

**APRIL 21, 2009**  
**WALWORTH COUNTY BOARD OF SUPERVISORS**  
**PUBLIC HEARING**

**MULTI-JURISDICTIONAL NATURAL HAZARDS MITIGATION PLAN**  
**FOR WALWORTH COUNTY**

The Public Hearing for a Multi-jurisdictional Natural Hazards Mitigation Plan for Walworth County was called to order at 6:05 p.m. in the County Board Room at the Walworth County Government Center, 100 W. Walworth Street, Elkhorn, Wisconsin.

Chair Russell explained the process of the public comment portion of the meeting and asked Mr. Tim Schwecka, Civi-tek Consulting, to address the Board.

Mr. Schwecka said he has been working with Lt. Kevin Williams regarding the Natural Hazards Mitigation Plan. Mr. Schwecka explained that Walworth County must have a plan to apply for Federal funding. The Plan was developed at a local level. He said that the committee they worked with identified 12 natural hazards, the most important being snowstorms, flooding and thunderstorms. The committee also looked at the special needs populations and groups within the County, the economic sectors and how they might be affected by natural hazards, and identified critical facilities within the County, i.e. bridges, dams, airports, schools, government facilities, etc. In all, they identified 587 different critical facilities within Walworth County. Mr. Schwecka said the most important part of the Plan is the mitigation strategy, Chapter 6 of the Plan. It identifies goals, objectives, and policies and also lists a number of activities that are to be done over the next 5-year period. The Plan does not obligate the County to do the mitigation activities but is a blueprint for action. He said they involved the villages, cities, and towns in preparation, review, and adoption of the Plan. An advisory committee was established which consisted of County staff members, a staff person with the National Weather Service, and local municipal representatives.

**Public Input and General Discussion**

Chair Russell thanked Mr. Schwecka and asked for input from the public. There were no comments from the public.

Chair Russell said that the resolution to adopt the Plan, Resolution No. 03-04/09 – Adopting a Multi-jurisdictional Natural Hazards Mitigation Plan, would be considered during the County Board meeting immediately following the Public Hearing.

On motion by Supervisor Schaefer, seconded by Supervisor Weber, the public hearing was closed at 6:10 p.m.

**APRIL 21, 2009**  
**WALWORTH COUNTY BOARD OF SUPERVISORS**  
**MEETING**

The Walworth County Board of Supervisors meeting was called to order by Chair Russell at 6:10 p.m. in the County Board Room at the Walworth County Government Center, 100 W. Walworth Street, Elkhorn, Wisconsin.

Roll call was conducted: Supervisors Present: 11 - F. Mark Bromley, Vice-Chair Jerry A. Grant, Randy D. Hawkins, Claudia J. Holst, Kathy Ingersoll, Daniel G. Kilkenny, Joe Schaefer, Rick Stacey, Jim Van Dreser, David A. Weber, and Chair Nancy Russell; Supervisors Absent: 0.

Jerry Grant, Walworth County Board of Supervisors, District # 4, delivered the invocation.

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

On motion by Supervisor Grant, seconded by Supervisor Van Dreser, the agenda was approved with the following amendments: Executive Committee item 10, Resolution No. 09-04/09, item 6, Resolution No. 02-04/09, and Health and Human Services item 2, Resolution No. 12-04/09, were moved to immediately precede Comment Period by Members of the Public Concerning Items on the Agenda.

**Approval of the Minutes**

On motion by Supervisor Stacey, seconded by Supervisor Grant, the minutes of the March 10, 2009 Walworth County Board of Supervisors meeting were approved by voice vote.

On motion by Supervisor Weber, seconded by Supervisor Bromley, **Resolution No. 09-04/09** – Congratulating the University of Wisconsin-Whitewater Wheelchair Basketball Team on the Occasion of Their Eighth National Championship was approved by voice vote.

On motion by Supervisor Van Dreser, seconded by Supervisor Weber, **Resolution No. 02-04/09** – Proclaiming April 19 – April 25, 2009 Volunteer Week in Walworth County and Recognizing Walworth County Volunteers, was approved by voice vote.

On motion by Supervisor Grant, seconded by Supervisor Ingersoll, **Resolution No. 12-04/09** – Recognizing the Walworth County Health & Human Services Department for Receiving the American Red Cross Brave Hearts 2009 Health Care Award, was approved by voice vote.

Chair Russell asked former Supervisor Art Lein to come forward with the UW-Whitewater Wheelchair Basketball team members and their coach as she read the Resolution No. 09-04/09 congratulating the team on their eighth national championship. Mr. Lein said that UW-Whitewater is the only college to win championships in every sport. He said that the wheelchair team has drawn many athletes from around the world including California, Ireland, Germany and Israel. Mr. Lein said that the coach, Jeremy Lade, played on the championship team last year.

Coach Lade said that he is very proud of the team and their accomplishments and he is also pleased and proud to say that they have started a women's wheelchair basketball team this year. He said that the women's team finished fifth out of ten teams in their first year. He said one of the things that was exciting for him, as a first time head coach, was to see the Williams Center absolutely packed for the championship game. He said he is pleased that they get so much support from the students, faculty, staff, administrators, and all the surrounding community. Coach Lade said they try to get out to talk about wheelchair basketball in the schools with the Cornerstones for Success program and other activities to raise awareness of disabilities, playing wheelchair basketball, and all the things that they do at the University of Whitewater. He thanked the Board for the recognition and continued support.

Chair Russell read Resolution No. 02-04/09 – Proclaiming April 19 – April 25, 2009 Volunteer Week in Walworth County and Recognizing Walworth County Volunteers, and asked Colleen Lesniak, Walworth County's Volunteer Coordinator, to come forward to present the awards to those volunteers present at the meeting. Chair Russell said that while the people mentioned in the resolution are being recognized this evening, she and all the Supervisors appreciate all the rest of the volunteers who work for Walworth County and throughout the County.

Chair Russell read the resolution recognizing the Health & Human Services Department for Receiving the American Red Cross Brave Hearts 2009 Health Care Award. This award recognizes staff for their work in providing cost effective high-quality care for special populations in the community. Linda Seemeyer came forward and presented a short video presentation outlining the program. She said the Human Services department provides a critical service in the community through its Community Support Program (CSP). The CSP program ensures that the least restrictive services are provided to those in need of mental health services, thus giving them more control in their lives and honoring their right to self-determination. Seemeyer said she is very proud of this program and the staff in this program. She said that in one year hospitalization has been reduced by 96% and 50% of the folks have been working and moved out to the community.

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

Clerk Bushy said that Mark Sostarich, Attorney for Beverly Long, had submitted a Public Comment card, however, zoning items have already been to public hearing, therefore, it is not subject to comment period. Administrator Bretl read the statute which does not allow public comment on this item.

### **Appointments/Elections**

1. U. W. Extension Community Partner Advisory Group (CPAG)
  - Bonnie Cornue
  - Will Swierenga(Recommended by the Executive Committee 5-0)

On motion by Supervisor Weber, seconded by Supervisor Van Dreser, Bonnie Cornue and Will Swierenga were appointed to the U. W. Extension Community Partner Advisory Group (CPAG).

## **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) Scott Lutkus, Vehicle Damage-VIP Services Bus; b) Notice of Circumstances of Claim-Diane M. Donohoo, Fall in Judicial Center Parking Lot were referred to the Executive Committee.
3. Trempealeau County Resolution Requesting that the State of Wisconsin Department of Corrections Increase Reimbursement Payments for State Probation and Parole Prisoners Held in the Trempealeau County Jail was referred to the Executive Committee.
4. Outagamie County Resolution No. 106-2008-09 opposing legislation which will eliminate the spring election for nonpartisan offices as well as special shortened terms for nonpartisan officers who are elected after the effective date of the amendment was referred to the Executive Committee.
5. Communication from FEMA – Final flood elevation determination for Walworth County Unincorporated Areas-Map Panels was referred to the Land Conservation Committee.
6. Communication from Department of Natural Resources-Petition for a declaratory ruling on the navigability and the location and/or elevation of the ordinary high water mark of Bloomfield Creek and an unnamed lake created by damming Bloomfield Creek on property owned by Daniel McLean located at W1773 Bloomfield Rd., S5, TIN, R18E, Town of Bloomfield, Walworth County was placed on file.
7. Communication from Kettle Moraine Land Trust, Ltd. with an invitation to the Conservation Subdivision Design (CSD) Workshop on May 7 and 8, 2009 at the George Williams campus of Aurora University in Williams Bay-Registration Form Attached was placed on file.
8. Communication from Butch Eucker regarding Southeastern Wisconsin Regional Water Supply Planning Program Plans, 2<sup>nd</sup> Letter-Previously referred to the Land Conservation Committee was placed on file.
9. Report of the County Clerk Concerning Communications Received by the Board and Recommended to be Placed on File
10. 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:
  - Request of Jerry Dean for the County Board to overturn the August 14, 2008 decision on the Board of Adjustment concerning Dean's property located at W6595 N. Walworth Road in Walworth, Wisconsin and grant his variance request – To be referred to the County Zoning Agency
  - Oconto County Resolution # 18-09 – Opposition to S.149 “Weekend Voting Act” and “2009 Assembly Joint Resolution 2” – To be referred to the Executive Committee
  - Communication from Supervisor Jerry Grant requesting support in opposing passage of Assembly Bill 75-Prevailing Wage Proposal – To be referred to the Executive Committee
  - Correspondence from the Department of Commerce Bureau of Community Finance regarding a Community Development Block Grant-Emergency Assistance Program

award to assist in recovery efforts related to the flooding in the summer of 2008 – To be referred to the Executive Committee

- Communication from Viola Vander Vries requesting property tax relief – To be referred to the Finance Committee
- Communication from SEWRPC with the Transmittal of a SEWRPC Report, *Public Transit-Human Services Transportation Coordination Plan for Walworth County: 2008* – To be referred to the Health and Human Services Board
- 2008 United States Department of Agriculture Rural Development Wisconsin Annual Report – To be referred to the Land Conservation Committee
- 2009 Walworth County Computer Round-Up Brochure, Friday, May 1, 2009 – To be placed on file
- *Walworth County Senior Review*, April 2009 – To be placed on file

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

- Gordon Polyock Family Trust (Jacob Polyock, App.), Town of Linn, A-1 to A-4 & M-2
- Lost Nation Farms, LLC (Cindy Balestrieri, App.), Town of Sugar Creek, A-2 & A-4 to A-4 & C-2
- Estate of Tena Stoppel (David Stoppel, App.), Town of Linn, A-1 to A-5
- Devora Budnick, Town of Linn, C-4 to R-1
- Matthew T. and Debora L. Shinkus, Town of Sharon, A-1 to A-2
- Robert A. Pearce Farms, Town of Walworth, A-1 to A-4
- Amendment to Walworth County Code of Ordinances, Zoning and Shoreland, Sections 74-38/74-163 Use Regulations
- Amendment to Walworth County Code of Ordinances, Zoning and Shoreland, Sections 74-55/74-182, 74-62/74-189 Campground Revisions & 74-131/74-263 Definitions
- Amendment to Walworth County Code of Ordinances, Zoning and Shoreland, Division 6 Signs
- Amendment to Walworth County Code of Ordinances, Zoning and Shoreland, Sections 74-55/74-182, 74-63/74-190, 74-131/74-263 Bed and Breakfast

## **Unfinished Business**

## **New Business**

## **Reports of Standing Committees**

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

1. Delsie J. Everett (James Peterson Sons, Inc., App.), Town of Lyons, Rezone 47.3 acres of A-1 & C-2 to M-3 – approved 6 – 0 (3-19-09 public hearing)
2. Sugar Creek Lutheran Church Cemetery, Town of Sugar Creek, Rezone .3 acres of P-1 to P-2 – approved 6 – 0 (3-19-09 public hearing)
3. Belvidere Park Association (Audrey Emanuel, App.), Town of Delavan, Rezone 3.2 acres of R-2A & C-2 to R-4 – approved 6 – 0 (3-19-09 public hearing)
4. Paulo Huerta, Town of Sugar Creek, Rezone .5 acres of A-1 to A-4 – approved 6 – 0 (3-19-09 public hearing)

5. Thomas and Nancy Horter & Robert Mueller, Town of East Troy, Rezone .31 acres of C-4 to R-1 – approved 6 – 0 (3-19-09 public hearing)
6. Linn Presbyterian Church, Town of Linn, Rezone 10 acres of A-1 to P-2 – approved 6 – 0 (3-19-09 public hearing)
7. Dennis G. Klumb (Atty. Lowell E. Sweet, App.), Town of Troy, Rezone 2.26 acres of A-4 to A-1 – approved 6 – 0 (3-19-09 public hearing)
8. Navigability determinations for wetland ponds contiguous to Pell Lake, on certain tax parcels in the Town of Bloomfield from C-1 to C-4 – approved 6 – 0 (3-19-09 public hearing)

On motion by Supervisor Schaefer, seconded by Supervisor Stacey, items 1 through 7 of the Report of Proposed Zoning Amendments were approved as recommended by the County Zoning Agency.

On motion by Supervisor Hawkins, seconded by Supervisor Van Dreser, item 8, Navigability determinations for wetland ponds contiguous to Pell Lake, on certain tax parcels in the Town of Bloomfield from C-1 to C-4 of the Report of the County Zoning Agency, was amended by removing tax parcel MB1500003.

On motion by Supervisor Hawkins, seconded by Supervisor Van Dreser, item 8, Navigability determinations for wetland ponds contiguous to Pell Lake on certain tax parcels in the Town of Bloomfield from C-1 to C-4, was amended and tax parcel MB1500003 was pulled out and referred back to the County Zoning Agency.

On motion by Supervisor Van Dreser, seconded by Supervisor Hawkins, the balance of item 8 was approved by voice vote.

### **Executive Committee**

1. Ordinance No. 542-04/09 – Amending Chapter 22 and Chapter 30 of the Walworth County Code of Ordinances Relating to Alarms-*Vote required: Majority* (Recommended by the Executive Committee 5-0)
2. Ordinance No. 543-04/09 – Amending Chapter 2 of the Walworth County Code of Ordinances Relating to Executive Committee Duties-*Vote required: Two-thirds* (Recommended by the Executive Committee 5-0)
3. Ordinance No. 544-04/09 – Creating Section 38-130 of Chapter 38 of the Walworth County Code of Ordinances Relating to Enforcement of Town Ordinances-*Vote required: Two-thirds* (Recommended by the Executive Committee 5-0)
4. Ordinance No. 549-04/09 - Amending Sections 2-131 and 2-166 of the Walworth County Code of Ordinances Relating to Executive Committee Duties and Compensation of Citizen Members-*Vote required: Majority* (Recommended by the Executive Committee 4-1)
5. Resolution No. 01-04/09 – Opposing 2009 State Assembly Bill 149 Proposing Interest Rate Reduction on Tax Delinquent Properties-*Vote required: Majority* (Recommended by the Finance Committee 5-0 and Executive Committee 5-0)
6. Resolution No. 02-04/09 – Proclaiming April 19 – April 25, 2009 Volunteer Week in Walworth County and Recognizing Walworth County Volunteers-*Vote required: Majority* (Recommended by the Executive Committee 5-0)

7. Resolution No. 03-04/09 – Adopting a Multi-jurisdictional Natural Hazards Mitigation Plan-  
*Vote required: Majority* (Recommended by the Executive Committee 5-0)
8. Resolution No. 05-04/09 – Supporting Standard Enforcement of Wisconsin’s Seatbelt Law-  
*Vote required: Majority* (Recommended by the Executive Committee 4-1)
9. Resolution No. 08-04/09 – Denying the Claim of Tracy Lawrence-*Vote required: Majority*  
(Recommended by the Executive Committee 5-0)
10. Resolution No. 09-04/09 – Congratulating the University of Wisconsin-Whitewater  
Wheelchair Basketball Team on the Occasion of Their Eighth National Championship-*Vote*  
*required: Majority* (Recommended by the Executive Committee 5-0)

Items 6 and 10 were approved earlier in the meeting.

On motion by Supervisor Grant, seconded by Supervisor Weber, item 7, **Resolution No. 03-04/09** – Adopting a Multi-jurisdictional Natural Hazards Mitigation Plan, was approved by voice vote.

Supervisor Bromley offered a motion, seconded by Supervisor Schaefer, to approve item 1, **Ordinance No. 542-04/09**, item 4, **Ordinance No. 549-04/09**, item 5, **Resolution No. 01-04/09**, item 8, **Resolution No. 05-04/09**, and item 9, **Resolution No. 08-04/09**. Supervisor Kilkenny requested that item 8 be considered separately. Items 1, 4, 5, and 9 were approved by voice vote. Discussion ensued regarding item 8. Item 8, **Resolution No. 05-04/09** was approved by voice vote. Supervisors Bromley, Kilkenny, Schaefer, and Van Dreser requested that their votes be recorded as No.

Supervisor Grant offered a motion, seconded by Supervisor Weber, to approve item 2. On motion by Supervisor Van Dreser, seconded by Supervisor Stacey, item 2, **Ordinance No. 543-04/09**, was approved by unanimous consent.

Supervisor Weber offered a motion, seconded by Supervisor Grant, to approve item 3. Discussion ensued. On motion by Supervisor Van Dreser, seconded by Supervisor Weber, item 3, **Ordinance No. 544-04/09**, was approved by unanimous consent.

### **Finance Committee**

1. Ordinance No. 547-04/09 – Amending Chapter 30, Article V, Sections 228-231 of the Walworth County Code of Ordinances Relating to Investment Policy-*Vote required: Majority* (Recommended by the Finance Committee 5-0)
2. Resolution No. 06-04/09 – Authorizing Closure of the CTH “H” Road Construction Project and Return of Project Surplus to the 2007 Unallocated Road Construction Fund-*Vote required: Two-thirds* (Recommended by the Public Works Committee 5-0 and the Finance Committee 5-0)
3. Resolution No. 07-04/09 – Accepting the Donation from the Geneva National Foundation of One (1) SMART Table Interactive Learning Center for Use at Lakeland School-*Vote required: Majority* (Recommended by the Finance Committee 5-0)
4. Resolution No. 10-04/09 – Approving the Expenses Incurred for the Burial of an Unclaimed Body Pursuant to Section 979.09 of the Wisconsin Statutes-*Vote required: Two-thirds* (Recommended by the Finance Committee 5-0)

On motion by Supervisor Stacey, seconded by Supervisor Grant, item 1, **Ordinance No. 547-04/09** and item 3, **Resolution No. 07-04/09**, were approved by voice vote.

Supervisor Stacey offered a motion, seconded by Supervisor Weber, to approve item 2. On motion by Supervisor Van Dreser, seconded by Supervisor Grant, item 2, **Resolution No. 06-04/09** was approved by unanimous consent. Supervisor Stacey offered a motion, seconded by Supervisor Weber, to approve item 4. On motion by Supervisor Van Dreser, seconded by Supervisor Weber, **Resolution No. 10-04/09** was approved by unanimous consent.

### **Health and Human Services Board**

1. Ordinance No. 548-04/09 - Amending Chapter 50 of the Walworth County Code of Ordinances for the Purpose of Codifying the Health & Human Services Department Mission Statement-*Vote required: Majority* (Recommended by the Health & Human Services Board 8-0)
2. Resolution No. 12-04/09 - Recognizing the Walworth County Health & Human Services Department for Receiving the American Red Cross Brave Hearts 2009 Health Care Award-*Vote required: Majority* (Recommended by the Health & Human Services Board 8-0)

On motion by Supervisor Grant, seconded by Supervisor Stacey, **Ordinance No. 548-04/09** was approved by voice vote. **Resolution No. 12-04/09** was approved earlier in the meeting.

### **Human Resources Committee**

1. Ordinance No. 545-04/09 – Amending Chapters 15, 17, & 30 of the Code Relating to the Title of Information Systems and Amending Section 15-6(a)(7) of the Walworth County Code of Ordinances Relating to At-Will Employees-*Vote required: Majority* (Recommended by the Public Works Committee 5-0, Finance Committee 5-0, and Human Resources Committee 4-1)
2. Ordinance No. 546-04/09 – Amending Section 15-17 of the Walworth County Code of Ordinances Relating to Two Additional Economic Support Specialist Positions in Health and Human Services-*Vote required: Two-thirds* (Recommended by the Health and Human Services Board 7-0 and the Human Resources Committee 5-0)
3. Resolution No. 04-04/09 – Approving a Side Letter Agreement between Walworth County and Highway Employees’ Union 1925-*Vote required: Majority* (Recommended by the Public Works Committee 5-0 and Human Resources Committee 5-0)

Chair Russell asked Administrator Bretl to speak to item 1. He said that the ordinance redraft was prepared and sent to Supervisors before the meeting. One page was missing with the first draft. The first change in the section is changing the Information System name to Information Technology. The second change is to expand the at-will employment list.

On motion by Supervisor Weber, seconded by Supervisor Bromley, item 1, **Ordinance No. 545-04/09**, and item 3, **Resolution No. 04-04/09**, were approved by voice vote. A motion was offered by Supervisor Ingersoll, seconded by Supervisor Van Dreser, to approve item 2. On motion by Supervisor Van Dreser, seconded by Supervisor Grant, **Ordinance No. 546-04/09** was approved by unanimous consent.

## **Park Committee**

1. Resolution No. 11-04/09 – Approving Submission of a Grant-Application for Outdoor Recreation Aids-*Vote required: Majority* (Recommended by the Park Committee 3-0)

On motion by Supervisor Weber, seconded by Supervisor Kilkenny, **Resolution No. 11-04/09** was approved by voice vote.

## **Closed Session**

The Board will convene 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 will discuss the following item:

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

On motion by Supervisor Van Dreser, seconded by Supervisor Stacey, the Board convened in closed session at 7:00 p.m. A roll call vote was held to go into closed session. Total vote: Ayes: 11 - Bromley, Grant, Hawkins, Holst, Ingersoll, Kilkenny, Schaefer, Stacey, Van Dreser, Weber, and Russell; Noes: 0.

On motion by Supervisor Van Dreser, seconded by Supervisor Weber, the Board reconvened in open session.

On motion by Supervisor Grant, seconded by Supervisor Weber, the Board voted to further discuss establishing guidance/parameters for negotiations with Unions for 2010-2011 contract years at the next County Board meeting 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 a package of forget-me-not seeds was placed on each Supervisor’s desk. She encouraged Supervisors to be organ donors and put the organ donor stamp on their driver licenses. She said that Joyce Ketchpaw is looking for volunteers to work at the organ donor booth at the Walworth County Fair and she encouraged the Supervisors to volunteer.

**Adjournment**

On motion by Supervisor Van Dreser, seconded by Supervisor Weber, the meeting was adjourned at 7:55 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 21, 2009 meeting.