

**JULY 14, 2009**  
**WALWORTH COUNTY BOARD OF SUPERVISORS**  
**MEETING**

The Walworth County Board of Supervisors meeting was called to order by Chair Russell at 6:07 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.

Linda Seemeyer, Director of Health & Human Services, delivered the invocation.

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

On motion by Supervisor Grant, seconded by Supervisor Van Dreser, Resolution No. 27-06/09 – Recognizing Leslie Mollet for Receiving the State of Wisconsin “Caring for Kids” Award, and Resolution No. 33-07/09 – Recognizing and Commending Justin Prince on His Achievement of the Rank of Eagle Scout, were moved for consideration immediately after Comment Period by Members of the Public.

On motion by Supervisor Hawkins, seconded by Supervisor Schaefer, the agenda was approved as amended by voice vote.

**Approval of the Minutes**

On motion by Supervisor Stacey, seconded by Supervisor Weber, the minutes of the June 9, 2009 Walworth County meeting were approved by voice vote.

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

There were none.

On motion by Supervisor Stacey, seconded by Supervisor Weber, **Resolution No. 27-06/09** – Recognizing Leslie Mollett for Receiving the State of Wisconsin “Caring for Kids” Award was approved by voice vote.

On motion by Supervisor Stacey, seconded by Supervisor Grant, **Resolution No. 33-07/09** – Recognizing and Commending Justin Prince on His Achievement of the Rank of Eagle Scout was approved by voice vote.

Leslie Mollett came forward with her supervisor, Patricia Weeden, Human Services Supervisor of Ongoing Case Management, to accept the award. Chair Russell read the resolution

congratulating Ms. Mollett for her accomplishments. Ms. Weeden said she is very proud of Leslie and said she is very important to the department. Ms. Mollet thanked the Board for this recognition.

Justin Prince came forward as Chair Russell read the resolution recognizing and commending him on his achievement of the rank of Eagle Scout, which is the highest rank awarded by the Boy Scouts of America. As part of Justin's preparation for Eagle Scout, he organized a public service project that consisted of building and installing an informational kiosk near Springfield, Wisconsin on the White River State Recreational Trail. Justin thanked the Board, Chair Russell, Shane Crawford, and David Bretl for their support, and also the Highway Department for helping him in this effort.

### **Appointments/Elections**

#### **1. Board of Adjustment**

- Gregory Guidry – Three-year term to begin June 30, 2009 and end June 30, 2012 (Recommended as first alternate by the Executive Committee 4-0)

On motion by Supervisor Weber, seconded by Supervisor Stacey, Gregory Guidry 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-U.S. Rural Housing Service, Successor in Interest to Farmers Home Administration v. Robbie S. Dickerson & Gabrielle Dickerson, et al.; b) Notice of Claim-Marianne Armaganian-Fall in Judicial Center Parking Lot; c) Summons & Complaint-Dietzler Farm Limited Partnership v. Walworth County Board of Adjustment; d) Notice of Damage-Verizon Cable at County Rd B-900 Feet East of Maple Grove Road, Walworth-Public Works Department were referred to the Executive Committee.
3. Correspondence from Jim Simons, Town of Spring Prairie, presented as Public Comment at the June 9, 2009 County Board Meeting, regarding participation in County Zoning was referred to the Board of Adjustment and County Zoning Agency.
4. Communication from State of Wisconsin Emergency Management 2009 First Half Progress Report was referred to the Executive Committee.
5. Communication from County Clerk Kim Bushey regarding required updates to the Walworth County Fee Schedule relative to the Declaration of Domestic Partnership and Termination of Domestic Partnership recently enacted as a part of the Governor's Budget Adoption was referred to the Executive Committee and the Finance Committee.
6. Communication from the City of Elkhorn regarding the City's 2030 Comprehensive Plan was referred to the Smart Growth Committee.

7. Communication from the Wisconsin Historical Society and Wisconsin Historic Preservation Review Board meeting agenda concerning the nomination of the Whitewater Hotel to the Wisconsin State Register of Historic Places and National Register of Historic Places was placed on file.
8. Wisconsin River Rail Transit Commission 2007 Financial Statements with Auditor's Report (The complete Report is on file in the County Clerk's office)
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:
  - Correspondence from the Village of Darien stating its opposition to the proposed placement of a waste water storage lagoon north of Interstate 43 in the Town of Darien by Walter & Son Waste Hauling, LLC – To be referred to the County Zoning Agency
  - Communication from the Town of Lima, Rock County, with the Comprehensive Plan 2035 for the Town of Lima, adopted June 24, 2009 – The Plan on CD will be referred to the County Zoning Agency
  - Communication from Chair Nancy Russell regarding the December 8, 2009 Committee of the Whole Meeting – To be referred to the Executive Committee
  - Communication from Guardian Pipeline regarding the end of construction activities in our area associated with the Guardian Pipeline Expansion and Extension Project – To be placed on file
  - Communication from Thomas A. Lothian, State Representative, with an update on the State's budget – To be placed on file
  - *Walworth County Senior Review*, July 2009 – To be placed on file
11. Report of County Clerk Concerning Zoning Petitions was referred to the County Zoning Agency.

### **Unfinished Business**

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) (Ms. Mollet was unable to attend the June 9, 2009 County Board meeting and the resolution was tabled for consideration at the July meeting.)

This resolution was approved earlier in the meeting.

### **New Business**

### **Reports of Standing Committees**

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

1. Gordon Polyock Family Trust (Jeanette H. Polyock, Trustee) (Jacob Polyock, App.), Town of Linn, Rezone 17.45 acres of A-1 to A-4 & M-2 – approved 6 – 0 (4-16-09 public hearing) – Modified legal description at 6-18-09 CZA hearing

2. Fritz Kreiss and Catherine McQueen (Steven L. Wagner, App.), Town of Delavan, Rezone 4.728 acres of A-1, M-2, & C-2 to B-4 – approved 6 – 0 (6-18-09 public hearing)
3. Craig A. DeYoung and York Trust, Town of Linn, Rezone 2.48 acres of A-1 & A-4 to B-4 – approved 6 – 0 (6-18-09 public hearing)
4. Sally H. Wiley, Town of Walworth, Rezone 24.25 acres of A-1 & A-5 to A-2 & C-1 – approved ( 6-18-09 public hearing)
5. Larry and Kathy Lange, Town of Lyons, Rezone 1.1 acres of A-4 to A-5 – approved 6 – 0 (6-18-09 public hearing)

Supervisor Van Dreser offered a motion, seconded by Supervisor Stacey, to approve the Report of the County Zoning Agency as recommended by the County Zoning Agency.

### **Executive Committee**

1. Ordinance No. 564-07/09 – Amending Chapter 2 of the Walworth County Code of Ordinances Relating to the Agriculture and Extension Education Committee Membership-*Vote required: Two-thirds* (Recommended by the Executive Committee 4-0)
2. Ordinance No. 565-07/09 - Amending Chapter 2 of the Walworth County Code of Ordinances to Elect to Act as a Self-Organized County-*Vote required: Two-thirds* (Recommended by the Executive Committee 4-0)
3. Ordinance No. 566-07/09 – Amending Chapter 2 of the Walworth County Code of Ordinances to Establish Staggered Terms of Office for County Board Supervisors Following the 2010 Election-*Vote required: Two-thirds* (Recommended by the Executive Committee 4-0)

Supervisor Weber offered a motion, seconded by Supervisor Bromley, to approve item 1. On motion by Supervisor Grant, seconded by Supervisor Van Dreser, **Ordinance No. 564-07/09** was approved by unanimous consent.

Chair Russell asked Administrator Bretl to discuss item 2, Ordinance No. 565-07/09. Bretl said that items 2 and 3 are related and if you want to establish staggered terms, you have to be a self-organized county. He said one feature of self-organization that Walworth County already has in place is supervisor salaries. He said that some years ago, to establish that we were a self-organized county, a copy of Title 2, the Board operating rules, had been sent to the Secretary of State. Bretl said to make it perfectly clear that we are a self-organized county, he would recommend passage of Ordinance No. 565-07/09, whether or not the Board passes item 3, Ordinance No. 566-07/09. A motion was offered by Supervisor Bromley, seconded by Supervisor Van Dreser, to approve Ordinance No. 565-07/09. On motion by Supervisor Van Dreser, seconded by Supervisor Weber, **Ordinance No. 565-07/09** was approved by unanimous consent.

Supervisor Grant offered a motion, seconded by Supervisor Weber, to approve item 3, Ordinance No. 566-07/09. Discussion ensued. Supervisor Schaefer said he got a call from a town clerk saying she has no problem other than waiting until the census is taken and was hoping to hold off until after the census and redistricting. Bretl said that the ordinance states that this would take place after the 2010 census effective on and after November 1, 2011.

Chair Russell asked Vice-Chair Grant to take the Chair and she addressed the Board. Chair Russell said that when she came on the Board in 2002 there were six new supervisors and then one of the supervisors passed away. She said she thinks that it takes a long time to learn the process and to do a good job. She said Clerk Bushey pointed out that the computers for voting would have to be reprogrammed and we would have to do that anyway in 2012 because of the census, so Chair Russell said she thinks we should wait until 2012. There are spring elections every year and the city officials of the villages and cities and also seven towns have staggered terms. She said there are no counties in Wisconsin that have staggered terms at this time. There would be changes that would have to be worked through, such as electing a new chair every year and also the issue of committee assignments. Chair Russell said this is a serious matter, and she doesn't want to rush into anything.

Supervisor Kilkenny said he doesn't think there have been any problems because of huge turnovers. He said that one half of the Supervisors would have to run two years in a row; and if it happens to be in a new district because of redistricting, it may make one think of not running again. He said elections every year may make budget time more political and may affect judgments when it should not. He asked what the towns think of this, since a number of them have two supervisory districts in a town.

Supervisor Grant said that he does not think it is that disruptive to elect a new Chair every year or to select committees. He said he has had a concern about this for some time. He thinks it will keep continuity and he urged Board members to support it and get it done now. Supervisor Schaefer had questions about elections in the Spring and Clerk Bushey explained that there is always an April election that occurs. Supervisor Kilkenny said he doesn't think the Board should act on this immediately as different issues need to be flushed out. Supervisor Weber said that the Board is charged with leading the dynamics in the County in order to have some sense of stability. He said in any kind of business, leadership makes all the difference in the world and he thinks this helps us maintain stability. Supervisor Bromley said he thinks the Board could take some time to think about it and, although he respects Supervisor Kilkenny's position on this, he favors staggered terms. Bretl said you could choose to reorganize the County every year or elect a new Chair every year. He said in terms of disrupting the staff, we will do whatever for whomever is elected.

Supervisor Grant called the question but there was no second. Supervisor Bromley moved, seconded by Supervisor Stacey, to table and place this resolution on the agenda for further discussion at the next meeting. Discussion ensued. Supervisor Hawkins said he would entertain a motion to send this back to the Executive Committee to take up discussion on Supervisor Kilkenny's concerns. Chair Weber said there had been good discussion at the Executive Committee and he thinks it should be discussed as a body of the whole and not go back to the Executive Committee. Supervisor Van Dreser said we have never seen a major shift where a great percentage of the Board is not re-elected and he does not see why we should change it. Supervisor Ingersoll said that since the Board has been scaled down, the committee meetings take longer and it takes a certain amount of time to learn what to do at the committee meetings and if terms are turned over every year, it does not give the needed time. On motion by Supervisor Stacey, seconded by Supervisor Grant, the question was called. Supervisor Van Dreser voted no. A roll call vote was held to call the question and stop debate on the motion to

table. Total vote: 11; Ayes 8 – Bromley, Grant, Holst, Ingersoll, Schaefer, Stacey, Weber, Russell; Noes: 3 – Hawkins, Kilkenny, Van Dreser; Absent: 0. The voice vote to table carried by majority vote and the item will be on next month's agenda.

### **Finance Committee**

1. Resolution No. 30-07/09 – Accepting the Donation from the Geneva National LEO Foundation of Three (3) SMART Table Interactive Learning Centers for Use at Lakeland School-*Vote required: Majority* (Recommended by the Finance Committee 5-0)
2. Resolution No. 31-07/09 – Accepting the Donation from the Brady Corporation Foundation of One (1) VariQuest Awards Maker 400, One (1) VariQuest Design Center 1000, One (1) Recognition Supply Kit, and One (1) All-Purpose Supply Kit for Use at Lakeland School-*Vote required: Majority* (Recommended by the Finance Committee 5-0)
3. Resolution No. 32-07/09 – Resolution Awarding the Sale of \$5,345,000 General Obligation Promissory Notes-*Vote required: Majority* (Recommended by the Finance Committee 5-0)
4. Resolution No. 36-07/09 – Authorizing Public Works Fund Use of Undesignated Fund Balance/Net Assets for Purchase of Public Works Patrol Trucks-*Vote required: Two-thirds* (There was a special joint Finance/Public Works Committee meeting on July 14, 2009 prior to the County Board meeting)

On motion by Supervisor Van Dreser, seconded by Supervisor Stacey, item 1, **Resolution No. 30-07/09** and item 2, **Resolution No. 31-07/09** were approved by voice vote.

Supervisor Schaefer offered a motion, seconded by Supervisor Stacey, to approve item 3, Resolution No. 32-07/09. Steven Kornetzke, Vice President, Baird, presented the Final Pricing Summary for the bids for sale of the Build America Bonds. He said the winning bid was from Wells Fargo Brokerage Securities, LLC with a true interest rate of 3.998803% and a true interest rate net of subsidy 2.6352229%. He said it is an excellent bid for a 10-year transaction. The credit report from Moody's Investors Service is a good report and shows a rating at Aa2 which is an excellent rating. A roll call vote was held to approve Resolution No. 32-07/09. Total vote: 11; Ayes: 10 – Bromley, Grant, Hawkins, Holst, Ingersoll, Kilkenny, Schaefer, Stacey, Weber, Russell; Noes: 0; Abstain: 1 – Van Dreser. On motion by Supervisor Kilkenny, seconded by Supervisor Stacey, the roll call vote was reconsidered because Supervisor Van Dreser abstained in error. Roll call vote: Ayes: 11 – Bromley, Grant, Hawkins, Holst, Ingersoll, Kilkenny, Schaefer, Stacey, Van Dreser, Weber, Russell; Noes: 0; Absent: 0. **Resolution No. 32-07/09** was approved.

Supervisor Schaefer offered a motion, seconded by Supervisor Bromley, to approve item 4, Resolution No. 36-07/09. On motion by Supervisor Grant, seconded by Supervisor Stacey, **Resolution No. 36-07/09** was approved by unanimous consent.

### **Human Resources Committee**

1. Resolution No. 34-07/09 – Amending the Restated BESTflex Plan Document Pursuant to the Children's Health Insurance Program Reauthorization Act of 2009-*Vote required: Majority* (The

Human Resources Committee considered this resolution at a special meeting prior to the County Board meeting on July 14, 2009)

2. Resolution No. 35-07/09 – Implementing Changes in Wages and Benefits for Certain Casual Employees-*Vote required: Majority* (The Human Resources Committee considered this resolution at a special meeting prior to the County Board meeting on July 14, 2009 and the amended version was distributed to the Supervisors.)

On motion by Supervisor Bromley, seconded by Supervisor Ingersoll, **Resolution No. 34-07/09** and **Resolution No. 35-07/09** as amended were approved by voice vote.

### **Land Conservation Committee**

1. Resolution No. 28-07/09 – Supporting the Aquatic Invasive Species Control Grants Application-*Vote required: Majority* (Recommended by the Land Conservation Committee 3-0)

On motion by Supervisor Grant, seconded by Supervisor Stacey, **Resolution No. 28-07/09** was approved by voice vote.

### **Park Committee**

1. Resolution No. 33-07/09 – Recognizing and Commending Justin Prince on His Achievement of the Rank of Eagle Scout-*Vote required: Majority* (Recommended by the Park Committee 4-0)

This resolution was adopted earlier in the meeting.

### **Public Works Committee**

1. Resolution No. 29-07/09 – Adopting a Walworth County Energy Conservation Strategy-*Vote required: Majority* (Recommended by the Public Works Committee 4-0)

On motion by Supervisor Schaefer, seconded by Supervisor Van Dreser, **Resolution No. 29-07/09** 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**

There were none.

### **Chairman's Report**

There was none.

**Adjournment**

On motion by Supervisor Stacey, seconded by Supervisor Weber, the meeting was adjourned at 7:08 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 July 14, 2009 meeting.

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