

**JUNE 9, 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 the following Supervisors were present: F. Mark Bromley, Vice-Chair Jerry A. Grant, Randy D. Hawkins, Claudia J. Holst, Kathy Ingersoll, Daniel G. Kilkenny, Joseph H. Schaefer, Rick Stacey, Jim Van Dreser, David A. Weber, and Chair Nancy Russell.  
Absent: None.

Kathy Ingersoll, Walworth County Board of Supervisors, District # 6, delivered the invocation.

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

Supervisor Weber offered a motion, seconded by Supervisor Grant, to approve the agenda. On motion by Supervisor Grant, seconded by Supervisor Van Dreser, Health and Human Services Board, item 1, Resolution No. 27-06/09, was tabled until the July 14, 2009 County Board Meeting.

On motion by Supervisor Weber, seconded by Supervisor Van Dreser, the agenda was approved as amended by voice vote.

**Approval of the Minutes**

On motion by Supervisor Kilkenny, seconded by Supervisor Hawkins, the minutes of the May 12, 2009 Walworth County Board Meeting were approved by voice vote.

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

Martin Brunner, W9076 Hwy A, Town of Richmond, had requested to speak on a zoning matter. Clerk Bushey stated that since this item had already gone to public hearing, public comment would not be allowed.

**Special Order of Business**

- Government Finance Officers Association (GFOA) Distinguished Budget Presentation Award for Fiscal Year 2009

Chair Russell said that she is very proud of the Finance Department as they have consistently received the budget award and the award for outstanding financial reporting. Nicki Andersen, Deputy County Administrator, Finance, said they work hard every year to make a budget document worthy of this award. She thanked Jessica Lanser, Comptroller, and the budget staff as well as Nancy Russell, the Finance Committee, County Administrator Dave Bretl, and the

department heads. Administrator Bretl congratulated the Finance Department for a job well done.

### **Appointments/Elections**

1. Board of Adjustment

- John Roth – Three-year term to begin June 30, 2009 and end June 30, 2012

(Appointment is for a regular position versus alternate position. Recommended by the Executive Committee 4-0)

On motion by Supervisor Van Dreser, seconded by Supervisor Weber, John Roth was appointed to the Board of Adjustment.

### **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 – See the Report of County Clerk Concerning Communications Received After the Agenda Mailing.
2. Claims: a) Summons & Complaint-Thomas A. Good and Angela M. Good vs. Walworth County Board of Adjustment; b) Summons & Complaint-John W. Strong, Trustee of Christine M. Strong Trust vs. Walworth County Board of Adjustment were referred to the Executive Committee.
3. Communication from the State of Wisconsin Department of Natural Resources with checklist and timeline for adoption of the County's ordinance updating the local floodplain was referred to the County Zoning Agency.
4. Correspondence from Chair Nancy Russell regarding establishing even and odd-year elections for Walworth County Board Supervisors was referred to the Executive Committee.
5. Langlade County Resolution No. 28-2009 Opposing the Inclusion of Proposed Revisions of Chapter 91, Wisconsin Statutes, in the Governor's Budget Regarding the Farmland Preservation Program was referred to the Land Conservation Committee.
6. Communication from the Town of Lafayette regarding their new Town ordinance which designates all Town of Lafayette roads as Class B highways was referred to the Public Works Committee.
7. Communication from the U. S. Department of Energy announcing Energy Efficiency & Conservation Block Grant (EECBG) program eligibility was referred to the Public Works Committee.
8. Communication from State Senator Neal J. Kedzie with a copy of his April 10 column regarding opposition to a proposed bill which would eliminate spring elections was placed on file.
9. Communication from the Department of Veterans Affairs approving Walworth County's application for a County Veterans Service Grant for 2009 in the amount of \$13,000 was placed on file.

10. Correspondence from Thomas Roach, Construction and General Laborers Union Local 464, regarding provisions in the state budget designed to strengthen state prevailing wage law was placed on file.
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 Crispell-Snyder, Inc. regarding the Village of East Troy 2030 Comprehensive Community Plan – The Plan on CD will be referred to the County Zoning Agency
  - Communication from the Town of Lima, Rock County, with the Draft Comprehensive Plan 2035 for the Town of Lima – The Plan on CD will be referred to the County Zoning Agency
  - Communication from the Racine County Planning and Development Department with the draft Multi-Jurisdictional Comprehensive Plan for Racine County – The Plan on CD will be referred to the County Zoning Agency
  - Notice of Claim – Beverly Long v. Town of Bloomfield and County of Walworth – To be referred to the Executive Committee
  - Communication from the City of Lake Geneva regarding Tax Increment District No. 4 Amendment #3 – To be referred to the Finance Committee
  - Correspondence from County Administrator David Bretl regarding recognition of Justin Prince, Eagle Scout – To be referred to the Public Works and Park Committees
  - Communication from the Department of Veterans Affairs regarding a County Veterans Service Grant for 2009 in the amount of \$13,000 – To be placed on file
  - Correspondence from Gateway Technical College regarding the new Dean of Campus Affairs for the Elkhorn Campus, Michael O'Donnell – To be placed on file
  - Correspondence from State Representative Samantha J. Kerkman acknowledging receipt of Walworth County's Resolution No. 14-05/09 – To be placed on file
  - *Walworth County Senior Review*, June 2009 – To be placed on file
13. Report of County Clerk Concerning Zoning Petitions was referred to the County Zoning Agency.
  - Fritz Kreiss and Catherine McQueen (Steven L. Wagner, App.), Town of Delavan, A-1, M-2, & C-2 to B-4
  - Craig A. DeYoung and York Trust, Town of Linn, A-1 & A-4 to B-4
  - Sally H. Wiley, Town of Walworth, A-1 & A-5 to A-2 & C-1
  - McHa, a Limited Liability Company, Town of Darien, M-3 to A-2 & C-4
  - John Pounder, Town of Darien, A-1 to C-2 & C-1 and A-2 to C-2 & C-4
  - Jennifer Leischner Litowitz Trust, Town of Delavan, R-2A to C-4
  - Time Warner (Steven Peterman, TWP Architecture, App.), Town of Geneva, R-1 & R-2 to P-2
  - Larry and Kathy Lange, Town of Lyons, A-4 to A-5

### **Unfinished Business**

There was none.

## New Business

### Reports of Standing Committees

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

1. Ordinance No. 559-06/09 – Creating Sections 65-1 through 65-18 of the Walworth County Code of Ordinances Relating to Renewable Energy-*Vote required: Majority* (Recommended by the County Zoning Agency 5-1) Amendment to Walworth County Code of Ordinances, Walworth County, Wisconsin, creating Chapter 65, Wind (large) Ordinance – approved 5-1 (3-19-09 & 4-21-09 public hearing)
2. Ordinance No. 560-06/09 – Amending Sections 74-38, 74-111, 74-118, 74-119, 74-163, 74-240, 74-247 and 74-248 of the Walworth County Code of Ordinances Relating to Temporary Living Quarters-*Vote required: Majority* (Recommended by the County Zoning Agency 6-0) Amendment to Walworth County Code of Ordinances, Walworth County, Wisconsin, Zoning and Shoreland Zoning Ordinances – Chapter 74, 74-38/74-163, 74-111(7)/74-240(7), 74-118/74-247, 74-119/74-248 – approved 6-0 (4-16-09 public hearing)
3. Ordinance No. 561-06/09 – Amending Sections 74-55, 74-62, 74-131, 74-182, 74-189 and 74-263 of the Walworth County Code of Ordinance Relating to Campgrounds-*Vote required: Majority* (Recommended by the County Zoning Agency 6-0) Amendment to the Walworth County Code of Ordinances, Walworth County, Wisconsin, Zoning – Sections 74-182, 74-189, and 74-263 – approved 6-0 (4-16-09)
4. Ordinance No. 562-06/09 – Amending Sections 74-78, 74-80, 74-82, 74-83, 74-85, 74-86, 74-207, 74-209, 74-211, 74-212, 74-214 and 74-215 of the Walworth County Code of Ordinances Relating to Signs-*Vote required: Majority* (Recommended by the County Zoning Agency 6-0) Amendment to the Walworth County Code of Ordinances, Walworth County, Wisconsin, Zoning and Shoreland Zoning-Division 6-Signs, Chapter 74 – approved 6-0 (4-16-09 public hearing)
5. Ordinance No. 563-06/09 – Amending Sections 74-55, 74-63, 74-131, 74-182, 74-190 and 74-263 of the Walworth County Code of Ordinances Relating to Bed and Breakfast Establishments-*Vote required: Majority* (Recommended by the County Zoning Agency 6-0) Amendment to the Walworth County Code of Ordinances, Zoning and Shoreland Zoning Ordinance – Chapter 74, 74-55/74-182, 74-63/74-190, 74-131/74-263 – approved 6-0 (4-16-09)
6. Dale C. and Sue Healey, Town of East Troy, Rezone .23 acres of A-3 to B-4 – approved 6 – 0 (5-21-09 public hearing)
7. Martin J. Brunner, Town of Richmond, Rezone 4.7 acres of A-1, A-4, & R-1 to R-1, B-1, & B-2 – approved 5 – 1 (5-21-09 public hearing)
8. Gus and Vanessa Tipps, Town of Walworth, Rezone .02 acres of A-5 to M-1 – approved 6 – 0 (5-21-09 public hearing)
9. Eugene and Teresa Madaj (William P. Brown, App.), Town of Bloomfield, Rezone .43 acres of R-2 to R-3 – approved 6 – 0 (5-21-09 public hearing)
10. Mark and Susan Sheldrup, Town of Delavan, Rezone 5.5 acres of A-2 to C-2 – approved 6 – 0 (5-21-09 public hearing)
11. Walworth County, Town of Geneva, Rezone 21.7 acres of A-1 to P-2 – approved 6 – 0 (5-21-09 public hearing)

12. Raymond Anderson, Pat Boivin, Marcus Gasser, Robert L. Ramsey, and Mark Gruber, Town of Spring Prairie, Rezone 11 acres of B-5 & C-2 to R-5 – approved 6 – 0 (5-21-09 public hearing)

13. Amendment to Shoreland and Wetland Boundary based on Department of Natural Resources navigability determinations for wetland ponds contiguous to Pell Lake of portions of Tax Parcel #MB 1500003, Town of Bloomfield – approved 6 – 0 (5-21-09 public hearing)

Supervisor Stacey offered a motion, seconded by Supervisor Van Dreser, to approve the Report of the County Zoning Agency. On motion by Supervisor Stacey, seconded by Supervisor Bromley, item 2, Ordinance No. 560-06/09, item 4, Ordinance No. 562-06/09, and item 5, Ordinance No. 563-06/09, were amended as follows:

Ordinance No. 560-06/09: Sec. 74-38 (6), Line 13, page 1, immediately following the word “residence,” the words “as a principal use” should be added to the line; Sec. 74-163 (6), line 13, page 3, immediately following the word “residence,” the words “as a principal use” should be added to the line.

Ordinance No. 562-06/09: Signage, Sec. 74-131, line 45, page 3, should read 2 seconds instead of 8 seconds; Signage, Sec. 74-263, should read 2 seconds instead of 8 seconds; Policy & Fiscal Note, last sentence should read 2 seconds instead of 8 seconds.

Ordinance No. 563-06/09: Sec. 74-63 (13), line 5, page 2, should read: “Individual rentals shall not exceed fourteen (14) consecutive days in length;” Sec. 74-190 (13), line 27, page 3, should read: “Individual rentals shall not exceed fourteen (14) consecutive days in length.”

Item 1, **Ordinance No. 559-06/09**, item 2, **Ordinance No. 560-06/09 as amended**, item 3, **Ordinance No. 561-06/09**, item 4, **Ordinance No. 562-06/09 as amended**, item 5, **Ordinance No. 563-06/09 as amended**, and rezone items 6 through 13, of the Report of Proposed Zoning Amendments were approved by voice vote as recommended by the County Zoning Agency.

### **Executive Committee**

1. Ordinance No. 556-06/09 – Amending Chapter 2 of the Walworth County Code of Ordinances Relating to Establishing an Intergovernmental Cooperation Council-*Vote required: Two-thirds* (Recommended by the Executive Committee 4-0)
2. Resolution No. 23-06/09 – Opposing the Governor’s Proposed Changes to Insurance Laws and 2009 Senate Bill 20-*Vote required: Majority* (Recommended by the Executive Committee 4-0)

Supervisor Grant offered a motion, seconded by Supervisor Weber, to approve item 1, Ordinance No. 556-06/09. On motion by Supervisor Van Dreser, seconded by Supervisor Grant, **Ordinance No. 556-06/09** was approved by unanimous consent.

On motion by Supervisor Grant, seconded by Supervisor Bromley, item 2, **Resolution No. 23-06/09** was approved by voice vote.

## Finance Committee

1. Ordinance No. 558-06/09 – Repealing and Recreating Article IV of Chapter 62 of the Walworth County Code of Ordinances Relating to Tax Incremental Financing Districts-*Vote required: Majority* (Recommended by the Finance Committee 5-0)
2. Resolution No. 24-06/09 – Requesting a Transfer from the 2009 Contingency Fund to the Appropriate Public Works Department Account for the Purpose of Establishing Office Space at the Government Center for Volunteer Groups Required-*Vote required: Two-thirds* (Recommended by the Public Works Committee 5-0 and Finance Committee 5-0)
3. Resolution No. 25-06/09 – Requesting a Transfer From the 2009 Contingency Fund to the Appropriate Public Works Department Account for the Purpose of Implementing a Consultant Contract for Walworth County “Green” Initiatives and Aid in Applying for an Energy Efficiency and Conservation Block Grant (EECGB)-*Vote required: Two-thirds* (Recommended by the Public Works Committee 5-0 and Finance Committee 5-0)
4. Resolution No. 26-06/09 - Initial Resolution Amending and Restating Resolution No. 70-03/09 Authorizing General Obligation Promissory Notes for Highway Projects –*Vote required: Three-fourths* (Recommended by the Finance Committee 5-0)

On motion by Supervisor Weber, seconded by Supervisor Kilkeny, item 1, **Ordinance No. 558-06/09** was approved by voice vote.

Supervisor Van Dreser offered a motion, seconded by Supervisor Stacey, to approve item 2. On motion by Supervisor Grant, seconded by Supervisor Weber, **Resolution No. 24-06/09** was approved by unanimous consent.

Supervisor Schaefer offered a motion, seconded by Supervisor Stacey, to approve item 3. On motion by Supervisor Grant, seconded by Supervisor Van Dreser, **Resolution No. 25-06/09** was approved by unanimous consent.

Supervisor Schaefer offered a motion, seconded by Supervisor Kilkeny, to approve item 4. A roll call vote was held and **Resolution No. 26-06/09** was approved. Total vote: 11 – Ayes: 11 - F. Mark Bromley, Vice-Chair Jerry A. Grant, Randy D. Hawkins, Claudia J. Holst, Kathy Ingersoll, Daniel G. Kilkeny, Joseph H. Schaefer, Rick Stacey, Jim Van Dreser, David A. Weber, and Chair Nancy Russell; Noes: 0; Absent: 0.

## Health and Human Services Board

1. Resolution No. 27-06/09 – Recognizing Leslie Mollet for Receiving the State of Wisconsin “Caring for Kids” Award-*Vote required: Majority* (Recommended by the Health and Human Services Board 7-0)

This item was tabled until the July 14, 2009 meeting.

**Human Resources Committee**

1. Ordinance No. 557-06/09 – Amending Section 15-17 of the Walworth County Code of Ordinances Relating to an HS Supervisor-Community Support Program Position in Health and Human Services-*Vote required: Majority* (Recommended by the Human Resources Committee 5-0)

On motion by Supervisor Ingersoll, seconded by Supervisor Weber, item 1, **Ordinance No. 557-06/09**, was approved by voice vote.

**Reports of Special Committees**

There were none.

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

Jim Simons, N6292 Paradise Drive, Spring Prairie, addressed the Board regarding County Zoning. He said that recently, in the paper, Chair Russell had expressed the hope that all the towns would continue to participate. Mr. Simons said he wanted an answer as to why Spring Prairie should continue to belong to County zoning when the County disregards decisions of the Town Board. He gave two examples of when he felt the Walworth County Board of Adjustment and the County Zoning Agency did not support the decisions of the Spring Prairie Town Board. He urged the Board to think about what he said and govern fairly.

**Chairman’s Report**

There was none.

**Adjournment**

On motion by Supervisor Stacey, seconded by Supervisor Weber, the meeting was adjourned at 6:33 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 June 9, 2009 meeting.