

**AUGUST 10, 2010**  
**WALWORTH COUNTY BOARD OF SUPERVISORS**  
**MEETING**

The Walworth County Board of Supervisors meeting was called to order by Chair Russell at 6:02 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. All members were present.

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

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

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

On motion by Supervisor Kilkenny, seconded by Supervisor Weber, the agenda was amended as follows: Communications and Items to be Referred, item 5, Presentation by the Fairest of the Fair, Maura Wieners, to immediately follow approval of the minutes; Health and Human Services Board, item 1, Resolution No. 40-08/10 – Recognizing Liza Drake for Receiving Public Policy Forum Leader of the Future Award, be moved to immediately follow the Fairest of the Fair presentation; and, Comment Period for Items Not on the Agenda to immediately precede the Closed Session.

**Approval of the Minutes**

On motion by Supervisor Stacey, seconded by Supervisor Schaefer, the minutes of the July 13, 2010 Walworth County Board Meeting were approved by voice vote.

County Administrator David Bretl said that it is a tradition that goes back many years that at the August meeting, the Fairest of the Fair addresses the County Board and public as to what is going to happen at the County Fair.

Maura Wieners, 2009 Fairest of the Fair, Town of Spring Prairie, thanked the County Board for their support of the Fair throughout the years and asked for their continued support. She invited everyone to the 161<sup>st</sup> Walworth County Fair which will take place September 1 through September 6 at the Fairgrounds. She said that this year the Butterfly Garden is in a new permanent structure in the Barnyard Adventures section. Ms. Wieners listed the Grandstand entertainment for this year: Wednesday, truck and tractor pulls; Friday, Josh Turner and Gloriana; Saturday, Gretchen Wilson; Sunday, the Beach Boys, and Monday, the Demolition

Derby. She distributed Flyers to the Supervisors and said that this year they are also promoting the Hispanic population in Walworth County and there will be a Hispanic Band performing at the Park Stage.

On motion by Supervisor Schaefer, second by Supervisor Brandl, Health and Human Services Board, item 1, **Resolution No. 40-08/10** – Recognizing Liza Drake for Receiving Public Policy Forum Leader of the Future Award, was approved by voice vote. Ms. Drake came forward and Chair Russell read the resolution. Chair Russell said that Liza Drake is the Supervisor of the Crisis Intervention Unit in the Walworth County Department of Health and Human Services, and that under her leadership the Crisis Intervention Unit became state certified to provide Emergency Mental Health Services, which allowed the County to recoup Medicaid dollars for services thereby saving taxpayer dollars. The number of emergency hospitalizations in the County has been greatly reduced since Ms. Drake has taken over supervision of the Unit; and she has helped the department to build strong partnerships with local law enforcement agencies, which has included providing increased training opportunities in crisis intervention. She said Ms. Drake was nominated and selected for the Public Policy Forum Leader of the Future Award and was presented with the award at the Public Policy Forum “Salute to Local Government” Awards Presentation. Ms. Drake thanked the Board for the recognition and said that she was very honored to be nominated and to have won the award.

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

Chair Russell stated that a few of the comment cards we received are regarding a zoning issue which were a matter of public hearing; however once a public hearing is closed, we do not accept comments from the public. Administrator Bretl said that if public comment is allowed at this meeting the zoning hearing is not closed and it continues on.

Clerk Bushey stated that Public Comment Cards were received from Joan Rietz and Susan Magnuson; however, they are both regarding a zoning matter and we cannot accept public comment on zoning issues as discussed previously.

Mary Burpee, 609 W. Walworth Street, Elkhorn, addressed the Board regarding size of the County Board. Ms. Burpee said she supports increasing the size of the County Board. She said she is not a Government employee but her work over the years has taken her to many Board meetings across the counties. She said although she does not always agree with the outcome of the meetings, she appreciates the work and the time it takes to accomplish that work. She said she wanted to go on record to support increasing the size of the County Board. She wants her County Board Supervisor to have time to talk to her and listen to her concerns. She doesn't think that it is fair for them to put their own lives on hold to do their work; however, we do expect them to spend time on County issues so that they can make rational decisions.

Jennifer Karr, N7966 Westshore Drive, Elkhorn, addressed the Board regarding size. She said she has educated herself on county board size to determine what is a reasonable Board size. She went to the website to check out other counties. She said she also took a poll of her neighbors and they are also opposed to increasing the size of the Board. She presented a petition with 23

signatures opposing the increase in county board size. She said she believes that any increase would increase taxpayer money and working more efficiently should be the goal.

Jim Simons, N6292 Paradise Drive, addressed the Board regarding Board size. He said that two years ago the people voted to make the County Board smaller. He said that most of the Supervisors knew about the workload when they ran for office and they should not complain about the workload. He thinks increasing the number of Supervisors is a bad idea.

Lauren Waite, W5490 County Road A, Elkhorn, thanked the Board for allowing him to address the issue. He said he thinks he has a good idea about the workload of a member of the Board. He said that when Supervisors have to be on so many committees they have to spread themselves pretty thin. He said he was against the size of 11 at the time that the group campaigned to downsize from 25 to 11, he does not think that 11 members is enough to represent 16 townships, eight villages, and four cities, and he thinks that the Board size should be increased.

Patricia Simons, 1698 Brandi Street, Lyons, said she is against increasing the size of the Board. She said, as a small business owner, she would also like to hire more people but it is not fiscally responsible. She said that government needs to be more fiscally responsible and has to find a way to be more efficient.

Bret Strong, Citizens for Responsible Government, N9159 Maple Street, East Troy, addressed the issue of Board size. Mr. Strong said he is the one that instigated the downsizing of the County Board. He said the downsizing wasn't about saving money but about the Board making more rational decisions. He said if the Board tries to increase, the group will reduce the size to nine. He said the taxpayers cannot afford any more budget increases and there is no reason that they can't do the job with eleven members.

Robert Arnold, N6202 Foster Road, Elkhorn, said that last time he addressed the Board was when he was on the County Board. He said he was in favor of dropping the number of members to 11 by a vote of the people. He congratulated Mr. Bretl for very efficiently changing the committee system and the membership of the committees. He said he didn't run for office after the Board downsized but most of the Board members are from the old Board and they knew what they were getting into and they willingly took on the job. He said there are also new faces on the Board and that is always a good thing. He said Board members basically set policy and he thinks 11 is adequate to set policy.

Dorothy Burwell, N4836 County O, said the size of county boards has been discussed ever since the law was changed a few years ago. On December 17, 2000, a Blue Ribbon Commission Report set the size of the Board at 25. She said that having served herself on the County Board she knows the amount of work. She said when she was a County Board Supervisor she recorded the amount of hours she worked as a Supervisor, and excluding conferences attended, it was 35 to 40 hours a month. Most of those hours occurred during committee week. She said although that does not sound like much, many Supervisors have full-time jobs and families. She said when there was a 25-member board, issues were discussed at the Board meetings and not the committee level, and there was more press coverage at the Board meetings. She said in her

research during the time of downsizing, she found that many counties with 5 supervisors are full-time Supervisors with much higher salaries and full-time staff.

Goeff Hale, 599 S. Franklin, Whitewater, President of Home Lumber Company in Whitewater. He said they also own and operate three other businesses in Whitewater. He has been a director of WCEDA since 2008 and currently serves as WCEDA Secretary. First, he said he wanted to thank County Board Supervisors who support WCEDA. He said this Economic Board has worked hard to establish this organization as the voice of Walworth County. He encouraged the Board not to rely on one person's comments to make an informed decision. He said he thinks County businesses are worth the investment. Economic development is a competitive game and he said we should find a way to support business in Walworth County.

Doug Wheaton, 247 Ridge Lane, Waltham, MA, addressed the board and said he will be the new Executive Director of WCEDA. He said he will actually start next month but he did want to be here to introduce himself tonight. He said it was nice to see a few familiar faces from his days as Governmental Affairs Director for the Wisconsin Realtors Association and he said he looked forward to meeting everyone else and to working again in Walworth County.

Kim Howarth, President of WCEDA, 508 Laurel Hts., Delavan, said he was there to encourage the Board to support the resolution to continue the funding of WCEDA. He said that now is not the time to consider terminating funding for economic development. He said we need jobs in Walworth County and businesses are asking for a voice in Walworth County. He said that an economic study put out by the State suggested partnering with State organizations including education, manufacturing, and health care. WCEDA has put together an 18-member board of all the necessary fundamentals in Walworth County which are the very things they recommend in the economic study. He asked the Board not to destroy this organization.

Michael Van Den Bosh, 612 Outlook Drive, Twin Lakes, addressed the Board regarding WCEDA. He said he has been the Interim Executive Vice President of WCEDA since Fred Burkhardt's departure. He wanted to comment on some of the concerns, such as the \$100,000 grant received from USDA Rural Development Bureau. The grant was not for an administration loan fund but was for the organization to be able to continue its mission. WCEDA recently ran one of its first entrepreneurial training courses which started with 15 people and not four WCEDA members as was stated. Those four people were from Rock County and different areas in Walworth County and not WCEDA members. He said he has done his best to answer the questions concerning the organization.

Kevin Palucit, Chief Operating Officer, Geneva National Golf Club, and President of the Geneva National Foundation, 1730 Wales Ct., Lake Geneva, expressed support for WCEDA. He said there have been four economic summits hosted by Geneva National in which approximately 100 different businesses were represented and they said that there are issues that need to be addressed and we need a voice in the community. One of the major results of the summits was that WCEDA expanded their Board to include hospitality, health care, and agriculture. He asked that the County Board please consider extending the funding for WCEDA.

## **Special Order of Business**

### **- Discussion Regarding County Board Size Following 2010 Decennial Census**

Supervisor Grant began the discussion giving his reasons why the Board size should be increased and why it is important that it be done at this time. He said that timing is very critical for expenses. Because of the census, by law, the district has to draw new boundaries anyway. Once we get the census results there is a specific time when the new districts have to be drawn and he said that time is of the essence because the census redistricting will begin soon. He said that as the population increases there is less County representation for each County resident. He said he is not asking for a wage increase. The statement that the smaller board would bring more competition at election time has been proven to be false. He said he believes the committees cannot be combined any more than they already have been. He said we have experienced some problems for committee meetings because of a lack of quorum. Also, at the present time the number of Supervisors limits possible candidates as the person either has to be retired or a private business owner who can give up a lot of business time. He thinks that the more diversity we have in Board members, the more ideas that would help the County.

Supervisor Hawkins said that he is opposed to increasing the size of the County Board. He said he serves on seven committees, has a full-time job, and is involved in a volunteer organization. He doesn't think it would be economically wise to increase the Board at this time.

Supervisor Kilkenny said he agrees with everything that Supervisor Grant said, we should have stayed at 25 Board members and he does also question the representation issue; however, the people have voted and they wanted the Board to be at 11 and he thinks two years is too recent to change that.

Supervisor Stacey does not support an increase and does not think this is the time to increase the size of the County Board.

Supervisor Schaefer said that a couple of years ago he opposed downsizing but now he has found with 11 Supervisors that the Board is running a smooth operation with a lot of help from our Administrator.

Supervisor Wardle said he knew that if he would be a Supervisor he could expect to commit to many hours. He said it is time consuming but he thinks the Board is a good size and we are at a good place.

Supervisor Grant said he is not complaining about the amount of time it takes but that most of his constituents told him that they thought the referendum was advisory and he thinks 15 would be a better number. Supervisor Kilkenny said that he thinks 15 would be better representation, also, but the people voted and we should follow that recommendation.

Administrator Bretl said that it was not the intent of the Executive Committee to move the idea of 15 members, but to hold discussion. He said that there is no need to take any action at tonight's meeting. He thinks the Executive Committee could discuss this issue and take action if they so choose.



On motion by Supervisor Brandl, seconded by Supervisor Schaefer, Daniel J. Szczap and Gen Krahn-Reed were appointed to the Walworth County Housing Authority Board; the following were appointed to the Walworth County Workforce Development/W-2 Community Steering Committee: Saul Arteaga, Thomas Lothian, Joe Cardiff, Marilyn Putz, Charles Colman, Nancy Russell, Lisa Furseth, Penny Scheuerman, Brianna Fox, Cindy Simonsen, Michael O'Donnell, Eric Wentz; and, Jerry Kroupa, Keefe Real Estate, Kevin Williams, Emergency Management Director, Dr. Kurt Bauer, Surveyor, Craig Workman, Director of Public Works, Village of Fontana were appointed to the Land Information Advisory Council, 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: a) Summons & Complaint-Marianne Armaganian vs Walworth County; b) Notice of Lawsuit and Request to Waive Service of a Summons and Complaint-United States of America v. Joseph A. Caravette, et al. were referred to the Executive Committee.
3. Communication from the Department of Children and Families regarding the audit report related to DCF awards was referred to Health and Human Services.
4. Communication from State Representative, Samantha J. Kerkman, regarding receipt of Res. 36-07/10 relating to the segregated Transportation Fund was placed on file.
5. Communication from David A. Bretl, County Administrator, regarding a 5-minute presentation by the Fairest of the Fair, Maura Wieners was placed on file. (It is anticipated that the County Board will suspend its rules and consider the request and permit the Fairest of the Fair to make a short presentation at tonight's meeting)
6. Report of the County Clerk Concerning Communications Received by the Board and Recommended to be Placed on File
7. Report of County Clerk Concerning Communications Received by the Board After the Agenda Mailing-The following items were placed on Supervisors' desks:
  - Notice of Claim – Luther Bell – Letter from Attorney regarding Notice of Claim filed on May 28, 2010 and request for payment for damages – To be referred to the Executive Committee
  - Correspondence from Mary Beth Peranteau, Attorney, for Daniel and Mary Adams, Dr. Thomas V. Powell and Diana Briley Powell in opposition to the Dean Chudy Application for Rezone of 5.58 Acres, Town of Bloomfield (Powers Lake) and the District of Powers Lake Board Commissioners – To be placed on file
  - Ozaukee County Resolution No. 10-20 – Repeal of 2009 Wisconsin Act 28 with Regard to Prevailing Wage Requirements – Previously referred and will be placed on file
  - Correspondence from Steve Fettig, CFO, Tankcraft & Plasticraft Corporations, Darien, WI, regarding funding of WCEDA with taxpayer monies – To be placed on file
  - *Walworth County Senior Review*, August, 2010 – To be placed on file
8. Report of County Clerk Concerning Zoning Petitions (To be referred to the County Zoning Agency)
  - Frandolig Family Loving Trust dated April 11, 1991 (John E. Frandolig, Trustee) (Tom Svanstrom, App.), Town of Linn, A-3 to R-1

- Toynton Trust (Cindy Toynton Dixon)/Threatte Family Ltd. Partnership (Warren Hansen, App.)
- Department of Natural Resources c/o Walworth County, Town of Geneva, Creation of a shoreland area on an unnamed stream to Como Lake based on DNR navigability determination
- Ordinance Amendment to Walworth County Code of Ordinances Subdivisions, Sections 58-4.3, 58-4.5 and 58-4.10

Item 5, Communications and Matters to be Referred, was addressed earlier in the meeting.

### **Unfinished Business**

### **New Business**

### **Reports of Standing Committees**

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

1. James R. and Linda Taylor, Town of East Troy, Rezone .75 acres of A-1 to A-4 – approved 6 – 0 (7-15-10 public hearing)
2. Dean Chudy (Warren Hansen, App.), Town of Bloomfield, Rezone 5.58 acres of R-1 to M-1 – approved 6 – 0 (7-15-10 public hearing)
3. Mefit Dauti, Town of Geneva, Rezone 1.43 acres of C-1, B-2, B-3, & C-4 to A-5, B-3, C-4 & C-1 – approved 6 – 0 (7-15-10 public hearing)
4. First Banking Center, Inc. – John Smith/Burco Holding, LLC (LandCraft Survey & Engineering, Inc. – Mark C. Taylor, App.), Town of Geneva, Rezone 27.30 acres of C-1, C-4 & R-1 to C-1, C-2, C-4 & R-1 – approved 6 – 0 (7-15-10 public hearing)
5. Norlan Rowbotham, Town of Walworth, Rezone 2.44 acres of C-2 to C-3 – approved 6 – 0 (7-15-10 public hearing)

Supervisor Kilkenny requested that item 2, Dean Chudy (Warren Hansen, App.), Town of Bloomfield, be removed from the motion for discussion.

Supervisor Schaefer offered a motion, seconded by Supervisor Grant, to approve items 1, 3, 4, and 5 of the County Zoning Agency Report.

On motion by Supervisor Schaefer, seconded by Supervisor Grant, item 1, James R. and Linda Taylor, Town of East Troy, item 3, Mefit Dauti, Town of Geneva, item 4, First Banking Center, Inc. – John Smith/Burco Holding, LLC (LandCraft Survey & Engineering, Inc. – Mark C. Taylor, App.), Town of Geneva, and item 5, Norlan Rowbotham, Town of Walworth, were approved as recommended by the County Zoning Agency by voice vote.

Supervisor Hawkins offered a motion, seconded by Supervisor Schaefer, to send item 2 back to the County Zoning Agency for further consideration. Discussion ensued.

Supervisor Hawkins said that he would like further consideration based on the number of people who contacted him and expressed concern. Supervisor Stacey said that the committee discussed each one of the issues and doesn't think it is necessary that it be sent back. Supervisor Schaefer said he believes it is a safety issue as it is a narrow road and he thinks it should be discussed again. Supervisor Kilkenny said his concern was the number of people who wanted to speak tonight and perhaps did not have a chance to speak at the original hearing; and, there was also another letter in the packets tonight and he thinks it deserves another look. He said the bigger concern he had was regarding the Smart Growth Committee and the issue of map changes. He said there was a letter from an Attorney for the neighbors questioning whether we needed a map change and said we have to be very careful that we are setting precedent and taking short cuts. Supervisor Kilkenny said he agrees with the motion to send it back. Supervisor Hawkins said he did ride over there and he feels there is definitely a safety issue that needs to be addressed and it would be better to err on the safe side and send it back.

Supervisor Stacey asked Michael Cotter to address the Smart Growth issue. Cotter read a section of the draft minutes from the County Zoning Agency meeting regarding the Dean Chudy rezone: "A motion and second to APPROVE was made by Supervisors Weber and Wardle, based on the determination that it is consistent with the Land Use Plan in that the area where the proposed new warehouse is going to be located is infill into an area that is already being used for commercial-type activities. Supervisor Weber said this meets that parameter. The motion carried 6-0."

Supervisor Grant said he remembers reading the minutes of the hearing and not all of that land matches the 2035 plan and he thinks there should be a change in the ordinance. He said if that is the case then the ordinance should have been changed before this zoning request was allowed. He asked if the zoning committee considered if the owner requested approval for expansion at some point in time when he got the permit 15 years ago. Cotter said that if it is decided to send it back to committee, the agenda will be amended for the August 19, Thursday hearing. Cotter said it won't be a public hearing on August 19 but the committee could send it for another public hearing. He said the meeting starts at 3:00 p.m. and if it goes back it will be discussed at approximately 4:00 p.m. The discussion of the land use plan was considered at the committee level. Supervisor Wardle commented about safety and said there is a business there already and there will be an increase in truck traffic; but that truck traffic is already there and it has been for some time. Supervisor Stacey said that if this does get sent back to committee, he would appreciate it if the Supervisors could be at the meeting to discuss it and give their input.

The motion to send item 2 back to committee for further discussion was approved by voice vote. Supervisors Weber, Stacey, Brandl, and Wardle requested that their votes be recorded as No.

### **Executive Committee**

1. Ordinance No 630-08/10 – Creating Division 4 of Article III of Chapter 2 of the Walworth County Code of Ordinances Relating to the Land Information Council-*Vote required: Two-thirds* (Recommended by the Executive Committee 4-0)

2. Resolution No. 41-08/10 – Urging the State Legislature and the Governor to Rescind Changes Made to the State's Prevailing Wage Laws Effective January 1, 2010-*Vote required: Majority* (Recommended by the Executive Committee 4-0)
3. Resolution No. 43-08/10 – Supporting Continued Funding of the Walworth County Economic Development Alliance, Inc. *Vote required: Majority* (Recommended by the Executive Committee 3-1)

Supervisor Weber offered a motion, seconded by Supervisor Grant, to approve item 1, Ordinance No. 630-08/10. On motion by Supervisor Grant, seconded by Supervisor Brandl, **Ordinance No. 630-08/10** was approved by unanimous consent.

On motion by Supervisor Grant, seconded by Supervisor Weber, item 2, **Resolution No. 41-08/10** was approved by voice vote.

Supervisor Grant offered a motion, seconded by Supervisor Ingersoll, to approve, item 3, Resolution No. 43-08/10. Discussion ensued.

Chair Russell asked Administrator Bretl to give the background on this resolution. Bretl said the budget process in the past was to bring items to the County Board before the budget process began in the fall and that was putting the cart before the horse; however, WCEDA is at a point where they need to know about funding. He said he has budgeted for economic development in the past and would endorse WCEDA again. He said he can tell some organizations that they will be included in the budget but he cannot share that same confidence with the WCEDA directors. Although it will not be binding, Bretl encouraged the Board to give an opinion this evening as to whether the County will fund WCEDA in November.

Supervisor Hawkins said he is not anti-business and he doesn't think anyone on the Board is anti-business; but he does not think WCEDA should be funded with taxpayer money. He thinks the members should take responsibility and support the organization themselves.

Supervisor Grant said he believes we need economic development in Walworth County especially at this time with the bad economy. He said WCEDA does need a good leader, a new leader has now been hired, and he thinks that he will be very good. He said Walworth County needs to fund WCEDA for at least one more year to give them a chance to show that changes have been made for the good of the County.

Supervisor Kilkenny said he was surprised by the personal attacks during public comment period but that is part of the job. However, he doesn't like the comments that he is anti-business or that the request for information is harassment because he has concerns about WCEDA or has a free enterprise philosophy. He said some of the Supervisors here were on the Board in 2005 when he spoke as a citizen expressing similar concerns. He said at that time Chair Lohrmann said that there would be thorough reviews and money would be in the budget but it would be reviewed for success. Since he has been on the Board he has not seen that happen. He said his comments back then were before Mr. Burkhardt and Mr. Howarth were on the WCEDA Board; none of his comments are personal and he has been making the same comments since 2005. He said he has been self-employed since 1982, his 20-year old son formed his LLC last year at age 19 and the

claim that he is anti-business is nonsense. He said that he wanted to make it clear he has nothing against Kim Howarth or the WCEDA Board and their character is not at issue. He said that what is at issue are general principles of governance, economics, the history of the organization and our fiduciary responsibility to the taxpayers of the County. He said he feels that it is a mistake to assume that groups like WCEDA will spend the peoples' money more efficiently or more wisely than the people investing it themselves. We expense WCEDA out of the County's treasury and there is no return on investment for the taxpayer. He said every year we have been told that things have been getting better but things are not improving but deteriorating. He thinks the time has come to deny funding and urges a No vote on the motion.

Supervisor Wardle said that the Pastor that spoke tonight is his Pastor and he wants to help the businesses in the County, but he thinks that businesses have to stand on their own feet. He said they need to plan to become independent and he thinks that there is renewed interest in WCEDA from businesses. He is concerned with the findings of things that have happened in the past. He will not vote for a full \$50,000 unless there is an exit strategy.

Supervisor Grant said he believes that we do get money back from our investment with WCEDA from the standpoint that employment is kept or gained in Walworth County through WCEDA's help and we get tax money from the wages that those people make. He said there has never been a promise that WCEDA would get money indefinitely but we are promising to support them for one more year.

A roll call vote was held regarding Resolution No. 43-08/10. Total vote: 11; Ayes: 6 – Grant, Ingersoll, Schaefer, Stacey, Weber, Russell; Noes: 5 – Brandl, Hawkins, Kilkenny, Redenius, Wardle; Absent: 0. **Resolution No. 43-08/10** was approved.

### **Finance Committee**

1. Ordinance No. 624-08/10 – Amending Chapter 30 of the Walworth County Code of Ordinances Relating to Business Expense Reimbursements-*Vote required: Majority* (Recommended by the Finance Committee 5-0)
2. Ordinance No. 625-08/10 – Amending Section 30-286 of the Walworth County Code of Ordinances Relative to Clerk of Courts Fees-*Vote required: Majority* (Recommended by the Finance Committee 5-0)
3. Ordinance No. 626-08/10 – Amending Section 30-288 of the Walworth County Code of Ordinances Relative to Use of Credit/Debit Cards-*Vote required: Majority* (Recommended by the Finance Committee 5-0)
4. Ordinance No. 627-08/10 – Amending Sections 30-171 Through 30-182 of the Walworth County Code of Ordinances Relating to Fund Balance-*Vote required: Majority* (Recommended by the Finance Committee 5-0)
5. Ordinance No. 628-08/10 – Creating Division 4 of Article III of Chapter 30 of the Walworth County Code of Ordinances Relating to Public Service Organizations-*Vote required: Majority* (Recommended by the Finance Committee 5-0)
6. Ordinance No. 629-08/10 – Amending Section 30-156 of the Walworth County Code of Ordinances Relating to the Use of Donations and Fundraising-*Vote required: Majority* (Recommended by the Finance Committee 5-0)

On motion by Supervisor Stacey, seconded by Supervisor Weber, **Ordinance No. 624-08/10, Ordinance No. 625-08/10, Ordinance No. 626-08/10, Ordinance No. 627-08/10, Ordinance No. 628-08/10, and Ordinance No. 629-08/10** were approved by voice vote.

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

1. Resolution No. 40-08/10 – Recognizing Liza Drake for Receiving Public Policy Forum Leader of the Future Award-*Vote required: Majority* (Recommended by the Health and Human Services Board 6-0)

Resolution No. 40-08/10 was considered and approved earlier in the meeting.

### **Human Resources**

1. Ordinance No. 631-08/10 – Repealing and Recreating Article IV of Chapter 15 of the Walworth County Code of Ordinances Relating to Employee Reimbursements-*Vote required: Majority* (Recommended by the Human Resources Committee 4-0)

2. Ordinance No. 632-08/10 – Amending Section 15-17 of the Walworth County Code of Ordinances Relating to Clerical Positions in Public Works-*Vote required: Majority* (Recommended by the Human Resources Committee 4-0)

3. Ordinance No. 633-08/10 – Amending Sections 15-357 and 15-359 of the Walworth County Code of Ordinances Relating to Special Pay for Certain CDEB Employees-*Vote required: Majority* (Recommended by the Human Resources Committee 3-1. The Children with Disabilities Education Board voted 3-0 against the recommendation of the Human Resource Committee to amend the Ordinance.)

4. Resolution No. 42-08/10 – Implementing Changes in Wages and Benefits for Certain Casual Employees-*Vote required: Majority* (Recommended by the Human Resources Committee 4-0)

Supervisor Kilkenny requested that item 3, Ordinance No. 633-08/10, be considered separately.

O motion by Supervisor Grant, seconded by Supervisor Ingersoll, item 1, **Ordinance No. 631-08/10**, item 2, **Ordinance No. 632-08/10**, and item 4, **Resolution No. 42-08/10**, were approved by voice vote.

Administrator Bretl explained that there are conflicting committee reports regarding Ordinance No. 633-08/10. The controversial section of the document in the packet started on line 17. Supervisor Kilkenny said that the Children with Disabilities Education Board recommended it at the 110% level and the Human Resources committee approved it at 100%. Supervisor Kilkenny offered a motion, seconded by Supervisor Hawkins, to approve Ordinance No. 633-08/10 and the Human Resources Committee recommendation. Supervisor Hawkins offered a motion, seconded by Supervisor Weber, to amend the ordinance to change line 18 from 100% to 110%. Discussion ensued.

Supervisor Wardle said that when teachers take on summer school they do not get full salary and the Human Resources Committee did not think that they should receive more than a full-time

salary. Supervisor Weber said that we are not comparing apples to apples here regarding compensation but he would liken it to overtime because this would be a 200-day person asked to put in 205 or 210 days and there is a massive amount of reporting. Supervisor Kilkenny said that, as stated on line 19, this would be at the discretion of the director of special education and director, whether they get 100% or 110%. The option the director would have would be to contract out the services which would be twice as much. He said there may be a benefit to employees but if we look at the bigger picture it would avoid something more expensive and he is in favor of the amendment.

Chair Russell asked Vice-Chair Kilkenny to take the Chair so that she could address the Board. She said if you look at the rates of pay, and if you take the rates times 2080 hours, that equates to a very respectable salary. She is not advocating that these managers not be paid for their work but she can't support the 110% pay and she will vote no to the amendment.

Chair Russell resumed the Chair.

Supervisor Kilkenny said that the Policy and Fiscal Note states that the additional cost is minimal but we may end up with far greater costs. He will vote yes to the 110% amendment. The motion to amend the ordinance to 110% was approved by voice vote. Supervisors Russell, Brandl, Wardle, Redenius, Stacey requested that their votes be recorded as No. The motion to approved **Ordinance No. 633-08/10, as amended**, was approved by voice vote. Supervisor Russell, Brandl, Wardle, Redenius, and Stacey requested that their votes by recorded as No.

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

Paula McGowen addressed the Board regarding drug court. Ms. McGowen said she is an advocate of drug court and mental health. She said that the last time she spoke before the Board she made a plea for drug court to be started in Walworth County. She thanked Supervisor Weber and the Executive Committee for taking steps to make that a possibility in the future. She said that in Walworth County there are many people who need the help of a drug court and thanked the Supervisors for looking into the drug court for the future.

Dorothy Burwell, Chair, Town of Delavan, N4836 County O, addressed the Board regarding the Lakeland Animal Shelter. She said that for many years the Lakeland Animal Shelter has served the needs of the constituents of Walworth County. She said she believes the County has recently signed a contract with the Shelter and she commended the Board for doing so. She said the Town of Delavan was involved in a rather difficult issue involving the animal shelter and several animal rights groups. She said as town chair, she would like the Board to know that Kristen Perry, Director of the Shelter, was professional with all of her dealings with the Town Board. Kristen treated the Town Board with respect and dignity and she will personally be forever grateful for that. Burwell said that she has a friend at Lakeland Rehabilitation Center and she expressed to her how wonderful the staff and facilities are and the Board should be proud of that. Burwell also said as President of the Southeastern Area Wisconsin Land and Water Association she would like to invite the Board to the fall tour to be held in Washington County on September 23, which will include a tour of Butler Ridge Wind Farm and Germantown Swamp Wetland Gym among other things. She said to contact Louise Olson if interested.

Supervisor Stacey was excused from the meeting at 8:10 p.m. by Chair Russell.

The Board took a 10 minute break before going into Closed Session

The Board reconvened at 8:20 p.m.

**Closed Session**

The Board convened 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 upcoming labor negotiations with Unions

On motion by Supervisor Weber, seconded by Supervisor Grant, a roll call vote was taken to convene in closed session. Total vote: 11; Ayes: 10 – Richard Brandl, Jerry A. Grant, Randy Hawkins, Kathy Ingersoll, Vice-Chair Daniel G. Kilkenny, Carl Redenius, Joe Schaefer, Russ Wardle, David A. Weber, and Chair Nancy Russell; Noes: 0; Absent: 1 – Rick Stacey.

The Board convened in open session on motion by Supervisor Weber, seconded by Supervisor Brandl. A motion by Supervisor Brandl, seconded by Supervisor Grant, to proceed as directed in Closed Session was approved by voice vote.

**Reports of Special Committees**

There were none.

**Chairperson’s Report**

There was none.

**Adjournment**

On motion by Supervisor Hawkins, seconded by Supervisor Ingersoll, the meeting was adjourned at 9:10 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 August 10, 2010 meeting.

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