

**JANUARY 10, 2012**  
**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, Rick Stacey, Russ Wardle, David A. Weber, and Chair Nancy Russell. Joe Schaefer was absent. A quorum was established.

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 Grant, the agenda was approved by voice vote with no withdrawals. Supervisor Grant offered a motion, seconded by Supervisor Weber, to move Health and Human Services Board, Item #1, Res. No. 82-01/12 – Recognizing the Gateway Technical College Biz Squad, to follow Special Order of Business. Motion carried.

**Approval of the Minutes**

On motion by Supervisor Brandl, seconded by Supervisor Weber, the December 13, 2011 County Board Meeting minutes were approved by voice vote.

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

There was none.

**Special Order of Business**

- Government Finance Officers Association (GFOA) Certificate of Achievement for Excellence in Financial Reporting for Fiscal Year 2010

Chair Russell said she is very proud of the Finance Department and staff for receiving this award many times. Chair Russell presented the award to Nicki Andersen, Jessica Lanser, Amanda Lagle, and Aimee Hemmer. Nicki Andersen thanked Chair Russell for the kind words and introduced members present from the Finance Department – Jessica Lanser, Amanda Lagle, and Aimee Hemmer. She said that Andy Lamping, who was not present, is also a key player in financial reporting. She thanked her staff, department heads, and the accountants in each department for their cooperation. She also thanked Administrator Bretl and the County Board for their support over the years.

**Health and Human Services Board**

1. Res. No. 82-01/12 – Recognizing the Gateway Technical College Biz Squad – *Vote Required: Majority* (Recommended by the Health and Human Services Board 7-0)

On motion by Supervisor Weber, seconded by Supervisor Grant, **Resolution No. 82-01/12 – Recognizing the Gateway Technical College Biz Squad** was approved by voice vote. Chair Russell read the resolution and presented copies of the resolution to Campus Dean of Gateway Technical College Mike O'Donnell to distribute to the students being recognized. Dr. David Thompson of Health and Human

Services (HHS) had the Biz Squad come to HHS to assess their procedures. He said the Biz Squad then developed video presentations and training materials for HHS to use to train new employees. Mr. O'Donnell thanked Dr. Thompson for the opportunity and said he looks forward to future partnerships with the county.

### **Appointments/Elections**

1. Veterans Service Commission
  - Jerry Peters – Three-year term to begin upon re-appointment and end on December 31, 2014 (Recommended by the Executive Committee 4-0)
2. Local Emergency Planning Committee
  - Taylor Vanness (Recommended by the Executive Committee 4-0)
3. Lakeshores Library System Board
  - Royce DeBow – Three-year term to begin upon re-appointment and end on December 31, 2014
  - Jay Karow – Three-year term to begin upon re-appointment and end on December 31, 2014  
(Recommended by the Executive Committee 4-0)

On motion by Supervisor Weber, seconded by Supervisor Grant, Jerry Peters was appointed to the Veterans Service Commission; Taylor Vanness was appointed to the Local Emergency Planning Committee; and Royce DeBow and Jay Karow were appointed to the Lakeshores Library System Board. Supervisor Brandl offered a motion, seconded by Supervisor Wardle, to remove Jay Karow as an appointee to the Lakeshores Library System Board. Motion carried.

### **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 – There were none.
2. Claims: There were none.
3. Correspondence from Chair Russell Urging Adoption of Resolution No. 83-01/12 – Supporting a Land Acquisition in the Town of Troy by the Nature Conservancy for Conservation and Recreational Purposes. (It is anticipated that the County Board will suspend its rules to take action on the resolution at the January 10, 2012 County Board Meeting)
4. Communication from Dorothy C. Burwell in regard to county representation on lake districts (To be referred to the Land Conservation Committee)
5. Calumet County Resolution 2011-23 – Resolution Supporting Niagara Escarpment Legislation (To be Placed on File)
6. Communication from Governor Scott Walker thanking Walworth County for sharing resolution with his office (To be Placed on File)
7. Communication from Mark Gottlieb, Secretary of Wisconsin Department of Transportation, confirming receipt of Resolution No. 67-11/11 – Urging the Wisconsin Department of Transportation to Proceed as Quickly as Possible with the U.S. Highway 12 Environmental Impact Study (To be Placed on File)
8. Correspondence from State Representative Samantha Kerkman confirming receipt of Resolution No. 67-11/11 – Urging the Wisconsin Department of Transportation to Proceed as Quickly as Possible with the U.S. Highway 12 Environmental Impact Study (To be Placed on File)
9. E-mail correspondence from Mark Wuenstel in regard to prohibiting firearms in county buildings (To be Placed on File)

10. United States' Motion to Extend Dispositive Motion Deadline – United States of America, Plaintiff v. Joseph A. Caravette; Kristin S. Caravette a/k/a Kristin Ulanowski Caravette; Walworth County, Wisconsin; and Daddy's Home/Business Improvement, Defendants (To be Placed on File)
11. Report of the County Clerk Concerning Communications Received by the Board and Recommended to be Placed on File
  - There were none.
12. Report of the County Clerk Concerning Communications Received by the Board After Agenda Mailing
  - Communication from Supervisor Rick Stacey regarding the lack of handicapped parking stalls on the square in the Village of East Troy – To be referred to the Public Works Committee
  - Correspondence from State Representative David Craig confirming receipt of resolution regarding the proposed U.S. Highway 12 environmental impact study – To be placed on file
  - *Walworth County Aging & Disability Resource Center News*, January 2012 – To be placed on file
13. Report of the County Clerk Concerning Zoning Petitions (To be referred to the County Zoning Agency)
  - Delavan Lake Enterprises, LLC (Dana Montana – Owner), Town of Delavan, Rezone approx. .88 acres of M-2 Heavy Industrial District to B-4 Highway Business District
  - Lakewood Farms Inc. (Stephen O'Bryan – Owner), Town of East Troy, Rezone and shoreland boundary correction on approx. 1.95 acres of C-2 Upland Resource Conservation and C-4 Lowland Resource Conservation Districts (shoreland) to C-2, C-4, and C-1 Lowland Conservation District (non-shoreland)
  - Dennis Garoutte, Town of Sugar Creek, Rezone approx. 2.6 acres of A-4 Agricultural Related Manufacturing Warehousing and Marketing District to A-2 Agricultural Land District

Supervisor Grant offered a motion, seconded by Supervisor Weber, to suspend the rules in order for the County Board to address Item #3. Supervisor Grant moved for unanimous consent, seconded by Supervisor Weber. Motion carried. On motion by Supervisor Grant, seconded by Supervisor Weber, **Resolution No. 83-01/12 – Supporting a Land Acquisition in the Town of Troy by the Nature Conservancy for Conservation and Recreational Purposes** was approved by voice vote.

## **Unfinished Business**

## **New Business**

## **Reports of Standing Committees**

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

There were none.

## **Executive Committee**

1. Res. No. 78-01/12 – Authorizing an Increase in the Per Diem Rate for Citizen Members of the Walworth County Board of Canvass – *Vote Required: Majority* (Recommended by the Executive Committee 4-0)
2. Res. No. 79-01/12 – Approving an Agreement by and between Walworth County and Participating Carriers for the Provision of Enhanced 911 Service in Walworth County – *Vote Required: Two-Thirds* (Recommended by the Executive Committee 4-0)

On motion by Supervisor Weber, seconded by Supervisor Grant, Item #1, **Resolution No. 78-01/12 – Authorizing an Increase in the Per Diem Rate for Citizen Members of the Walworth County Board of Canvass**, was approved by voice vote.

Supervisor Weber offered a motion, seconded by Supervisor Ingersoll, to approve Item #2. Supervisor Grant moved for unanimous consent, seconded by Supervisor Ingersoll. Item #2, **Resolution No. 79-01/12 – Approving an Agreement by and between Walworth County and Participating Carriers for the Provision of Enhanced 911 Service in Walworth County**, was approved by unanimous consent.

### **Finance Committee**

1. Ord. No. 705-01/12 – Amending Section 30-259 of the Walworth County Code of Ordinances Relating to Capital Asset Useful Life of Bridges – *Vote Required: Majority* (Recommended by the Finance Committee 5-0)
2. Ord. No. 706-01/12 – Creating Chapter 28 of the Walworth County Code of Ordinances Relating to Economic Development and Loan Administration – *Vote Required: Majority* (Recommended by the Finance Committee 5-0)
3. Res. No. 80-01/12 – Adopting a Revolving Loan Fund Manual – *Vote Required: Majority* (Recommended by the Finance Committee 5-0)

On motion by Supervisor Weber, seconded by Supervisor Stacey, Item #1, **Ordinance No. 705-01/12**; Item #2, **Ordinance No. 706-01/12**; and Item #3, **Resolution No. 80-01/12**, were approved by voice vote.

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

1. Res. No. 82-01/12 – Recognizing the Gateway Technical College Biz Squad – *Vote Required: Majority* (Recommended by the Health and Human Services Board 7-0)

This item was discussed and acted upon earlier in the meeting.

### **Human Resources Committee**

1. Ord. No. 707-01/12 – Amending Section 15-17 of the Walworth County Code of Ordinances Relating to the Jail Administration Reorganization Plan – *Vote Required: Majority* (Recommended by the Human Resources Committee 5-0)
2. Ord. No. 708-01/12 – Amending Sections 15-513, 15-514, 15-707, 15-1050 and 15-1323 of the Walworth County Code of Ordinances Relating to Vacation and Sick Leave Accruals, Extended Sick Leave Banks, Absence due to School Closure and Longevity Pay – *Vote Required: Majority* (Recommended by the Human Resources Committee 5-0)
3. Ord. No. 709-01/12 – Amending Chapter 15 of the Walworth County Code of Ordinances Relating to the Elimination of the Position of Deputy County Administrator – Central Services and the Creation of a Director – Central Services – *Vote Required: Majority* (Recommended by the Human Resources Committee 5-0)
4. Res. No. 81-01/12 – Approving a Collective Bargaining Agreement by and between Walworth County and the Deputy Sheriffs Association for the Period of January 1, 2012 to December 31, 2013 – *Vote Required: Majority* (Recommended by the Human Resources Committee 5-0)

Supervisor Brandl offered a motion, seconded by Supervisor Ingersoll, to approve Item #1, Ordinance No. 707-01/12; Item #2, Ordinance No. 708-01/12, and Item #3, Ordinance No. 709-01/12. Supervisor Hawkins requested a separate voice vote for Item #3, Ordinance No. 709-01/12, so that he could abstain. Item #1, **Ordinance No. 707-01/12**, and Item #2, **Ordinance No. 708-01/12**, were approved by voice vote. Item #3, **Ordinance No. 709-01/12** was approved by voice vote with one abstention by Supervisor Hawkins.

Supervisor Grant offered a motion, seconded by Supervisor Weber, to approve Item #4, Resolution No. 81-01/12. Administrator Bretl stated this agreement calls for a wage freeze over the two-year period. He also stated that under the Budget Repair Bill and the state budget, collective bargaining rights were taken away from public employees with the exception of sworn law enforcement, therefore, the sworn law enforcement are exempt from the pension contribution. He said the contract would put sworn law enforcement employees on the second tier health plan effective in 2013. He also said there is litigation pending over the health insurance issue of whether health plan changes need to be negotiated or be done unilaterally by the employer. Item #4, **Resolution No. 81-01/12 - Approving a Collective Bargaining Agreement by and between Walworth County and the Deputy Sheriffs Association for the Period of January 1, 2012 to December 31, 2013** was approved by voice vote.

### **Land Conservation Committee**

1. Res. No. 76-01/12 – Supporting the Aquatic Invasive Species Control Grants Application – *Vote Required: Majority* (Recommended by the Land Conservation Committee 3-0)
2. Res. No. 77-01/12 – Opposing Further Land Conservation Staffing Grant Cuts – *Vote Required: Majority* (Recommended by the Land Conservation Committee 3-0)

On motion by Supervisor Wardle, seconded by Supervisor Weber, Item #1, **Resolution No. 76-01/12**, and Item #2, **Resolution No. 77-01/12**, were approved by voice vote.

### **Public Works Committee**

1. Res. No. 84-01/12 – Approving an Agreement by and between Walworth County and the Walworth County Alliance for Children (WCAC) Relative to the Conveyance of Five Acres of Land from the County to the WCAC for the Construction of a Child Advocacy Center – *Vote Required: Two-Thirds* (Recommended by the Public Works Committee 4-0)

Vice-Chair Kilkenny offered a motion, seconded by Supervisor Weber, to approve Item #1, Resolution No. 84-01/12. Bretl stated if the Board approves the agreement and the Walworth County Alliance for Children (WCAC) complies with the terms and conditions, staff would proceed with the deed. He referred to Section 3 of the agreement, which outlined the three conditions that must be met by the WCAC in order to proceed with the conveyance. He said the three conditions are that the required zoning is obtained, required subdivision approvals are obtained, and the WCAC must furnish proof of sufficient funds or a commitment letter from a lender. He also said another provision found in Section 5 of the agreement states that if the conditions are not met by December 31, 2014, the agreement will be null. He said the reason for this provision is so that the land is not tied up indefinitely. He referred to Section 4 of the agreement, which outlines the Right of First Refusal clause. He said the Board had wanted to add some type of clause that would not interfere with financing but would give the county the ability to reclaim the property in the future. He also said the approximate value of the parcel is \$150,000.

Supervisor Weber suggested setting design criteria of building this project in stages. He also suggested having language in the agreement that would allow the county to deduct the initial value assessment against the future purchase price. Bretl stated he thought that provision would be fine and it would offer some protection to the county; however, the WCAC would be unable to use the land value as collateral for the loan. Vice-Chair Kilkenny suggested the county subordinate to any loans for improvement or construction. He moved to amend the agreement to reflect that in the event of a right of first refusal that the land value as stated in the resolution should be recoverable in a way that would be subordinate or not impair the rights of creditors. Chair Russell asked Vice-Chair Kilkenny if he wanted this language added to both Sections 4.01 and 4.02 of the agreement. Vice-Chair Kilkenny said yes as it would give more flexibility. The amendment was seconded by Supervisor Weber. Amendment was approved by voice

vote. Vice-Chair Kilkenny moved for unanimous consent on the main motion as amended, seconded by Supervisor Grant. **Resolution No. 84-01/12 - Approving an Agreement by and between Walworth County and the Walworth County Alliance for Children (WCAC) Relative to the Conveyance of Five Acres of Land from the County to the WCAC for the Construction of a Child Advocacy Center** and the amendment to the agreement were approved by unanimous consent.

**Reports of Special Committees**

There were none.

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

There was none.

**Chairperson’s Report**

Chair Russell stated the Board sent flowers for the funeral of Jerry Byrnes, a former County Board Supervisor who served 20 years on the Board. She said the Board received a card from Marian Byrnes, Mr. Byrnes’ wife, thanking the Board for the beautiful flowers.

Bretl stated that there were County Board Supervisor candidates in the audience and informed them if they should have any questions about what the Board has been working on to contact his office. Chair Russell stated the Budget in Brief books were distributed, and if anyone did not receive a copy to contact her or the Administrator’s office to obtain one.

Supervisor Grant informed the Board that this meeting was Supervisor Ingersoll’s last meeting. He thanked Supervisor Ingersoll for her service on the Board.

**Adjournment**

On motion by Supervisor Brandl, seconded by Supervisor Weber, the meeting was adjourned at 6:45 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 January 10, 2012 meeting.