

**JULY 13, 2010**  
**WALWORTH COUNTY BOARD OF SUPERVISORS**  
**MEETING**

Scrivener's Error, Pg 8

The Walworth County Board of Supervisors meeting was called to order by Chair Russell at 6:01 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: Richard Brandl, Jerry A. Grant, Randy Hawkins, Kathy Ingersoll, Vice-Chair Daniel G. Kilkenny, Carl Redenius, Joe Schaefer, Rick Stacey, Russ Wardle, David A. Weber, and Chair Nancy Russell. Absent: 0.

Dan Kilkenny, Walworth County Board Supervisor, District # 8, delivered the invocation.

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

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

**Approval of the Minutes**

On motion by Supervisor Weber, seconded by Supervisor Brandl, the minutes of the June 8, 2010 Committee of the Whole, June 8, 2010 Walworth County Board Meeting, and June 14, 2010 Walworth County Board Meeting were approved by voice vote.

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

There were none.

**Special Order of Business**

- Government finance Officers Association (GFOA) Distinguished Budget Presentation Award for Fiscal Year 2010

Chair Russell requested that Nicki Andersen and her staff come forward as she presented the Budget Award. Chair Russell said she was very proud to present the award on behalf of GFOA for the Fiscal Year 2010 Budget. She thanked Nicki Andersen, Deputy County Administrator, Finance, Jessica Lanser, Comptroller, and Stacie Johnson, Budget Analyst. Andersen thanked Jessica, Stacie, Mr. Bretl for being receptive to their changes, and Chair Russell and all the Board for their open-mindedness and acceptance.

**Appointments**

1. County Zoning Agency
  - Rich Kuhnke – Term to begin upon reappointment and end on June 30, 2012

(Recommended for reappointment by the Executive Committee 5-0)

- Jim Van Dreser – Term to begin upon appointment and end June 30, 2012

(Recommended for appointment by the Executive Committee 5-0)

## 2. Board of Adjustment

- Mark Bromley – Term to begin upon appointment and end June 30, 2013.

(Recommended for nomination by the Executive Committee 5-0. The Executive Committee held a special meeting on July 13, 2010 prior to the County Board meeting to interview Bromley.)

## 3. Walworth County Lake Districts

- Beulah Lake – Supervisor Rick Stacey
- Booth Lake – Stan Muzatko – Citizen Member
- Honey Lake – Roy Lightfield – Citizen Member
- Lake Benedict/Tombeau – Rosemary Badame – Citizen Member
- Lake Comus – Dorothy Burwell – Citizen Member
- Lauderdale Lakes – Dorothy Burwell – Citizen Member
- Pleasant Lake – Robert Arnold – Citizen Member
- Potters Lake – Joyce Ketchpaw – Citizen Member
- Whitewater-Rice Lake – Supervisor Jerry Grant

(Recommended by the Land Conservation Committee 5-0)

Administrator Bretl said that the Executive Committee met prior to the County Board meeting and interviewed Mark Bromley for appointment to the Board of Adjustment. The Executive Committee unanimously recommended appointment of Mark Bromley.

On motion by Supervisor Weber, seconded by Supervisor Brandl, Rich Kuhnke and Jim Van Dreser were appointed to the County Zoning Agency; Mark Bromley was appointed to the Board of Adjustment; and the following were reappointed to the Lake Districts by voice vote: Beulah Lake – Supervisor Rick Stacey, Booth Lake – Stan Muzatko – Citizen Member, Honey Lake – Roy Lightfield – Citizen Member, Lake Benedict/Tombeau – Rosemary Badame – Citizen Member, Lake Comus – Dorothy Burwell – Citizen Member, Lauderdale Lakes – Dorothy Burwell – Citizen Member, Pleasant Lake – Robert Arnold – Citizen Member, Potters Lake – Joyce Ketchpaw – Citizen Member, Whitewater-Rice Lake – Supervisor Jerry Grant.

## **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 Injury-Patrick Krueger’s Minor Child, SRK, and his parents, Patrick Krueger and Nancy Ezell vs. Walworth County Sheriff’s Department was referred to the Executive Committee.
3. Communication from Sue Healey, Town of East Troy, regarding the pumping of septic systems was referred to the County Zoning Agency.

4. Communication from Department of Natural Resources regarding pre-application wetland boundary reviews was referred to the County Zoning Agency.
5. Communication from Sweet, Maier & Coletti, S.C. on behalf of their client, Sustainable Systems, Inc., requesting an amendment to the Walworth County Zoning Ordinance to accommodate biomass energy operations, such as the “genset” system, which converts waste vegetable oil into energy-with brochure-Brochures will be referred to the County Zoning Agency was referred to the County Zoning Agency.
6. Communication from Governor Jim Doyle regarding Walworth County’s Homeland Security grant award totaling \$7,900 for a command vehicle public safety radio was referred to the Executive Committee.
7. Dodge County resolution to rescind the changes that were made to prevailing wage laws (Sections 66.0903 and 103.49, Wis. Stats.), effective January 1, 2010 was referred to the Executive Committee.
8. Outagamie County Resolution No. 13-2010-11 – Support Repealing Changes to the Wisconsin Prevailing Wage Law was referred to the Executive Committee.
9. Correspondence from Supervisor Jerry Grant concerning redistricting and County Board size was referred to the Executive Committee.
10. Communication from County Administrator concerning future County support of Walworth County Economic Development Alliance, Inc. was referred to the Executive Committee.
11. Communication from the Village of East Troy regarding the termination of Tax Increment District No. 2 was referred to the Finance Committee.
12. Communication from Department of Agriculture, Trade, and Consumer Protection regarding an Order to Approve the Walworth County Land and Water Resource Management (LWRM) Plan through December 31, 2015 was placed on file at Supervisor Kilkenny’s request.
13. Communication from Walworth County Treasurer Kathy Du Bois regarding Sunshine Fund (It is anticipated that the County Board will vote to take action on this item at tonight’s meeting, which may include a motion to suspend the rules and approve a payroll deduction to replenish the fund.)
14. Communication from County Administrator regarding 2009 Audit results. (It is anticipated that the County Board may vote to discuss and take action on this item at tonight’s meeting)
15. Communication from the Wisconsin Department of Administration Regarding Proposed Incorporation of a Portion of the Town of Bloomfield as the Village of Bloomfield was be placed on file.
16. Walworth County Metropolitan Sewerage District Year 2009 Annual Report and Transmittal Letter (The complete report is on file in the County Clerk’s office)
17. Communication from Attorney General Van Hollen’s office acknowledging receipt of Walworth County Resolution No. 13-05/10 Supporting Aggressive Action to Prevent Asian Carp from Entering the Lake Michigan and Great Lakes Watersheds was placed on file.
18. Communication from U.S. Senator Herb Kohl acknowledging receipt of Walworth County Resolution No. 13-05/10 Supporting Aggressive Action to Prevent Asian Carp from Entering the Lake Michigan and Great Lakes Watersheds was placed on file.
19. Communication from Congressman Paul Ryan acknowledging receipt of Walworth County Resolution No. 13-05/10 Supporting Aggressive Action to Prevent Asian Carp from Entering the Lake Michigan and Great Lakes Watersheds was placed on file.
20. Town of Delavan Resolution Maintaining County Zoning Approval of the Comprehensive Revision of the Walworth County Zoning Ordinance was placed on file.

21. Town of LaGrange Resolution Maintaining County Zoning Approval of the Comprehensive Revision of the Walworth County Zoning Ordinance was placed on file.
22. Town of Sharon Resolution #02-08-2010-A – Maintaining County Zoning Approval of the Comprehensive Revision of the Walworth County Zoning Ordinance was placed on file.
23. Report of the County Clerk Concerning Communications Received by the Board and Recommended to be Placed on File was included in the agenda packet.
24. Report of County Clerk Concerning Communications Received by the Board After the Agenda Mailing-The following items were placed on Supervisors’ desks:
  - Communication from the members of Finding Forward Coalition regarding a referendum to constitutionally segregate transportation user fees – To be referred to the Executive Committee
  - *Walworth County Senior Review*, July, 2010 – To be placed on file
25. Report of County Clerk Concerning Zoning Petitions (To be referred to the County Zoning Agency)
  - James R. and Linda Taylor, Town of East Troy, A-1 to A-4
  - Dean Chudy (Warren Hansen, App.), Town of Bloomfield
  - Toynton Trust (Cindy Toynton Dixon)/Threatte Family Ltd. Partnership (Warren Hansen, App.), Town of Darien, A-1 to C-2 & C-2 to C-4
  - Mefit Dauti, Town of Geneva, C-1, B-2, B-3 & C-4 to A-5, B-3, C-4, & C-1
  - First Banking Center, Inc. – John Smith/Burco Holding, LLC (LandCraft Survey & Engineering, Inc. – Mark C. Taylor, App.), Town of Geneva, C-1, C-4, & R-1 to C-1, C-2, C-4 & R-1
  - Norlan Rowbotham, Town of Walworth, C-2 to C-3

Supervisor Kilkenny requested that item 12 be placed on file rather than referred to the Land Conservation Committee as the committee had previously considered this item.

Supervisor Grant offered a motion, seconded by Supervisor Kilkenny, to suspend the rules and proceed to process items 13 and 14, Communications and Matters to be Received, at the meeting tonight, and to place item 12 on file instead of referring to the Land Conservation Committee.

On motion by Supervisor Grant, seconded by Supervisor Weber, the motion to suspend the rules and proceed to process items 13 and 14 was approved by unanimous consent.

A motion was offered by Supervisor Grant, seconded by Supervisor Weber, to approve a \$10 deduction from County Board payroll for the County Board Sunshine Fund as indicated in item 13. On motion by Supervisor Schaefer, seconded by Supervisor Hawkins, item 13 was amended to approve a payroll deduction of \$20 from the next available payroll to replenish the County Board Sunshine fund instead of the requested \$10. This would be a one-time deduction of \$20. The original motion as amended carried by voice vote.

Administrator Bretl explained that he requested that the 2009 audit, item 14, be presented to the full Board at tonight’s meeting because, although the audit is typically reviewed by the Finance Committee, when the County’s auditors, Clifton Gunderson LLC, appeared at the Finance Committee meeting to present the 2009 audit results, the committee did not have a quorum. He said the second reason was because there are three new members on the County Board and this will provide insight as to what kind of shape the County is in.

Renee Messing, Partner, Clifton Gunderson LLC, distributed the presentation for the 2009 audit to the Supervisors. She explained that this presentation was a very high level summary of the audit results for the County. She said that the Comprehensive Annual Financial Report components included the following: Transmittal Letter, Auditor's Report, Management Discussion and Analysis, Financial Statements and Footnotes, Supplementary Information, and Statistical Information.

Messing said the County is in a very strong financial position. She said there were no adjustments made to the financial statements and it was a very clean audit. She said that the information that the Board received was of very high integrity and that records were maintained in good order and full cooperation was received from County staff during the audit process. Messing said for the Single Audit there were no findings on Federal funds and one minor finding on a State program.

Messing said an audit is performed every year and it is presented to the Finance Committee but it can also be presented to the full Board if they would prefer, or in addition to the presentation to the Finance Committee.

On motion by Supervisor Weber, seconded by Supervisor Kilkenny, the 2009 Audit was accepted as presented. Supervisor Kilkenny asked if it would be possible to present this to the Board every year.

Chair Russell said that the suggestion to present the year-end audit to the full Board would be included on a future Finance Committee agenda for consideration.

## **Unfinished Business**

### **New Business**

### **Reports of Standing Committees**

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

1. Mike Healy/Marty Healy, Town of LaGrange, Rezone .2 acres of R-1 to B-2 – approved 7 – 0 (6-17-10 public hearing)
2. David W. and Kristine K. Hills, Town of Geneva, Rezone 1.29 acres of M-3 to A-5 – approved 7 – 0 (6-17-10 public hearing)
3. Cathie Lopardo (purchasing from Schaumberg, Inc.) (Warren Hansen, App.), Town of Sugar Creek, Rezone 1.23 acres of R-1 to B-2 – approved 7 – 0 (6-17-10 public hearing)
4. Heaven City Development (Ralph P. Hibbard), Town of Troy, Rezone 1.84 acres of A-1 to R-3 – approved 7 – 0 (6-17-10 public hearing)
5. Town of Walworth, Rezone 5.64 acres of M-1 to P-2 – approved 7 – 0 (6-17-10 public hearing)

On motion by Supervisor Stacey, seconded by Supervisor Schaefer, the County Zoning Agency Report of Proposed Zoning Amendments was approved by voice vote, as recommended by the County Zoning Agency.

### **Children with Disabilities Education Board**

1. Resolution No. 39-07/10 – Declaring a Sister School Relationship Between the Walworth County Lakeland School and Nakuru Hills Special Needs School-*Vote required: Majority* (Recommended by the Children with Disabilities Education Board 5-0)

On motion by Supervisor Ingersoll, seconded by Supervisor Weber, **Resolution No. 39-07/10** was approved by voice vote.

### **Executive Committee**

1. Ordinance No. 620-07/10 – Amending Chapter 2 of the Walworth County Code of Ordinances Relating to the Monthly County Zoning Agency Public Hearing Time-*Vote required: Two-thirds* (Recommended by the County Zoning Agency 6-0 and the Executive Committee 5-0)
2. Resolution No. 36-07/10 – Opposing Transfers from the Segregated Transportation Fund by the State of Wisconsin-*Vote required: Majority* (Recommended by the Executive Committee 5-0)

Supervisor Grant offered a motion, seconded by Supervisor Weber to approve item 1, Ordinance No. 620-07/10. On motion by Supervisor Grant, seconded by Supervisor Weber, **Ordinance No. 620-07/10 was approved by unanimous consent.**

On motion by Supervisor Weber, seconded by Supervisor Wardle, **Resolution No. 36-07/10** was approved by voice vote.

### **Finance Committee**

1. Resolution No. 37-07/10 – Establishing 2011 Budget Guidance-*Vote required: Majority* (Recommended by the Finance Committee 3-0)
2. Resolution No. 38-07/10 – Requesting a Transfer of \$6,000 from the 2010 Contingency Fund to Provide Emergency Funding for the Walworth County Volunteer Connection-*Vote required: Two-thirds* (Recommended by the Finance Committee 3-0)

Supervisor Stacey offered a motion, seconded by Supervisor Schaefer, to approve item 1, Resolution No. 37-07/10, as recommended by the Finance Committee. Discussion ensued. Bretl distributed a handout to the Supervisors which was a summary of 2011 budget guidance. Bretl started with an historical perspective of the budget from 2000 to 2009. As far as projecting for 2011, we would need to increase the levy 3% to fund our base budget to continue all programs and positions in 2011. He said pursuant to State Statutes, there are levy limits which cannot exceed the 1992 rate. Our base budget is \$10.4 million under this limit. The 2005 cap as amended says that the County levy growth may not exceed the greater of 3% or the increase in net new construction. He said our base budget is \$6.1 million under this cap. Our “self-

imposed” levy limit is 4.59%. He said his recommendation would be to stay at 2.89% as in 2010 and to do that we would need a reduction in the base budget of \$34,203.

Bretl said some things to think about are: A new state levy limit might be imposed and 2011 would be the base year. Whatever your limit is for 2011 may be the limit for a number of years. There may be a desire to fund a jail program. Register of Deeds revenue may have a shortfall because fewer properties are being sold. Bretl said options for reduced staffing are limited. The number of staff in 2001 was 1,047.31 FTEs and in 2010 there are now 846.77 FTEs.

Bretl said that he would like the Board to debate and discuss the rate tonight so that he can go ahead and prepare his budget for 2011. He said the Supervisors should look ahead to 2012 and he asked that they not cut it too close in 2011.

Supervisor Schaefer thanked Mr. Bretl for the presentation. Schaefer said he seconded the motion for 2.5% at the Finance Committee; however, he said he would like to make a motion to amend the resolution to go back to the 2.89%. Supervisor Schaefer’s motion was seconded by Supervisor Grant. Discussion ensued. Supervisor Kilkenny said he wanted to reiterate his reasons for his motion for the 2.5% at the Finance Committee. He said if we cut from the base budget we still have a tax increase. He thinks that tough times require tough choices. He said he has two spots where he would make cuts which would amount to approximately \$200,000 that would not affect the number of employees or any particular department. He doesn’t think this modest reduction is extreme and he thinks the 2.5% can be achieved.

Supervisor Grant said he does not agree with Supervisor Kilkenny. He thinks our County has become very efficient. He said we are still providing all the services as when he came on the Board and there were 1,500 employees then. He said that means our reduced workforce have doing more with less. Supervisor Grant said that the Sheriff needs 15 more employees for the road and he has been operating under those circumstances for 3 years. He said he thinks if we go down to 2.5% that would be setting the County backwards for the future and we will pay for it in 2012. He thinks that we should continue to fund WCEDA and Tourism as our County needs them to survive and that we cannot afford to go less than 2.89%.

Supervisor Wardle asked what changed between 2008 and 2009 to make a 2% drop in the levy. Bretl said that we had been cutting people all along and lowering the payroll has led to more manageable levies and the CDEB levy dropped because of the transition of the teachers.

Responding to Supervisor Grant’s comments, Supervisor Kilkenny said the audit from WCEDA reflected expenses for items which he believes were not a good use of taxpayers’ money. He said we have great employees and he thinks they are willing to do their part to help reduce taxes to the public. He urged that the Supervisors vote no to the 2.89%.

Supervisor Schaefer said he thinks economic development and tourism are good for the County and that you have to spend money to get money. Supervisor Stacey asked if other counties with the same population as our County spend 42% of their budget for their sheriff department. Bretl said there is very little State or Federal money to offset the Sheriff’s budget and he thinks the

other counties are comparable. He said we have streamlined departments as far as positions. We have cut some services even though we have not cut programs.

Supervisor Weber said he feels very strongly that we have pretty much hit the bottom without cutting more services. He thinks we need to support WCEDA and Tourism Bureau.

A roll call vote was taken on the amendment for 2.89%. Total vote: 11; Ayes – Brandl, Grant, Ingersoll, Schaefer, Weber, Russell; Noes: 5 – Hawkins, Kilkenny, Redenius, Stacey, Wardle; Absent: 0. **Supervisor Schaefer’s amendment for 2.89% was approved.** A roll call vote was held to approve Resolution No. 37-07/10 as amended. Total vote: 11; Ayes – Brandl, Grant, Ingersoll, Schaefer, Weber, Russell; Noes: 5 – Hawkins, Kilkenny, Redenius, Stacey, Wardle; Absent: 0. **Resolution No. 37-07/10 as amended** was approved.

Supervisor Grant offered a motion, seconded by Supervisor Stacey, to approve item 2 of the Finance Committee, Resolution No. 38-07/10. Discussion ensued.

Administrator Bretl explained that this is the RSVP organization, which matches seniors with various agencies. They had previously been sponsored by Rock County. RSVP of Rock County had indicated earlier in the year that they no longer wanted to continue as the fiscal agent. The grant deadline was missed and they cannot apply for another grant for three years. The group cannot call themselves RSVP anymore and they have changed the name to Volunteer Connection. They are seeking funding from other non-profit corporate sponsors. Bretl said he is asking for ~~\$3,000~~ 6,000 to keep this organization going and he would recommend transferring money from the Contingency Fund. On motion by Supervisor Grant, seconded by Supervisor Stacey, **Resolution No. 38-07/10 was approved by unanimous consent.**

### **Human Resources Committee**

1. Ordinance No. 621-07/10 – Amending Section 15-17 of the Walworth County Code of Ordinances Relating to a Victim Witness Coordinator Position in the District Attorney’s Office-*Vote required: Majority* (Recommended by the Human Resources Committee 4-0)
2. Ordinance No. 622-07/10 – Amending Section 15-17 of the Walworth County Code of Ordinances Relating to Reallocation of the Administrative Secretary Position in UW-Extension-*Vote required: Majority* (Recommended by the Human Resources Committee 4-0)
3. Ordinance No. 623-07/10 – Amending Section 15-810(d) of the Walworth County Code of Ordinances Relating to Random Drug Testing-*Vote Required: Majority* (Recommended by the Human Resources Committee 4-0)

On motion by Supervisor Ingersoll, seconded by Supervisor Wardle, **Ordinance No. 621-07/10, Ordinance No. 622-07/10, and Ordinance No. 623-07/10** were 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.

**Chairperson’s Report**

Chair Russell reminded everyone that Germanfest would be starting on Thursday, July 22, and she said for \$25, Supervisors could take the bus from the Visitor’s Center, which also includes the entry fee to Germanfest. The bus would be leaving at 4:00 p.m., with opening ceremonies at 6:30 p.m., and the bus would be back by 11:00 p.m. Since Walworth County is the honored County and it is the 30<sup>th</sup> year of celebration, she encouraged the Supervisors to attend to demonstrate Walworth County’s support.

**Adjournment**

On motion by Supervisor Stacey, seconded by Supervisor Schaefer, the meeting was adjourned at 7:30 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 13, 2010 meeting.