

MAY 14, 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: 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. Richard Brandl was absent. A quorum was established.

Jerry A. Grant, Walworth County Board Supervisor, District #4, 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 amendment of moving Executive Committee Item #10 to immediately after Comment Period by Members of the Public Concerning Items on the Agenda.

Approval of the Minutes

On motion by Supervisor Weber, seconded by Vice-Chair Grant, the April 16, 2013 County Board meeting minutes were approved by voice vote.

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

There was none.

Executive Committee

10. Res. No. 26-05/13 – Commending the Badger High School Culinary Team on their Championship at the 12th Annual National ProStart Invitational Management Competition – *Vote Required: Majority* (The Executive Committee will consider this item at a special meeting prior to the May 14, 2013 County Board meeting)

On motion by Vice-Chair Grant, seconded by Supervisor Weber, **Resolution No. 26-05/13** was approved by voice vote. Chair Russell invited those present from Badger High School to come forward to receive recognition. Chair Russell read the resolution. Russ Tronsen, Culinary Instructor, thanked the board for the recognition. Mason Fellmeth, Culinary Team Member, gave an overview of their idea for their project for the competition.

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) Claim of Thomas R. Austin; b) Claim of Ronald Oehm (To be referred to the Executive Committee)

3. Door County Resolution No. 2013-29 Supporting Efforts to Maintain the Tax-Exempt Status of Municipal Bonds (To be referred to the Executive Committee)
4. Milwaukee County Resolution Opposing State Assembly Bill 85 (AB 85) and Senate Bill 95 (SB 95) and Oconto County Resolution #35-13 Opposition to Assembly Bill 85 (To be referred to the Executive Committee)
5. Oconto Co. Resolution No. 31-2013 – Resolution to Support Modification of Recount Procedures to Allow Either Hand Count or the Use of Automated Tabulating Equipment (To be referred to the Executive Committee)
6. Oconto Co. Resolution No. 32-2013 – Resolution to Oppose Set Hours for Obtaining Absentee Ballots (To be referred to the Executive Committee)
7. Vernon Co. Resolution #13-2013 – Resolution in Opposition to Increasing Acreage of Alien Land Ownership (To be referred to the Executive Committee)
8. Correspondence received from Wisconsin Department of Children and Families regarding the audit report for year ending December 31, 2011 (To be referred to the Finance Committee and the Health and Human Services Board)
9. Correspondence from Wisconsin Historical Society in regard to the Darien Downtown Historic District being considered by the Wisconsin Historic Preservation Review Board for nomination to the Wisconsin State Register of Historic Places and National Register of Historic Places (To be placed on file)
10. Correspondence received from State Representative Andy Jorgensen acknowledging receipt of Walworth County resolutions (To be placed on file)
11. Report of the County Clerk Regarding Communications Received by the Board and Recommended to be Placed on File
 - Waushara County Resolution No. 16-04-13 – Resolution Opposing the Provisions of Assembly Bill 85 and Senate Bill 95 that Seek to Control the Percentage of Local Property Tax Dollars Allotted to Specific County Departments (This was previously referred to the Executive Committee)
12. Report of the County Clerk Regarding Communications Received by the Board After the Agenda Mailing
 - Ordinance No. 779-05/13 – Creating Division 7 of Article III of Chapter 2 of the Walworth County Code of Ordinances Relating to a Transportation Coordinating Committee – Vote Required: Two-thirds (Recommended by the Health and Human Services Board; The Executive Committee will consider this item at a special meeting prior to the May 14, 2013 County Board meeting)
 - Ordinance No. 780-05/13 – Creating Section 16-3 of the Walworth County Code of Ordinances Relating to the Public Works Department – Vote Required: Majority (Recommended by the Public Works Committee 5-0)
 - Ordinance No. 781-05/13 – Creating Section 46-5 of the Walworth County Code of Ordinances Relating to the County-Owned Range – Vote Required: Majority (Recommended by the Public Works Committee 5-0)
 - Resolution No. 23-05/13 – Urging the State Legislature to Re-Examine Section 968.255 of the Wisconsin Statutes Regarding Strip Searches and to Clarify the Language Therein in Consideration of the Recent United States Supreme Court Decision Pertaining to this Matter – Vote Required: Majority (Recommended by the Executive Committee 5-0)
 - Walworth County Aging & Disability Resource Center News, May 2013 – To be placed on file
13. Report of the County Clerk Regarding Zoning Petitions (To be referred to the County Zoning Agency)
 - S. Terry Woods, Ltd., Inc., Linn Township. Rezone approx. .97 acres of A-2 Agricultural District to A-4 Agricultural Related Manufacturing, Warehousing and Marketing District

Unfinished Business

New Business

Reports of Standing Committees

County Zoning Agency Report of Proposed Zoning Amendments

1. Ord. No. 778-05/13 – Amending Section 74-264 of the Walworth County Code of Ordinances Relating to the Floodplain Appendix – *Vote Required: Majority* (Recommended by the County Zoning Agency 7-0)
Amendment to Sec. 74-264 Floodplain Appendix of the Walworth County Code of Ordinances – Approved: 7-0 (April 18, 2013 County Zoning Agency Public Hearing)
2. WI DNR requested Walworth County remove a portion of a stream tributary to the White River from the navigable stream inventory. The water course is located in the NE ¼ of Section 14 of Lyons Township south of a point where the stream crosses under a driveway approximately 800 feet north of a manmade dam on Tax Parcel N LY1400002 – Approved: 7-0 (April 18, 2013 County Zoning Agency Public Hearing)

On motion by Supervisor Stacey, seconded by Supervisor Weber, Item 1, **Ordinance No. 778-05/13**, and Item 2 under Report of Proposed Zoning Amendments were approved as recommended by the County Zoning Agency.

Executive Committee

1. Ord. No. 779-05/13 – Creating Division 7 of Article III of Chapter 2 of the Walworth County Code of Ordinances Relating to a Transportation Coordinating Committee – *Vote Required: Two-thirds* (Recommended by the Health and Human Services Board 7-0; The Executive Committee will consider this item at a special meeting prior to the May 14, 2013 County Board meeting)
2. 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)
3. ~~Res. No. 13-05/13 – Setting the Annual Salary for the County Board Elected in 2014 – *Vote Required: Two-thirds* (Recommended by the Executive Committee 5-0)~~ (Removed from the agenda prior to the May 14, 2013 County Board meeting)
4. Res. No. 18-05/13 – Supporting an Equitable Sharing of Costs to Support the SHARE Automated Library Services System – *Vote Required: Majority* (Recommended by the Executive Committee 5-0)
5. Res. No. 21-05/13 – Supporting 2013 Senate Bill 45 to Indicate Veteran Status on an Operator's License or Identification Card – *Vote Required: Majority* (Recommended by the Executive Committee 5-0)
6. Res. No. 22-05/13 – Supporting 2013 Assembly 33 Extending the Time Period Counties May Seek Reimbursement by Civil Action for Certain Expenses Incurred in Relation to Crimes for Which a Person Was Sentenced or Confined in Jail – *Vote Required: Majority* (Recommended by the Executive Committee 5-0)
7. Res. No. 23-05/13 – Urging the State Legislature to Re-Examine Section 968.255 of the Wisconsin Statutes Regarding Strip Searches and to Clarify the Language Therein in Consideration of the Recent United States Supreme Court Decision Pertaining to this Matter – *Vote Required: Majority* (Recommended by the Executive Committee 5-0)
8. Res. No. 24-05/13 – Urging the State Legislature to Adopt 2013 Assembly Bill 9 to Permit Law Enforcement Officials and Qualified Former Officers to Carry a Firearm on School Grounds and on Certain Posted Private Properties – *Vote Required: Majority* (Recommended by the Executive Committee 5-0)

9. Res. No. 25-05/13 – Urging the State Legislature to Enact Legislation that Prohibits an Entity from Foreclosing on Property Unless that Entity, Itself, Has a Recorded Interest in the Property – *Vote Required: Majority* (Recommended by the Executive Committee 5-0)
10. Res. No. 26-05/13 – Commending the Badger High School Culinary Team on their Championship at the 12th Annual National ProStart Invitational Management Competition – *Vote Required: Majority* (The Executive Committee will consider this item at a special meeting prior to the May 14, 2013 County Board meeting)

Vice-Chair Grant offered a motion, seconded by Supervisor Weber, to approve Item 1, Ordinance No. 779-05/13, with an amendment to add the following language to begin on Line 13 of Page 2: “d) References to all state and federal laws cited herein shall include all amendments made thereto.” On motion by Supervisor Stacey, seconded by Supervisor Weber, **Ordinance No. 779-05/13** was approved as amended by unanimous consent.

Supervisor Grant offered a motion, seconded by Supervisor Weber, to approve Item 2, Ordinance No. 782-05/13. This ordinance replaces Resolution No. 13-05/13, which was listed on the first agenda mailing. Chair Russell stated there was a recommendation for increasing the compensation for the County Board Chair but not for Supervisors. Vice-Chair Grant offered a motion, seconded by Supervisor Schaefer, to increase Supervisors’ compensation by \$100 per month. Supervisor Brellenthin stated he agrees with increasing the compensation for the County Board Chair; however, he would be opposed to increasing compensation for Supervisors. Vice-Chair Grant stated that the Board has not had an increase in at least 10 years. He also stated the work load has increased for Supervisors since the downsizing of the County Board from 25 to 11 Supervisors. Supervisor Schaefer stated he first came on the County Board in 1974 and to his recollection Supervisors were compensated \$75 per month for County Board meetings and \$50 per committee meeting. He said he was making more money as a Supervisor in the 1970s and 1980s than he is in present time. Administrator Bretl stated that an amount needs to be inserted into the ordinance. Supervisor Kilkenny clarified that they would be inserting the amount of \$600.00 per month into the ordinance as compensation for Supervisors. Vice-Chair Grant stated that many constituents believe that Supervisors receive paid health insurance, but Supervisors have no benefits. Bretl stated that the County Board has come in under budget and there are typically extra funds from travel and training. Jessica Lanser, Comptroller, stated the total department budget for the County Board is approximately \$199,000, which includes wages and benefits for employees. Lanser stated in 2012, the County Board returned \$10,600 in wages, benefits, and mileage and \$4500 in supplies and postage. Supervisor Kilkenny stated that the Board is down 14 members since the downsizing, which has saved taxpayers over \$250,000. He said he feels that an increase of \$100 per month is reasonable. Supervisor Schiefelbein stated although he declines to be paid for his service as a Supervisor, but agrees with the \$100 per month increase for his fellow Supervisors.

A roll call vote was taken on the amendment of increasing Supervisors’, except the Chair, compensation to \$600 per month. Total votes: 10. Ayes: 7 – Grant, Kilkenny, Schaefer, Schiefelbein, Stacey, Weber, and Russell; No: 3 – Brellenthin, Monroe, and Redenius; Absent: 1 – Brandl. Amendment passed. Bretl stated that Supervisor Brandl’s vote by default is “No” due to his absence. Supervisor Kilkenny offered a motion, seconded by Supervisor Schaefer, to table Ordinance No. 782-05/13 as amended until the June 11, 2013 County Board meeting. Motion carried.

On motion by Supervisor Weber, seconded by Vice-Chair Grant, Item 4, **Resolution No. 18-05/13**; Item 5, **Resolution No. 21-05/13**; Item 6, **Resolution No. 22-05/13**; Item 7, **Resolution No. 23-05/1**., Item 8, **Resolution No. 24-05/13**; and Item 9, **Resolution No. 25-05/13**; were approved by voice vote.

Item 10, Resolution No. 26-05/13, was discussed earlier in the meeting.

Finance Committee

1. Res. No. 14-05/13 – Authorizing the Transfer of Funds from the Road Construction Committed Fund Balance Account to the CTH O Roadwork Project – *Vote Required: Majority* (Recommended by the Public Works Committee 5-0 and the Finance Committee 3-0)
2. Res. No. 15-05/13 – Authorizing Write Off of 2010 Personal Property Taxes Uncollectible in 2011 – *Vote Required: Two-thirds* (Recommended by the Finance Committee 3-0)
3. Res. No. 16-05/13 – Closing Fiscal Year 2012 – *Vote Required: Two-thirds* (Recommended by the Finance Committee 3-0)
4. Res. No. 17-05/13 – Committing Fund Balances as of December 31, 2012 – *Vote Required: Two-thirds* (Recommended by the Finance Committee 3-0)

On motion by Supervisor Weber, seconded by Supervisor Monroe, Item 1, **Resolution No. 14-05/13** was approved by voice vote.

Vice-Chair Grant offered a motion, seconded by Supervisor Weber, to approve Item 2, Resolution No. 15-05/13. On motion by Supervisor Stacey, seconded by Supervisor Weber, **Resolution No. 15-05/13** was approved by unanimous consent.

Vice-Chair Grant offered a motion, seconded by Supervisor Weber, to approve Item 3, Resolution No. 16-05/13. On motion by Supervisor Stacey, seconded by Supervisor Redenius, **Resolution No. 16-05/13** was approved by unanimous consent.

Supervisor Weber offered a motion, seconded by Supervisor Monroe, to approve Item 4, Resolution No. 17-05/13. On motion by Vice-Chair Grant, seconded by Supervisor Weber, **Resolution No. 17-05/13** was approved by unanimous consent.

Health and Human Services Board

1. Res. No. 19-05/13 – Opposing the Proposed Modification to the Medical Assistance Purchase Plan (MAPP) – *Vote Required: Majority* (Recommended by the Health and Human Services Board 7-0)

On motion by Vice-Chair Grant, seconded by Supervisor Monroe, **Resolution No. 19-05/13** was approved by voice vote.

Human Resources Committee

1. Ord. No. 775-05/13 – Amending Section 15-17 of the Walworth County Code of Ordinances Relating to a Reorganization in Information Technology – *Vote Required: Majority* (Recommended by the Human Resources Committee 4-0)
2. Ord. No. 776-05/13 – Amending Section 15-727 of the Walworth County Code of Ordinances Relating to Critical Incident Leave – *Vote Required: Majority* (Recommended by the Human Resources Committee 4-0)
3. Ord. No. 777-05/13 – Amending Section 15-339 of the Walworth County Code of Ordinances Relating to Conversion of Sick Leave to Health Insurance Credits – *Vote Required: Majority* (Recommended by the Human Resources Committee 4-0)

On motion by Supervisor Weber, seconded by Supervisor Redenius, Item 1, **Ordinance No. 775-05/13**; Item 2, **Ordinance No. 776-05/13**; and Item 3, **Ordinance No. 777-05/13**; were approved by voice vote.

