

JUNE 11, 2013
WALWORTH COUNTY BOARD OF SUPERVISORS
MEETING

The Walworth County Board of Supervisors meeting was called to order by Chair Russell at 6:00 p.m. in the County Board Room at the Walworth County Government Center, 100 W. Walworth Street, Elkhorn, Wisconsin.

Roll call was conducted and the following Supervisors were present: Richard Brandl, Tim Brellenthin, Vice-Chair Jerry A. Grant, Daniel G. Kilkenny, Kenneth H. Monroe, Carl Redenius, Joe Schaefer, Tim Schiefelbein, Rick Stacey, David A. Weber, and Chair Nancy Russell. A quorum was established.

Kimberly S. Bushey, Walworth County Clerk, delivered the invocation.

Amendments, Withdrawals, and Approval of Agenda

On motion by Vice-Chair Grant, seconded by Supervisor Weber, the agenda was approved by voice vote with the following amendments: 1) move Executive Committee Item #3 and Finance Committee Item #3 to immediately after Comment Period by Members of the Public Concerning Items on the Agenda; 2) move the Closed Session regarding “Establishing negotiating parameters for the potential acquisition or lease of on-site clinic building” to immediately after Park Committee; and 3) move Human Resources Committee Item #1 to immediately follow this Closed Session.

Approval of the Minutes

On motion by Vice-Chair Grant, seconded by Supervisor Brandl, the May 14, 2013 County Board meeting minutes were approved by voice vote.

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

Linda Eastburg, 5751 State Road 50, Lyons Township. Ms. Eastburg addressed the board regarding the Walworth County health insurance. She spoke in favor of the on-site clinic because employees will receive better care and the on-site clinic will save money for employees and taxpayers.

Bob Schiltz, 2142 Sheridan Springs Road, Lyons Township. He stated he represents the Deputy Sheriffs Association. He spoke in favor of the county continuing with its current partially self-funded plan. He also spoke in favor of the board aggressively looking into making the current health plan a Health Savings Account (HSA) type plan and the on-site clinic to help reduce the overall costs of that plan.

Executive Committee

3. Res. No. 30-06/13 – Recognizing Joshua P. Grube, Deputy District Attorney, on Receiving the 2013 Voices of Courage Award Conveyed by the Wisconsin Coalition Against Sexual Assault – *Vote Required: Majority* (Recommended by the Executive Committee 5-0)

On motion by Supervisor Weber, seconded by Supervisor Brandl, **Resolution No. 30-06/13** was approved by voice vote. Chair Russell asked Deputy District Attorney Joshua Grube and District Attorney Daniel Necci to come forward. Chair Russell read the resolution. District Attorney Necci addressed the board. Deputy District Attorney Grube thanked the board for the recognition.

Finance Committee

3. Res. No. 28-06/13 – Recognizing Trina Adams for Receiving the American Payroll Association’s Citation of Merit – *Vote Required: Majority* (Recommended by the Finance Committee 5-0)

On motion by Supervisor Schaefer, seconded by Supervisor Weber, **Resolution No. 28-06/13** was approved by voice vote. Chair Russell asked Trina Adams and Nicki Andersen, Deputy County Administrator – Finance to come forward. Chair Russell read the resolution. Andersen addressed the Board. Ms. Adams thanked the board for the recognition.

Appointments/Elections

1. Aging and Disability Resource Center Governing Board (ADRC)
 - Ryan Keller – Three-year term to begin upon confirmation and end on June 30, 2016 (Recommended by the Executive Committee 5-0)

On motion by Supervisor Schaefer, seconded by Supervisor Weber, the appointment of Ryan Keller to the ADRC was 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: None.
3. Outagamie County Resolution No. 14--2013-14 Opposing all legislative efforts to remove local control of the 911 system (To be referred to the Executive Committee)
4. Portage County Resolution No. 155-2012-2014 – Resolution In Support of Amending State Law to Permit a Multi-Vendor Student Information System for Wisconsin School Districts by 2013 Assembly Bill 60 and 2013 Senate Bill 54 (To be referred to the Executive Committee)
5. Manitowoc County Resolution No. 2013/2014-11 – Resolution Requesting State Funding of Lake Michigan Beach Testing Programs (To be referred to the Executive Committee)
6. Correspondence received from the State of Wisconsin Criminal Justice Coordinating Council in regard to creating or working to further advance the county’s Criminal Justice Coordinating Council (To be referred to the Executive Committee)
7. Correspondence received from Governor Scott Walker acknowledging receipt of Walworth County resolution (To be placed on file)
8. Correspondence received from Senator Tim Cullen acknowledging receipt of Walworth County resolutions (To be placed on file)
9. Report of the County Clerk Regarding Communications Received by the Board and Recommended to be Placed on File
 - Langlade County Resolution #34-2013 – Opposition to Increasing Acreage of Alien Ownership (was previously referred to the Executive Committee)
 - Manitowoc County Resolution No. 2013/2014-13 – Resolution Opposing AB 85 and SB 95 (was previously referred to the Executive Committee)
10. Report of the County Clerk Regarding Communications Received by the Board After the Agenda Mailing
 - Resolution No. 33-06/13 – Adopting the Pay Range for the Circuit Court Commissioner Position – Vote Required: Majority (Recommended by the Human Resources Committee 5-0)
 - Town of Richmond Ordinance No. 5/21/13-2 – An ordinance amending Chapter 10 of the Town Code of the Town of Richmond, relating to Buildings and Building Regulations – To be referred to the County Zoning Agency

- Town of Richmond Ordinance No. 5/21/13 – An ordinance amending and replacing Chapter 39 of the Town Code of the Town of Richmond, Wisconsin, to provide for the licensing of center pivot manure distribution systems in the Town of Richmond – To be referred to the County Zoning Agency
 - Correspondence received from Southeastern Wisconsin Regional Planning Commission (SEWRPC) in regard to the SEWRPC Planning Report No. 54, A Regional Housing Plan for Southeastern Wisconsin: 2035 – To be referred to the Executive Committee (The full report can be viewed in the County Clerk’s office)
 - Correspondence received from State Representative Andy Jorgensen acknowledging receipt of Walworth County resolutions – To be placed on file
 - Correspondence received via e-mail from State Representative David Craig acknowledging receipt of Walworth County resolutions – To be placed on file
 - Correspondence received from Secretary Mark Gottlieb, Wisconsin Department of Transportation, acknowledging receipt of Walworth County Resolution No. 20-05/13 – To be placed on file
 - *Walworth County Aging & Disability Resource Center News*, June 2013 – To be placed on file
11. Report of the County Clerk Regarding Zoning Petitions (To be referred to the County Zoning Agency)
- David A. Hernandez and Tereasa Surratt, Sugar Creek Township. Rezone approximately 3.12 acres of R-1 Single Family Residential District to P-1 Recreational Park District
 - Adam Friemoth and Donald Barker, Lafayette Township. Rezone approximately 5.28 acres of A-2 Agricultural District to A-1 Prime Agricultural District and rezone 5.28 acres of A-1 to A-2

Unfinished Business

1. Ord. No. 782-05/13 – Amending Section 2-45 of the Walworth County Code of Ordinances Relating to County Board Supervisor Compensation For Supervisors Elected in 2014 – *Vote Required: Two-thirds* (Recommended by the Executive Committee 5-0)

Vice-Chair Grant offered a motion, seconded by Supervisor Weber, to approve Ordinance No. 782-05/13. A Supervisor excused himself from the meeting temporarily. The Board moved on to the next item until the Supervisor returned. A roll call vote was taken. Total votes: 11. Ayes: 8 – Brandl, Grant, Kilkenny, Schaefer, Schiefelbein, Stacey, Weber, and Russell; Noes: 3 – Brellenthin, Monroe, and Redenius; Absent: 0. **Ordinance No. 782-05/13** was approved by roll call vote.

New Business

Reports of Standing Committees

County Zoning Agency Report of Proposed Zoning Amendments

1. S. Terry Woods, Ltd., Inc. (Terry Woods, Owner/Applicant), Section 31, Linn Township. Rezone approximately .85 acres of A-2 to A-4 – Approved: 4-0 (May 16, 2013 County Zoning Agency Public Hearing)

On motion by Vice-Chair Grant, seconded by Supervisor Stacey, Item 1 under Report of Proposed Zoning Amendments was approved as recommended by the County Zoning Agency.

Executive Committee

1. Ord. No. 783-06/13 – Amending Section 2-151 of the Walworth County Code of Ordinances Relating to Rules and Duties of Members – *Vote Required: Two-thirds* (Recommended by the Executive Committee 5-0)
2. Res. No. 29-06/13 – Opposing State Legislation Re-introducing the Use of Bail Bondsmen in Wisconsin – *Vote Required: Majority* (Recommended by the Executive Committee 5-0)

3. Res. No. 30-06/13 – Recognizing Joshua P. Grube, Deputy District Attorney, on Receiving the 2013 Voices of Courage Award Conveyed by the Wisconsin Coalition Against Sexual Assault – *Vote Required: Majority* (Recommended by the Executive Committee 5-0)
4. Res. No. 31-06/13 – Opposing State Legislation Setting Hours for Obtaining Absentee Ballots – *Vote Required: Majority* (Recommended by the Executive Committee 5-0)
5. Res. No. 32-06/13 – Denying the Claim of Thomas R. Austin – *Vote Required: Majority* (Recommended by the Executive Committee 5-0)

Vice-Chair Grant offered a motion, seconded by Supervisor Weber, to approve Item 1, Ordinance No. 783-06/13. On motion by Vice-Chair Grant, seconded by Supervisor Weber, **Ordinance No. 783-06/13** was approved by unanimous consent.

On motion by Supervisor Weber, seconded by Supervisor Brandl, Item 2, **Resolution No. 29-06/13**; Item 4, **Resolution No. 31-06/13**; and Item 5, **Resolution No. 32-06/13**, were approved by voice vote.

Item 3, Resolution No. 30-06/13, was acted upon earlier in the meeting.

Finance Committee

1. Discussion and possible action regarding the communication from Supervisor Rick Stacey regarding zoning fees
2. Res. No. 27-06/13 – Committing Children with Disabilities Education Board 2013 Fund Balances – *Vote Required: Two-thirds* (Recommended by the Children with Disabilities Education Board 3-0 and the Finance Committee 5-0)
3. Res. No. 28-06/13 – Recognizing Trina Adams for Receiving the American Payroll Association’s Citation of Merit – *Vote Required: Majority* (Recommended by the Finance Committee 5-0)

Chair Russell stated that Item #1, Discussion and possible action regarding the communication from Supervisor Stacey regarding zoning fees, was defeated at the Finance Committee meeting by a vote of 2-3. She stated it was recommended to review the fee structure. On motion by Supervisor Kilkenny, seconded by Vice-Chair Grant, Supervisor Stacey’s communication was placed on file.

Supervisor Weber offered a motion, seconded by Vice-Chair Grant, to approve Item 2, Resolution No. 27-06/13. On motion by Vice-Chair Grant, seconded by Supervisor Weber, **Resolution No. 27-06/13** was approved by unanimous consent.

Item 3, Resolution No. 28-06/13, was discussed earlier in the meeting.

Human Resources Committee

1. Discussion and possible action regarding the future of Walworth County’s health plan and on-site clinic
2. Ord. No. 784-06/13 – Amending Section 15-17 of the Walworth County Code of Ordinances Relating to the Creation of a Circuit Court Commissioner – *Vote Required: Two-thirds* (Recommended by the Human Resources Committee 5-0)
3. Ord. No. 785-06/13 – Amending Section 15-17 of the Walworth County Code of Ordinances Relating to the Creation of Six Project Economic Support Specialists and the Reclassification of an HS Worker II to an Economic Support Specialist – *Vote Required: Two-thirds* (Recommended by the Human Resources Committee 5-0)
4. Ord. No. 786-06/13 – Amending Section 15-359 of the Walworth County Code of Ordinances Relating to Special Pay Premiums for Health and Human Services Employees – *Vote Required: Majority* (Recommended by the Human Resources Committee 5-0)

5. Res. No. 33-06/13 – Adopting the Pay Range for the Circuit Court Commissioner Position – *Vote Required: Majority* (Recommended by the Human Resources Committee 5-0)

Item #1, Discussion and possible action regarding the future of Walworth County’s health plan and on-site clinic, was discussed later in the meeting.

Supervisor Monroe offered a motion, seconded by Supervisor Brandl, to approve Item 2, Ordinance No. 784-06/13. On motion by Vice-Chair Grant, seconded by Supervisor Weber, **Ordinance No. 784-06/13** was approved by unanimous consent.

Vice-Chair Grant offered a motion, seconded by Supervisor Brandl, to approve Item 3, Ordinance No. 785-06/13. On motion by Vice-Chair Grant, seconded by Supervisor Brandl, **Ordinance No. 785-06/13** was approved by unanimous consent.

On motion by Supervisor Weber, seconded by Supervisor Monroe, Item 4, **Ordinance No. 786-06/13**, and Item 5, **Resolution No. 33-06/13**, were approved by voice vote.

Park Committee

1. Res. No. 34-06/13 – Supporting a Land Acquisition in the Town of Troy by the Nature Conservancy for Conservation and Recreational Purposes – *Vote Required: Majority* (The Park Committee considered this item at a special meeting on June 10, 2013 and it was recommended 5-0)

On motion by Vice-Chair Grant, seconded by Supervisor Weber, **Resolution No. 34-06/13** was approved by voice vote.

Closed Session

The Board will convene 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 negotiating parameters for the potential acquisition or lease of on-site clinic building

On motion by Supervisor Brandl, seconded by Supervisor Weber, the board convened into closed session at 6:35 p.m. A roll call vote was taken. Total votes: 11. Ayes: 11 – Brandl, Brellenthin, Grant, Kilkenny, Monroe, Redenius, Schaefer, Schiefelbein, Stacey, Weber, and Russell; Noes: 0; Absent: 0.

The Board will reconvene in open session and may take action on the closed session item.

On motion by Supervisor Weber, seconded by Supervisor Schiefelbein, the board convened into open session at 6:55 p.m.

Human Resources Committee

1. Discussion and possible action regarding the future of Walworth County’s health plan and on-site clinic

Administrator Bretl stated there has been much discussion over the past several months regarding health insurance. He said the county’s Tier 1 health plan is a good plan with respect to employee choice; however, it is an expensive plan relative to our peers. He stated that of seven comparable counties, the

Tier 1 plan is one of the highest of surrounding counties. He said the Tier 2 plan was also higher than average but in the ballpark of what our peer counties were. He stated over the years the county has heard from its consultants that moving to an “off the shelf” health plan with a group of our size is not a good idea. He said that costs for an “off the shelf” health plan are the same but the county would be subject to any rate increases. He also said that an on-site clinic with a fitness facility was made part of the 2013 budget. He stated that based on feedback Supervisors had received from constituents, the fitness and new construction portions of this on-site clinic were removed.

Bretl stated the first option for Supervisors is that they can decide to continue with the county’s current health plan, Tier 1 and Tier 2, and they do not have to change anything. He said a second option is the possibility of moving to the State Health Plan, which is significantly cheaper than our current plan and is more cost effective from a taxpayer perspective. He stated the State Health Plan is more limiting in terms of employee choice. He said there are several options that are free under the State Health Plan but if you do not use those providers, it is more expensive from the employee’s perspective. He stated a third option is the on-site clinic, which would be coupled with the county’s partially self-funded health plan. He said the county would not need an on-site clinic if it is decided to move to the State Health Plan because they do not give credit for an on-site clinic. He stated that the Board had discussed in closed session the potential availability of a building. He said setting up the on-site clinic does not only include the purchase price but also the costs of equipping it and operating it. He also said that if the Board chooses this route, they would be looking at a minimum of a three-year commitment.

Supervisor Schiefelbein asked for clarification that with the State Health Plan, employees are tied to one health care system, which is Mercy. Vice-Chair Grant stated that is incorrect as Walworth County has eight different plans to choose from under the State Health Plan. He said that if an employee chooses MercyCare or Unity, the employee does not have to pay a premium contribution towards the plan as the entire contribution would be paid by the employer. He stated he has made arrangements with his contact at the State Health Plan to conduct a conference call with him during the Human Resources Committee meeting on Wednesday, June 19, 2013. Supervisor Schiefelbein asked if Aurora is available as a provider under the State Health Plan. Vice-Chair Grant stated that Aurora is not accepted by the State Health Plan as they refused to submit a quote to the State. He said that if an employee uses a clinic outside of Walworth County, the employee must pay the premiums that coincide with that county. Supervisor Schiefelbein asked what providers are available in Walworth County besides Mercy and Dean. Vice-Chair Grant stated there is a Dean Clinic in Whitewater and Mercy is available throughout the county with the exception of the eastern portion of the county. He said that Unity does not have a clinic in Walworth County, but they are contracted with Mercy. He also said that if an employee wants to use other providers, the State Health Plan has plans such as the Standard Plan, Anthem, and Humana; however, the rates and out-of-pocket expenses are higher. Supervisor Schiefelbein asked about the dental and vision components of the State Health Plan. Vice-Chair Grant stated that currently there is limited dental offered in the State Health Plan; however, it is anticipated that in 2014, dental plans will be available. He also stated he is not aware of any vision plans with the State Health Plan.

Supervisor Schaefer asked how many employees utilize Aurora. Nicki Andersen, Deputy County Administrator – Finance, stated that based on the total claims in 2012, 56% of those claims came from Aurora, which equated to 46% of total costs. Supervisor Schaefer stated that if the county moves to the State Health Plan, any employees that use Aurora doctors will have to switch providers. Vice-Chair Grant stated that if the county moved forward with the on-site clinic, there would be a switch of medical providers. Bretl stated the estimated savings they came up with was based on the incentive of utilizing the on-site clinic. Andersen stated the incentive was to waive copays and deductible if employees use the on-site clinic. She also said that the more people you have use the clinic, the more savings you will have. Vice-Chair Grant stated they have no guarantee as to how many employees will utilize the clinic.

Andersen stated they have not factored in any change in plan design other than adding the on-site clinic. She said that unless the Board decides otherwise, they do not expect an increase. Supervisor Brellenthin stated he cannot support changing to an insurance company that does not recognize Aurora as a provider. Chair Russell stated there are plans under the State Health Plan that accept Aurora; however, they are more expensive. Vice-Chair Grant stated that with the Standard Plan, an employee can use any medical provider; however, it carries a higher premium. He said the maximum the employer will contribute towards the premium is \$552.88 for a single plan. He also said that under the family plan of the Standard Plan, the employee would pay \$985.39 towards the premium. Bretl stated the employee's contribution for a family plan under the county's current Tier 1 plan is \$155 per month. He also stated that under the county's present plan, an employee can see a variety of providers. He said that if the county moves to the State Health Plan, it is cheaper for the county but it is more expensive for a more inclusive plan from the employee's perspective. He stated the Board does not need to make a decision tonight but they need direction from the Board.

Supervisor Kilkenny stated this is something that needs to be looked at if it is going to save money. He also stated he is concerned that if you are out-of-state or have an emergency, if you are allowed to see a different provider or if you would have to pay more money. Vice-Chair Grant stated if a doctor refers you to a specialist, part of the referral process is to get clearance from the insurance company to pay that bill for wherever you go. Supervisor Schiefelbein asked how the State Health Plan will affect retirees. He stated that it is important to know that Supervisors are not covered by the county health plan. Vice-Chair Grant stated that if retirees are eligible for the county health plan then they are eligible for the State Health Plan. He also stated that any employee that has not retired yet, they will be eligible for the State Health Plan when they do retire. Supervisor Kilkenny stated that he is covered under the county health plan and he pays the full premium. He said he would like to know the aggregate savings if the county moves to the State Health Plan. Andersen stated if the county moves to the State Health Plan and an employee chooses a plan that covers Aurora, it would require employees to pay \$500-\$1,000 per month for their plan. Supervisor Kilkenny stated the county contribution to the premium under the State Health Plan is stable. Vice-Chair Grant suggested distributing the information he has compiled on the State Health Plan to all employees. Supervisor Weber stated listening sessions would need to be conducted so that everyone is on the same page. He said he is concerned about taking Aurora out of the picture because of the network they represent which has degrees of expertise that are available to us and our employees. He stated he is not sure the competitors have the same level of expertise even with their dynamic growth. He said we need more comparable information. He also said that the savings rarely are there and if there are savings, they are momentarily.

Supervisor Brandl stated if the county moves to the State Health Plan, they will not see savings initially due to being subject to a surcharge the first year and possibly the second year. Vice-Chair Grant stated there may or may not be a surcharge. He said the process is that the county applies for the State Health Plan which includes submitting 24 months of medical payouts. He stated the State Health Plan reviews this information and determines if a surcharge would be assessed. He said the county would be notified if they will be assessed a surcharge and what the surcharge will be before the county would agree to be a part of the program. He also said that if we are assessed a surcharge, it is for the first year then the second year is half of the surcharge. He stated the surcharge is based on the number of employees and it would be the county's costs not the employees. Andersen asked if the surcharge is subject to the 88%, and Vice-Chair Grant indicated he could obtain this information. Supervisor Schaefer asked what surrounding counties are on the State Health Plan and what their surcharge was. Vice-Chair Grant stated that Jefferson and Dodge Counties are on the State Health Plan and he is unsure of their surcharge as they have been on the plan for quite some time. Chair Russell stated that one of the advantages of being on the State Health Plan is that you are a part of a bigger pool. Bretl asked if it is a priority to reduce the county's health insurance costs. Vice-Chair Grant stated that is a priority to reduce insurance costs and that is why he

supports the State Health Plan because it reduces the county's costs and it keeps employees' out-of-pocket expenses reasonable.

Supervisor Stacey offered a motion, seconded by Vice-Chair Grant, to eliminate the on-site clinic as an option. Supervisor Brellenthin stated it was a bad idea to eliminate the on-site clinic if we don't know what insurance we are going to have. Bretl stated the Board can refer this back to the Human Resources Committee and the motion to refer back to committee would take precedence over Supervisor Stacey's motion to eliminate the clinic. Supervisor Kilkenny offered a motion, seconded by Supervisor Brellenthin, to refer the issue of the clinic back to the Human Resources Committee as well as fully examine the State Health Plan in order to obtain the information requested. Motion carried. Chair Russell suggested that Supervisors be in attendance at the Human Resources Committee on June 19, 2013. Administrator Bretl directed the Clerk to place Supervisor Grant's correspondence regarding the State Health Plan information on the county's website.

Report of Special Committees

There was none.

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

There was none.

Supervisor Stacey was excused at 8:05 p.m.

Closed Session

The Board will convene 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 negotiations with LEA, HHS Professionals, and Deputy Sheriffs Association for successor agreements

On motion by Supervisor Brandl, seconded by Vice-Chair Grant, the board convened into closed session at 8:05 p.m. A roll call vote was taken. Total votes: 10. Ayes: 10 – Brandl, Brellenthin, Grant, Kilkenny, Monroe, Redenius, Schaefer, Schiefelbein, Weber, and Russell; Noes: 0; Absent: 1 – Stacey.

The Board will reconvene in open session and may take action on the closed session item.

On motion by Supervisor Kilkenny, seconded by Supervisor Brandl, the board convened into open session at 8:22 p.m.

On motion by Supervisor Weber, seconded by Supervisor Schaefer, to proceed as discussed in closed session. Motion carried.

Chairperson's Report

Chair Russell did not have anything to report.

Adjournment

On motion by Supervisor Weber, seconded by Supervisor Brandl, the meeting was adjourned at 8:25 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 June 11, 2013 meeting.