 291-2008-2010-Opposition to Legislation 2009 Assembly Bill 644 Establishing a Presumption for Employment-Connected Communicable Diseases for Fire Fighters, Emergency Medical Service Providers, Law Enforcement Officers, and Certain Correctional Employees was referred to the Executive Committee.
5. Washington County 2009 Resolution 67-Opposition to Include County in the Regional Transit Authority for Southeastern Wisconsin was referred to the Executive Committee.
6. Langlade County Resolution # 20-2010-To Oppose Senate Bill SB-466 Pertaining to Regulation by the Wisconsin Office of the Commissioner of Insurance (OCI) of All Government Sponsored Self-Insured Health Plans was referred to the Finance Committee.
7. Portage County Resolution No. 290-2008-2010 and Price County Resolution 13-10-Opposition to 2009 Senate Bill 466 Relating to Regulation by the Office of the Commissioner of Insurance of Self-Insured Health Plans Offered by a City, Town, Village, County, or School District was referred to the Finance Committee.
8. Langlade County Resolution # 13-2010 and Portage County Resolution # 289-2008-2010-Support of Federal Funding for Welfare Fraud Investigation was referred to the Health and Human Services Board.
9. Town of Geneva Resolution No. 191 – Resolution to Adopt the Comprehensive Revision of the Walworth County Zoning Ordinance adopted by the Walworth County Board of Supervisors on December 15, 2009 was placed on file.
10. County Clerk Report – Summary of 2009 Dog Licenses Sold and Licensing Statistics was placed on file.
11. Raze Order-Larry J. Reyno, as Personal Representative of the estate of Lawrence T. Reyno, Town of Geneva was placed on file.
12. Communication from the Village of Genoa City regarding the Village of Genoa City Comprehensive Plan 2025-with Resolutions and Ordinances Amending the Plan was placed on file.
13. Communication from Dorothy Burwell, Delavan Town Chair, expressing thanks for the efforts made by UW-Extension Horticulturist Christine Register in helping improve the appearance of their governmental buildings was placed on file.

14. Report of the County Clerk Concerning Communications Received by the Board and Recommended to be Placed on File
15. Report of County Clerk Concerning Communications Received by the Board After the Agenda Mailing-Placed on Supervisors' desks are listed as follows:
 - Memorandum from Supervisor Rick Stacey regarding duplex zoning issues – To be referred to the County Zoning Agency
 - Notice from the Wisconsin Department of Administration regarding a hearing on the Proposed Incorporation of a Portion of the Town of Bloomfield Walworth County, Wisconsin, as the Village of Bloomfield – To be referred to the County Zoning Agency
 - Notice of Injury and Claim – Brian Conaway vs Walworth County Jail and Correctional Health Care Systems at the County Jail – To be referred to the Executive Committee
 - Racine County Resolution No. 2009-121-Supporting Aggressive Action to Prevent Asian Carp from Entering the Lake Michigan and Great Lakes Watersheds – To be referred to the Land Conservation Committee
 - Town of Lafayette Resolution # - 2010 Approval of the Comprehensive Revision of the Walworth County Zoning Ordinance – To be placed on file
 - Barron County Resolution No. 2010-13-Supporting Delayed Implementation of Farmland Preservation Rezoning Conversion Fee – Previously referred and will be placed on file
 - Communication from Southeastern Wisconsin Regional Planning Commission regarding the final report on the Walworth County multi-jurisdictional comprehensive plan – To be placed on file
 - *Walworth County Senior Review*, March, 2010 – To be placed on file
16. Report of County Clerk Concerning Zoning Petitions (To be referred to the County Zoning Agency)
 - Ernest and Mary Ceisel Trust, Celesta T. Ceisel, LLC and Dorothy M. Ceisel, LLC (Warren Hansen, App.), Town of Geneva, C-2, M-3, A-2 & A-3 to P-1 & C-2
 - Toynton Trust (Cindy Toynton Dixon)/Threatte Family Ltd. Part. (Warren Hansen, App.), Town of Darien, A-1 to C-2 & C-2 to C-4
 - Edith G. Andrew (Jim Willett, App.), Town of Geneva, C-3 to A-2
 - Ordinance Amendment, Zoning and Shoreland Zoning, Sections 74-38/74-163, 74-59/74-186, 74-90/74-219 & 74-111/74-240

Unfinished Business

There was none.

New Business

Reports of Standing Committees

County Zoning Agency Report of Proposed Zoning Amendments

1. JMO Properties Ltd., Town of Walworth, Rezone 2.69 acres of A-1 to A-4 - denied 6 – 0 (1-21-10 public hearing)
2. REO, LLC (JNTS Marine Pros, LLC, App.), Town of Whitewater, Rezone 20 acres of A-1 to A-2 and 17 acres of A-1 to B-4 – approved 6 – 0 (1-21-10 public hearing)

3. Joseph T. and Anne M. Curti, Town of East Troy, Rezone .53 acres of R-1 & C-1 to C-2 – approved 6 – 0 (2-18-10 public hearing)
4. Henry R. Mol (Richard Howarth, Jr., App.), Town of Lafayette, Rezone 51.7 acres of A-1 to A-2 – approved 6 – 0 (2-18-10 public hearing)

On motion by Supervisor Van Dreser, seconded by Supervisor Weber, the Report of the Proposed Zoning Amendments was approved as recommended by the County Zoning Agency: item 1, JMO Properties Ltd was denied; item 2, Reo, LLC (JNTS Marine Pros. LLC, App.); item 3, Joseph T. and Anne M. Curti, and item 4, Henry R. Mol (Richard Howarth, Jr., App.) were approved.

County Zoning Agency

1. Resolution No. 91-03/10 – Opposing the Wisconsin Department of Natural Resources Decision to Eliminate the Review of Wetland Delineation Reports and Concurrence Letters for Individual Wetland Boundary Determinations-*Vote required: Majority* (Recommended by the County Zoning Agency 6-0)

On motion by Supervisor Weber, seconded by Supervisor Van Dreser, **Resolution No. 91-03/10** was approved by voice vote.

Executive Committee

1. Ordinance No. 600-03/10 – Amending Section 2-166 of the Walworth County Code of Ordinances Relating to Compensation of Citizen Members-*Vote required: Two-thirds* (Recommended by the Executive Committee 5-0)
2. Ordinance No. 601-03/10 – Amending Chapter 2 of the Walworth County Code of Ordinances Relating to the County Records Retention Schedule-*Vote required: Two-thirds* (Recommended by the Executive Committee 5-0)
3. Resolution No. 85-03/10 – Opposing 2009 State Senate Bill 442 Requiring Use of Qualifications-Based Selection Process for Certain Public Works Consulting Contracts-*Vote required: Majority* (Recommended by the Public Works Committee 4-0 and the Executive Committee 5-0)

Supervisor Grant offered a motion, seconded by Supervisor Weber, to approve item 1, Ordinance No. 600-03/10. On motion by Supervisor Van Dreser, seconded by Supervisor Weber, **Ordinance No. 600-03/10** was approved by unanimous consent.

Supervisor Weber offered a motion, seconded by Supervisor Grant, to approve item 2, Ordinance No. 601-03/10. On motion by Supervisor Van Dreser, seconded by Supervisor Weber, **Ordinance No. 601-03/10** was approved by unanimous consent.

On motion by Supervisor Schaefer, seconded by Supervisor Grant, item 3, **Resolution No. 85-03/10** was approved by voice vote.

Finance Committee

1. Ordinance No. 603-03/10 – Amending Section 30-286 of the Walworth County Code of Ordinances Relative to Clerk of Courts and Land Use and Resource Management Fees-*Vote required: Majority* (Recommended by the Finance Committee 3-0)
2. Resolution No. 88-03/10 – Authorizing the Closing of the County Grounds Master Plan Project-*Vote required: Majority* (Recommended by the Public Works Committee 4-0 and Finance Committee 3-0)
3. Resolution No. 89-03/10 – Authorizing the Closing of the Government Center Master Plan Project-*Vote required: Majority* (Recommended by the Public Works Committee 4-0 and Finance Committee 3-0)
4. Resolution No. 90-03/10 – Authorizing the Closing of CTH B Roadwork Project and Transferring Remaining Funds to the CTH J Roadwork Project-*Vote required: Majority* (Recommended by the Public Works Committee 4-0 and Finance Committee 3-0)

On motion by Supervisor Weber, seconded by Supervisor Grant, item 1, **Ordinance No. 603-03/10**, item 2, **Resolution No. 88-03/10**, item 3, **Resolution No. 89-03/10**, and item 4, **Resolution No. 90-03/10** were approved by voice vote.

Human Resources Committee

1. Ordinance No. 602-03/10 – Amending Section 15-17 of the Walworth County Code of Ordinances Relating to the Reclassification of Positions in the Information Technology Department-*Vote required: Majority* (Recommended by the Human Resources Committee 3-0)
2. Resolution No. 86-03/10 – Approving Side Letter Agreement between Walworth County & Highway Employees' Union 1925-*Vote required: Majority* (Recommended by the Public Works Committee 4-0 and Human Resources Committee 3-0)
3. Resolution No. 87-03/10 – Establishing 2011 Wage Increase for Certain Management Positions- *Vote required: Majority* (Recommended by the Human Resources Committee 3-0)

On motion by Supervisor Van Dreser, seconded by Supervisor Weber, item 1, **Ordinance No. 602-03-10**, item 2, **Resolution No. 86-03/10**, and item 3, **Resolution No. 87-03/10** were approved by voice vote.

Land Conservation Committee

1. Resolution No. 92-03/10 – Authorization to Approve Farmland Preservation Plan Development and Accepting the Farmland Preservation Grant Award-*Vote required: Majority* (Recommended by the Land Conservation Committee 3-0)

On motion by Supervisor Hawkins, seconded by Supervisor Kilkenny, **Resolution No. 92-03/10** was approved by voice vote.

Closed Session

The Board convened in closed session pursuant to the exemption contained in Section 19.85 (1)(e) of the Wisconsin Statutes, “Deliberating or negotiating the purchasing of public properties,

the investing of public funds, or conducting other specified public business, whenever competitive or bargaining reasons require a closed session.”

In closed session, the Board discussed the following item:

- Establishing guidance/parameters for negotiations with Unions for 2010-2011 contract years

On motion by Supervisor Grant, seconded by Supervisor Weber, the Board convened into closed session at 6:25 p.m. A roll call vote was taken. Total vote: 11; Ayes: 8 – Vice-Chair Jerry A. Grant, Randy A. Hawkins, Claudia J. Holst, Daniel G. Kilkenny, Joseph H. Schaefer, Jim Van Dreser, David A. Weber, Chair Nancy Russell. Noes: 0; Absent: 3 – F. Mark Bromley, Kathy Ingersoll, Rick Stacey.

Supervisor Kilkenny was excused from the closed session and meeting at 6:40 p.m.

The Board convened in open session and took action on the closed session item.

On motion by Supervisor Weber, seconded by Supervisor Van Dreser, the Board convened into open session at 7:11 p.m.

On motion by Supervisor Weber, seconded by Supervisor Grant, it was recommended that staff go forward as discussed in closed session.

Reports of Special Committees

There were none.

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

There were none.

Chairman’s Report

Chair Russell said that this is the last County Board meeting for some of the Board members. She said she has enjoyed serving with all of them and wished them luck in their future endeavors. She said it will be sad not having them at the meetings. Supervisor Van Dreser said it has been a pleasure serving the County. Supervisor Schaefer said that he wanted to thank Supervisor Van Dreser for his excellent service to Walworth County.

Adjournment

On motion by Supervisor Grant, seconded by Supervisor Van Dreser, the meeting was adjourned at 7:12 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 March 9, 2010 meeting.