

**OCTOBER 13, 2009
WALWORTH COUNTY BOARD OF SUPERVISORS
MEETING**

The Walworth County Board of Supervisors meeting was called to order by Chair Russell at 6:00 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.

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

Amendments, Withdrawals, and Approval of Agenda

On motion by Supervisor Van Dreser, seconded by Supervisor Hawkins, the agenda was approved by voice vote.

Approval of the Minutes

On motion by Supervisor Bromley, seconded by Supervisor Grant, the minutes of the September 8, 2009 Committee of the Whole and the September 8, 2009 Walworth County Board Meeting were approved by voice vote.

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

There were none.

Appointments

1. Aging and Disability Resource Center Board

- Patti Pagel
- Ken Sathern
- Jo Timms
- Julie Witt
- James Wooldridge

(Recommended by the Executive Committee 5-0)

2. Board of Adjustment

- Roy Lightfield – 2nd Alternate – Term to commence upon appointment and end June 30, 2012

(Recommended by the Executive Committee 5-0)

On motion by Supervisor Weber, seconded by Supervisor Schaefer, Patti Pagel, Ken Sathern, Jo Timms, Julie Witt, and James Wooldridge were appointed to the Aging and Disability Resource

Center Board; Roy Lightfield was appointed as second alternate for the Board of Adjustment by voice vote.

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: Notice of Damages and Claim for Damages to Buried Cable-Brown Road, Richmond Township-AT&T v Public Works; b) Summons and Complaint-Foreclosure of Mortgage-Deutsche Bank National Trust Company vs. Blenda Sikraji and John Doe, and Walworth County; c) Claim for Vehicle Damages and Estimates-Lanette M. Maurina (To be referred to the Executive Committee)
3. FEMA Correspondence regarding Letters of Map Change (LOMCs) revising the effective National Flood Insurance Program (NFIP) map dated October 2, 2009 (To be referred to the County Zoning Agency)
4. Communication from County Treasurer Kathy Du Bois requesting County Board recognition of an employee for 40 years of service (To be referred to the Executive Committee)
5. Communication from Governor Jim Doyle regarding the award of a Homeland Security grant for \$113,300 (To be referred to the Executive Committee)
6. Outagamie County Resolution No. 56-2009-2010 supporting Assembly Bill 310 – prohibiting a licensed lender from making or offering a motor vehicle title loan (To be referred to the Executive Committee)
7. Communication from the Public Service Commission of Wisconsin regarding 715 and 920 Area Code Relief (To be referred to the Executive Committee)
8. Communication from the State of Wisconsin Department of Children and Families regarding the audit report related to DCF awards (To be referred to the Finance Committee) Chair Russell directed that this communication also be referred to the Health and Human Services Board.
9. Communication from the Wisconsin Department of Health Services regarding the H1N1 vaccination campaign (To be referred to the Health and Human Services Board)
10. Communication from City of Elkhorn regarding downtown rezoning project-Color map is on file in the County Clerk's office (To be referred to the Public Works Committee)
11. Communication from Kelli Garecht, Owner/Sugar Creek Inn & Moose Creek Bar & Grille, regarding the use of the Walworth County shuttle bus during the holiday period (To be placed on file)
12. Report of the County Clerk Concerning Communications Received by the Board and Recommended to be Placed on File
13. 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:
 - Writ of Certiorari – John W. Strong, Trustee of Christine M. Strong Trust vs. Walworth County Board of Adjustment – To be referred to the Executive Committee

- Communication from David Bretl, County Administrator, regarding placing information agenda packets on the Internet – To be referred to the Executive Committee
 - Communication from William S. Radwell, Jr., Pell Lake Addition property owner, regarding unpaid taxes – To be referred to the Finance Committee
 - Communication from Laurie and Jack Lawlor regarding rezone request from R. Keske of Keske Living Trust – To be placed on file
 - Communication from Mariette and David Nowak, East Troy, regarding a request to reallocate some or all of the monies for WCEDA and the Visitors Bureau towards a fund for park and open space acquisition (Each Supervisor received a letter via US Mail at the Government Center) – To be placed on file
 - *Walworth County Senior Review*, October, 2009 – To be placed on file
14. Report of County Clerk Concerning Zoning Petitions was referred to the County Zoning Agency.
- Pioneer Estates of Lake Geneva LLC (Dan Daniels, App.), Town of Bloomfield, R-6, B-2, & A-2 to R-3, R-6 & R-6
 - Isidro and Carmen Huerta, Town Lafayette, A-1 to A-4
 - Matthew and Mary Polyock, Town of Linn, A-1 to A-4
 - Steven and Jodi Scott, Town of Richmond, A-1 to A-4
 - Julie Cyra, Town of Troy, A-1 to A-4 & A-2
 - R. Stewart Properties LLC, Town of Walworth, A-1 to A-4
 - Robert Schnick (Cindy Knutson-Lycholat, App.), Town of East Troy, C-4 to R-1
 - Andrew J. Cider, Town of Spring Prairie, B-6 to C-2
 - Jerry and Ellen Dean, Town of Walworth, M-1 to A-5
 - Comprehensive Zoning Ordinances Amendment to Walworth County Code of Ordinances – Zoning Ordinances (The full text of the sections affected are on file in the Land Use and Resource Management Department and the County Clerk’s office.)

Chair Russell directed that Communications and Matters to Be Referred, item # 8, Communication from the State of Wisconsin Department of Children and Families regarding the audit report related to DCF awards, be referred to the Health and Human Services Board as well as the Finance Committee.

Unfinished Business

There was none.

New Business

Reports of Standing Committees

County Zoning Agency Report of Proposed Zoning Amendments

1. Ordinance No. 580-10/09 – Amending Section 74-167 of the Walworth County Code of Ordinances Relating to Shoreland Regulations-*Vote required: Majority* (Recommended by the County Zoning Agency 7-0) Amendment to Walworth County Code of Ordinances, Walworth

County, Wisconsin, Shoreland Zoning, Section 74-167 Shoreland regulations pertaining to shore path around Geneva Lake – approved 7 – 0 (8-20-09 public hearing)

2. Russell Keske of Keske Living Trust, Section 12, Town of Troy, Rezone 29.64 acres of A-2 to C-2 – approved 7 – 0 (8-20-09 public hearing and referred back from 9-8-09 County Board)
3. Lawrence Norem Family (Geneva Show Productions LLC, App.), Town of Lyons, Rezone 83.6 acres of A-1 to A-2 and 31.4 acres of A-1 to P-1 – approved 6 – 0 (9-17-09 public hearing)
4. Shodeen Family Property Co. (David A. Patzelt, App.), Town of Walworth, Rezone 12 acres of A-1, C-4 & A-1 to A-4, A-1 & C-4 – approved 6 – 0 (9-17-09 public hearing)
5. John and Joan Ehlen and Adams Family Ltd. Partnership (Payne & Dolan, Clint Weninger, App.), Town of Bloomfield, Rezone 56 acres of M-3 to A-1 - approved 6 – 0 (9-17-09 public hearing)
6. Don P. LoVerde (Atty. Dale Thorpe, App.), Town of Geneva, Rezone .40 acres of R-2 to R-3 – approved 6 – 0 (9-17-09 public hearing)
7. Geneva Lake Development Corporation, Town of Linn, Rezone .50 acres of M-3 to C-2 – approved 6 – 0 (9-17-09 public hearing)
8. George J. Held Life Estate (David J. Held, App.), Town of Lyons, Rezone .5 acres of C-4 & R-2 to R-2 & C-4 – approved 6 – 0 (9-17-09 public hearing)
9. Mareta Hale, Town of LaGrange, Rezone 1.27 acres of B-2 to A-5 – approved 7 – 0 (7-16-09 public hearing) – approve corrected legal description

On motion by Supervisor Stacey, seconded by Supervisor Van Dreser, item 1, **Ordinance No. 580-10/09**, and items 2 through 9 of the Report of the County Zoning Agency were approved as recommended by the County Zoning Agency. Supervisor Van Dreser indicated that the committee vote for item 2, should be 6-1 and not 7-0 as stated in the draft County Zoning Agency Minutes of September 17, 2009.

County Zoning Agency

1. Resolution No. 53-10/09 – Approving the Sugar Creek Lutheran Church Cemetery Plat Addition No. 2-*Vote required: Majority* (Recommended by the County Zoning Agency 7-0)

On motion by Supervisor Weber, seconded by Supervisor Van Dreser, **Resolution No. 53-10/09** was approved by voice vote.

Executive Committee

1. Resolution No. 51-10/09 – Setting the Annual Salary for the County Board Elected in 2010-*Vote required: Two-thirds* (Recommended by the Executive Committee 5-0)
2. Resolution No. 52-10/09 – Denying the Claim of AT & T for Damage to Cables-*Vote required: Majority* (Recommended by the Executive Committee 5-0)

A motion was offered by Supervisor Grant, seconded by Supervisor Bromley, to approve item 1, Resolution No. 51-10/09. Supervisor Van Dreser offered a motion for unanimous consent. Supervisor Hawkins indicated that the Executive Committee vote for item 1 should be 4-1 not 5-0. A roll call vote was held to approve Resolution No. 51-10/09. Total vote: 11; Ayes: 11 - 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; Noes: 0; Absent: 0. **Resolution No. 51-10/09** was approved.

On motion by Supervisor Stacey, seconded by Supervisor Grant, item 2, **Resolution No. 52-10/09**, was approved by voice vote.

Finance Committee

1. Ordinance No. 577-10/09 – Amending Section 17-35 of the Walworth County Code of Ordinances Relating to Sole Source Procurements-*Vote required: Majority* (Recommended by the Finance Committee 5-0)
2. Ordinance No. 578-10/09 – Amending Section 30-413 of the Walworth County Code of Ordinances Relating to the Distribution of Paychecks-*Vote required: Majority* (Recommended by the Human Resources Committee 4-0 and Finance Committee 5-0)
3. Ordinance No. 579-10/09 – Amending Section 30-173(b) of the Walworth County Code of Ordinances Relating to Children with Disabilities Education Board Fund Balance Commitments-*Vote required: Majority* (Recommended by the Finance Committee 5-0)
4. Resolution No. 55-10/09 – Authorizing General Fund Use of Undesignated Fund Balance/Net Assets for the Government Center Curtain Wall Project-*Vote required: Two-thirds* (Recommended by the Finance Committee 5-0)

On motion by Supervisor Weber, seconded by Supervisor Stacey, item 1, **Ordinance No. 577-10/09**, item 2, **Ordinance No. 578-10/09**, and item 3, **Ordinance No. 579-10/09** were approved by voice vote. Supervisor Grant offered a motion, seconded by Supervisor Weber, to approve item 4. On motion by Supervisor Van Dreser, seconded by Supervisor Weber, item 4, **Resolution No. 55-10/09** was approved by unanimous consent.

Human Resources

1. Ordinance No. 576-10/09 – Amending Section 15-53 of the Walworth County Code of Ordinances Relating to the Application Process-*Vote required: Majority* (Recommended by the Human Resources Committee 3-0)
2. Resolution No. 54-10/09 – Approving the Annual Salary for the Family Court Commissioner-*Vote required: Majority* (Recommended by the Human Resources Committee 3-0)
3. Resolution No. 56-10/09 – Authorizing Walworth County to Opt out of the Mental Health Parity Act for Plan Year 2010-*Vote required: Majority* (Recommended by the Human Resources Committee 4-0)

On motion by Supervisor Grant, seconded by Supervisor Weber, item 1, **Ordinance No. 576-10/09**, item 2, **Resolution No. 54-10/09**, and item 3, **Resolution No. 56-10/09**, were approved by voice vote.

Reports of Special Committees

There were none.

