

**FEBRUARY 11, 2014
WALWORTH COUNTY BOARD OF SUPERVISORS
MEETING**

The Walworth County Board of Supervisors meeting was called to order by Chair Russell at 6:04 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, Tim Brellenthin, Vice-Chair Jerry A. Grant, Daniel G. Kilkenny, Kenneth H. Monroe, Carl Redenius, Joe Schaefer, Rick Stacey, David A. Weber, and Chair Nancy Russell. A quorum was established.

Rick Stacey, Walworth County Board Supervisor, District #1, delivered the invocation.

Amendments, Withdrawals, and Approval of Agenda

On motion by Supervisor Brandl, seconded by Supervisor Weber, the agenda was approved by voice vote with no withdrawals.

Approval of the Minutes

On motion by Supervisor Brandl, seconded by Supervisor Weber, the January 14, 2014 County Board Meeting minutes were approved by voice vote.

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

There was none.

Appointments/Elections

1. Aram Public Library Board
 - Jean Blashfield Black – Three-year term to begin upon County Board confirmation and end on February 11, 2017 (Recommended by the Executive Committee 4-0)
2. Lakeshores Library System Board
 - Susan Metzner – Three-year term to begin upon County Board confirmation and end on December 31, 2016 (Recommended by the Executive Committee 4-0)
3. Director of Human Resources
 - Dale Wilson (Recommended by the Human Resources Committee 5-0)

On motion by Supervisor Weber, seconded by Vice-Chair Grant, the appointments to the Aram Public Library Board, Lakeshores Library System Board, and Director of Human Resources were approved 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 and Complaint – McHenry Savings Bank, Plaintiff, vs. Patrick D. Arnold, Hollis A. Arnold, Wisconsin Department of Workforce Development, Wisconsin Department of Revenue, Timber Ridge Lodge Condominium Association, Inc., United States of America Department

- of Internal Revenue Service, United States of America Eastern District of Wisconsin, Michael D. Blair, X-Pert Drywall, LLC, County of Walworth, and Stafford Rosenbaum LLP, Defendants (14CV00027); b) Summons and Complaint – McHenry Savings Bank, Plaintiff, vs. Patrick D. Arnold, Hollis A. Arnold, Wisconsin Department of Workforce Development, Wisconsin Department of Revenue, Cove Condominium Association, Inc. a/k/a The Cove of Lake Geneva Condominium Owners Association, United States of America Department of Internal Revenue Service, United States of America Eastern District of Wisconsin, Michael D. Blair, X-Pert Drywall, LLC, County of Walworth, Stafford Rosenbaum LLP, Defendants (14CV00028); c) Notice of Appearance and Claim for Surplus received from Cove Condominium Association, Inc. a/k/a The Cove of Lake Geneva Condominium Owners Association in regard to McHenry Savings Bank, Plaintiff, v. Patrick D. Arnold, et al., Defendants (14CV00028); d) Claim received from Mr. William Schmidt in regard to Lot 1 Block 17 Sunset Hills (To be referred to the Executive Committee)
3. Brown County Resolution In Support of Changes to the State Statutes Regarding Protective Occupation Participant Status of County Correction Officers (To be referred to the Executive Committee)
 4. Correspondence from WCA Services Inc. in regard to an exclusive member discount for long-term care insurance (To be referred to the Human Resources Committee)
 5. Correspondence from the Town of Lafayette in regard to a public hearing to vacate and discontinue a portion of right-of-way of Stuart Drive (To be referred to the Public Works Committee)
 6. Correspondence from State Representative Andy Jorgensen acknowledging receipt of Walworth County resolutions (To be placed on file)
 7. Report of the County Clerk Regarding Communications Received by the Board and Recommended to be Placed on File
 - Dunn County Resolution No. 2013-9 – Seeking Creation of a New Nonpartisan Procedure for the Preparation of Legislative and Congressional Redistricting Plans (was previously referred to the Executive Committee)
 8. Report of the County Clerk Regarding Communications Received by the Board After the Agenda Mailing
 - Claim – Steven M. Spangler – To be referred to the Executive Committee
 - Correspondence from Jeffrey Karbash in regard to his opposition of Walworth County taking over health inspections from the State of Wisconsin – To be referred to the Health & Human Services Board
 - Correspondence from Supervisor Joe Schaefer in regard to his opposition of Walworth County taking over health inspections from the State of Wisconsin – To be referred to the Health & Human Services Board
 - Correspondence from Supervisor Jerry Grant in regard to health inspections – To be referred to the Health & Human Services Board
 - Correspondence from Dave Hills in regard to his opposition of Walworth County taking over health inspections from the State of Wisconsin – To be referred to the Health & Human Services Board
 - Correspondence from Ronnie and Stephanie Mikrut in regard to their opposition of Walworth County taking over health inspections from the State of Wisconsin – To be referred to the Health & Human Services Board
 - Correspondence from Governor Scott Walker acknowledging receipt of Walworth County resolution – To be placed on file
 - *Walworth County Aging & Disability Resource Center News*, February 2014 – To be placed on file
 9. Report of the County Clerk Regarding Zoning Petitions (To be referred to the County Zoning Agency)

- Greg & Sue Equi, Troy Township. Rezone approx. 27.1 acres of A-1 Prime Agricultural to A-2 Agricultural District, 2.03 acres of A-1 to C-2 Upland Resource Conservation Districts and .9 acres of C-2 to A-2

Unfinished Business

New Business

Reports of Standing Committees

County Zoning Agency Report of Proposed Zoning Amendments

1. Ord. No. 836-02/14 – Repealing and Recreating Chapter 64 of the Walworth County Code of Ordinances Relating to Mobile Towers – *Vote Required: Majority* (Recommended by the County Zoning Agency 7-0)
Amendment Repealing and Recreating Article II of Chapter 64 – Telecommunications, Mobile Tower Siting Ordinance, Walworth County Code of Ordinances, in compliance with Wisconsin Act 20 – Approved: 7-0 (December 19, 2013 County Zoning Agency Public Hearing, with modifications)
2. Ord. No. 837-02/14 – Amending Sections 74-44 and 74-171 of the Walworth County Code of Ordinances Relating to Pet and Animal Regulations – *Vote Required: Majority* (Recommended by the County Zoning Agency 7-0)
Amendment to Section(s) 74-44 of the Zoning Ordinance and Section(s) 74-171 of the Shoreland Zoning Ordinance, Walworth County Code of Ordinances relative to chickens in the R-1, R-2, R-3, R-5, R-5A and C-3 districts and modified requirements in the agricultural and C-2 districts – Approved: 7-0 (January 16, 2014 County Zoning Agency Public Hearing)
3. Timothy A. Lightfield, Section 17, Spring Prairie Township. Rezone approximately 3.27 acres of A-1 to C-2 – Approved: 7-0 (January 16, 2014 County Zoning Agency Public Hearing)

Supervisor Kilkenny offered a motion, seconded by Supervisor Weber to approve Item 1, Ordinance No. 836-02/14. Supervisor Kilkenny offered a motion, seconded by Supervisor Weber, to amend Ordinance No. 836-02/14 as follows:

On page 2, Section 64-31 at line 22, add the following:

5. Freestanding (ground mounted antenna) antennas (not supported on or attached to a building) and their supporting towers, poles or masts and their equipment buildings 350 square feet or less in size, may be installed without a zoning permit when the overall height of the antennas and their support structures do not exceed a height of 45 feet above the original grade at the site of the installation. Antennas, their supporting towers, poles or masts and their equipment building to be located in the A-1 zoning district are subject to meeting the requirements of Wis. Stats. § 91.01(10) as amended from time to time.

6. Antennas installed on, or attached to, any existing building (building mounted antenna), ~~an existing telecommunication tower, or alternative support structure~~ and their equipment buildings 350 square feet or less in size, when the height of the antenna and its supporting tower, pole or mast is 30 feet or less above the highest part of the building or alternative support is 30 feet or less above the highest part of the building or alternative support structure to which it is attached. Antennas, installed on, or attached to, any existing building, ~~an existing telecommunication tower, or alternative support structure~~ and their equipment buildings to be located in the A-1 zoning district are subject to meeting the requirements of Wis. Stats. § 91.01(10) as amended from time to time.

Supervisor Kilkenny stated this amendment adds two exemptions which were contained in the original ordinance. He said Act 20 required the county to make substantial changes to this ordinance. Michael Cotter, Director of Land Use and Resource Management (LURM), stated that LURM is in agreement with the amendment. He said this is a minor amendment, and he feels there is not a need to send this back to the townships. The amendment to Ordinance No. 836-02/14 was approved by voice vote. **Ordinance No. 836-02/14** as amended was approved by voice vote.

On motion by Supervisor Stacey, seconded by Supervisor Brellenthin, the County Zoning Agency Report of Proposed Zoning Amendments, Items 2 and 3, was approved as recommended by the County Zoning Agency.

Executive Committee

1. Ord. No. 835-02/14 – Amending Section 2-44 of the Walworth County Code of Ordinances Pertaining to the Temporary Assignment of a Supervisor to a Committee as the Result of a Vacancy – *Vote Required: Two-thirds* (Recommended by the Executive Committee 4-0)
2. Res. No. 76-02/14 – Recognizing Jerry Grant for 16 Years of Dedicated Service as a County Board Supervisor – *Vote Required: Majority* (Recommended by the Executive Committee 4-0)
3. Res. No. 77-02/14 – Supporting Wisconsin 2013 Assembly Bill 308 Proposing to Repeal Wis. Stats. Section 66.0602(2m)(b) and Renumber Section 66.0601(a) Relating to Reduction of Local Levy Limits by the Amount of Certain Fee Revenues Received – *Vote Required: Majority* (Recommended by the Executive Committee 4-0)
4. Res. No. 78-02/14 – Supporting Legislation to Create Statute Sections Relating to Granting Immunity from Certain Criminal Prosecutions for Offenses Relating to a Controlled Substance or a Controlled Substance Analog – *Vote Required: Majority* (Recommended by the Executive Committee 4-0)
5. Res. No. 79-02/14 – Supporting Legislation Relating to Programs for the Disposal of Drugs, Including Controlled Substances, Certain Medical or Drug-Related Items and the Regulation of Prescription Drugs – *Vote Required: Majority* (Recommended by the Executive Committee 4-0)
6. Res. No. 80-02/14 – Supporting Legislation to Create Statute Sections Relating to Training and Agreements for Administering the Drug Naloxone, Requiring Emergency Medical Technicians to Carry Naloxone, and Providing Immunity for Certain Individuals Who Administer Naloxone – *Vote Required: Majority* (Recommended by the Executive Committee 4-0)
7. Res. No. 81-02/14 – Supporting Legislation Relating to Identification, Presentation and Monitoring for Certain Prescription Drugs – *Vote Required: Majority* (Recommended by the Executive Committee 4-0)
8. Res. No. 82-02/14 – Denying the Claim of John McDaniels – *Vote Required: Majority* (Recommended by the Executive Committee 4-0)
9. Res. No. 83-02/14 – Denying the Claim of Martin Stern – *Vote Required: Majority* (Recommended by the Executive Committee 4-0)
10. Res. No. 84-02/14 – Denying the Claim of Shahid Muqaddim – *Vote Required: Majority* (Recommended by the Executive Committee 4-0)

Supervisor Brandl offered a motion, seconded by Supervisor Weber, to approve Item 1, Ordinance No. 835-02/14. On motion by Vice-Chair Grant, seconded by Supervisor Weber, **Ordinance No. 835-02/14** was approved by unanimous consent.

On motion by Supervisor Brandl, seconded by Supervisor Weber, Item 2, **Resolution No. 76-02/14**, was approved by voice vote. Vice-Chair Grant abstained. Administrator Bretl stated there was a scrivener's error on the agenda as it should state 16 years of service. Chair Russell read the resolution honoring Vice-Chair Grant. Vice-Chair Grant thanked his wife for her support and the Board for the opportunity to serve.

On motion by Supervisor Weber, seconded by Vice-Chair Grant, Item 3, **Resolution No. 77-02/14**; Item 4, **Resolution No. 78-02/14**; Item 5, **Resolution No. 79-02/14**; Item 6, **Resolution No. 80-02/14**; Item 7, **Resolution No. 81-02/14**; Item 8, **Resolution No. 82-02/14**; Item 9, **Resolution No. 83-02/14**; and Item 10, **Resolution No. 84-02/14**; were approved by voice vote.

Finance Committee

1. Ord. No. 831-02/14 – 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)
2. Res. No. 70-02/14 – Authorizing the Transfer of Funds from the Road Construction Committed Fund Balance Account to the CTH H (CTH NN to Williams Street) Roadwork Project – *Vote Required: Majority* (Recommended by the Public Works Committee 5-0 and the Finance Committee 5-0)
3. Res. No. 71-02/14 – Authorizing the Closing of CTH O Roadwork Project and Transferring Remaining Funds to the Road Construction Committed Fund Balance Account – *Vote Required: Majority* (Recommended by the Public Works Committee 5-0 and the Finance Committee 5-0)
4. Res. No. 72-02/14 – Accepting the KARA Foundation Donation to Continue Technological Opportunities for Lakeland School Students and Staff – *Vote Required: Majority* (Recommended by the Children with Disabilities Education Board 4-0 and the Finance Committee 5-0)
5. Res. No. 73-02/14 – Authorizing the Transfer of Funds from the 2014 Contingency Fund to Complete Government Center Remodel for Human Resources and Administration and to Fund the Newly Created Risk/Benefits Manager Position – *Vote Required: Two-thirds* (Recommended by the Finance Committee 5-0)
6. Res. No. 74-02/14 – Resolution Authorizing the Redemption of General Obligation Promissory Notes, Dated August 1, 2007 – *Vote Required: Majority* (Recommended by the Finance Committee 5-0)

On motion by Supervisor Weber, seconded by Supervisor Stacey, Item 1, **Ordinance No. 831-02/14**; Item 2, **Resolution No. 70-02/14**; Item 3, **Resolution No. 71-02/14**; and Item 4, **Resolution No. 72-02/14**; were approved by voice vote.

Supervisor Brandl offered a motion, seconded by Vice-Chair Grant, to approve Item 5, Resolution No. 73-02/14. On motion by Vice-Chair Grant, seconded by Supervisor Brandl, **Resolution No. 73-02/14** was approved by unanimous consent.

Supervisor Schaefer offered a motion, seconded by Supervisor Stacey, to approve Item 6, Resolution No. 74-02/14. A roll call vote was taken. Total votes: 10. Ayes: 10 – Brandl, Brellenthin, Grant, Kilkenny, Monroe, Redenius, Schaefer, Stacey, Weber, and Russell; Noes: None; Absent: None. **Resolution No. 74-02/14** was approved by roll call vote.

Human Resources Committee

1. Ord. No. 832-02/14 – Amending Section 15-17 of the Walworth County Code of Ordinances Relating to a Reorganization of the Finance and Human Resources Departments – *Vote Required: Two-thirds* (Recommended by the Human Resources Committee 5-0)
2. Ord. No. 833-02/14 – Amending Section 15-17 of the Walworth County Code of Ordinances Relating to the Reclassification of a Machine Operator to a Patrolman in Public Works – *Vote Required: Majority* (Recommended by the Human Resources Committee 5-0)
3. Ord. No. 834-02/14 – Amending Section 15-333 of the Walworth County Code of Ordinances Relating to Pay Plan Administration – *Vote Required: Majority* (Recommended by the Human Resources Committee 5-0)

4. Res. No. 75-02/14 – Committing to Promote Certain Public Works Employees Upon Completion of Required Training and Proficiency Testing – *Vote Required: Majority* (Recommended by the Human Resources Committee 5-0)
5. Res. No. 85-02/14 – Authorizing the County Administrator to Execute an Employment Agreement By and Between Walworth County and Dale Wilson as Director of Human Resources – *Vote Required: Majority* (Recommended by the Human Resources Committee 5-0)
6. Res. No. 86-02/14 – Approving a Collective Bargaining Agreement By and Between Walworth County and the Deputy Sheriffs Association for the Period of January 1, 2014 to December 31, 2014 – *Vote Required: Majority* (Recommended by the Human Resources Committee 5-0)

Supervisor Weber offered a motion, seconded by Supervisor Brandl, to approve Item 1, Ordinance No. 832-02/14. On motion by Vice-Chair Grant, seconded by Supervisor Weber, **Ordinance No. 832-02/14** was approved by unanimous consent.

On motion by Supervisor Stacey, seconded by Supervisor Weber, Item 2, **Ordinance No. 833-02/14**, was approved by voice vote.

Supervisor Brandl offered a motion, seconded by Supervisor Stacey, to approve Item 3, Ordinance No. 834-02/14. Supervisor Brandl offered a motion, seconded by Supervisor Brellenthin, to amend Ordinance No. 834-02/14 as follows:

Line 20 on Page 1 shall be amended to read, “(3) *Different pay table: The step that provides the minimum increase in pay rate at least a 3% increase.*

Lines 2-3 on Page 3 shall be amended to read, “(3) *Different pay table and pay range: Step which provides the minimum increase in pay rate at least a 3% increase.*

The amendment to Ordinance No. 834-02/14 was approved by voice vote. **Ordinance No. 834-02/14** as amended was approved by voice vote.

On motion by Supervisor Stacey, seconded by Supervisor Brandl, Item 4, **Resolution No. 75-02/14**; Item 5, **Resolution No. 85-02/14**; and Item 6, **Resolution No. 86-02/14**; were approved by voice vote.

Report of Special Committees

There was none.

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

There was none.

Chairperson’s Report

Chair Russell read a Thank You card from the family of John Griebel.

Adjournment

On motion by Supervisor Stacey, seconded by Supervisor Weber, the meeting was adjourned at 6:40 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 February 11, 2014 meeting.