

**SEPTEMBER 4, 2014
WALWORTH COUNTY BOARD OF SUPERVISORS
MEETING**

The Walworth County Board of Supervisors meeting was called to order by Chair Russell at 6:05 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, Kathy Ingersoll, Daniel G. Kilkenny, Kenneth H. Monroe, Joe Schaefer, Charlene Staples, David A. Weber, Paul Yvarra, and Chair Nancy Russell. Rick Stacey was absent. A quorum was established.

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

Amendments, Withdrawals, and Approval of Agenda

Supervisor Kilkenny offered a motion, seconded by Supervisor Schaefer, to move Item #1 under Land Conservation Committee to immediately before Comment Period by Members of the Public Concerning Items on the Agenda. On motion by Supervisor Weber, seconded by Supervisor Schaefer, the agenda as amended was approved by voice vote with no withdrawals.

Approval of the Minutes

On motion by Supervisor Brandl, seconded by Supervisor Weber, the July 8, 2014 County Board Meeting minutes were approved by voice vote.

On motion by Supervisor Schaefer, seconded by Supervisor Ingersoll, the July 28, 2014 Special County Board minutes were approved by voice vote.

Land Conservation Committee

1. Res. No. 26-09/14 – Supporting a Full Environmental Assessment of Enbridge Line 61 Expansion and Needed Public Input – *Vote Required: Majority* (Recommended by the Land Conservation Committee 5-0)

Supervisor Kilkenny offered a motion, seconded by Supervisor Staples, to refer Resolution No. 26-09/14 back to the Land Conservation Committee for the Monday, September 15, 2014 meeting. Supervisor Kilkenny stated they have received further information from Enbridge and the committee meeting would allow more public participation. Motion carried.

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

Ellen M. Holly, W5108 Wandawega Drive, Elkhorn, addressed the board requesting full environmental impact statements for all Enbridge expansion projects in Walworth County. She said there a number of concerns regarding the impact on the environment, water table, agriculture, and tourism as well as concern for first responders and the liability to the county.

Beth Rendall submitted a comment card regarding Enbridge pipeline opposition. Ms. Rendall wished to withhold her comments until another time.

Patricia Ross submitted a comment card regarding the need for full assessment of environmental impact of oil transport thru Walworth County. Ms. Ross wished to withhold her comments.

Lynn Shoemaker, 172 N. Esterly Avenue, Whitewater, addressed the board regarding the pipeline resolution. He stated this is a matter of safety and health.

Joe Mangelsdorf, 548 Park Avenue, Burlington, addressed the board regarding Enbridge Line 61 expansion. He stated he is with Plumbers and Steamfitters Local 118 and they represent Racine, Kenosha, and Walworth Counties. He said they want this work to come to the area. He stated the men and women working on these job sites are drug-tested and well-trained. He said they are also concerned about the environment.

Jane Roberts, N6893 Hunters Ridge Road, Delavan, submitted a comment card regarding her opposition to oil transport across Wisconsin. Ms. Roberts declined to address the board as others have already addressed her concerns.

Linda Loomer, 726 E. Cravath, Whitewater, addressed the board regarding tar sands pipeline. She expressed concern over the environmental impact on families and their homes.

Erik Stottrup, 302 Amber Drive, Whitewater, addressed the board regarding the pipeline. He expressed his concern over the necessity of the pipeline as he read there is a surplus of crude oil available to our industry.

Karen Coburn, 1 Coburn Lane, Whitewater, addressed the board regarding the pipeline resolution. She said the public has not had an opportunity to weigh in regarding this, and she expressed concern over the company's record with preventative measures and cleanup.

Becky Haase, 1408 Hammond Avenue, Superior. Ms. Haase stated she was present on behalf of Enbridge. She thanked the board for tabling the issue to obtain more information from Enbridge and the public. She invited the board to follow up with her as she would like to give a formal presentation. She gave an overview of Enbridge operations. She stated Enbridge's number one goal is safety.

Fesenmaier, 955 George Street, Lake Geneva, submitted a comment card regarding the pipeline 61 resolution. This individual was no longer present when called for public comment.

Dennis Count, Local 118, submitted a comment card. Mr. Count was no longer present when called for public comment.

James Hartwick, 178 N. Franklin St, Whitewater, addressed the board regarding the proposed expansion of pipeline 61. He expressed his concerns and the need for a full environmental impact study.

Appointments/Elections

1. Delavan Aram Public Library Board
 - Nancy Sanders – Three-year term to begin upon confirmation and end on June 30, 2017
(Recommended by the Executive Committee 5-0)

On motion by Supervisor Brandl, seconded by Supervisor Weber, the appointment of Nancy Sanders to the Delavan Aram Public Library Board 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: a) Notice of Receiver's Motion, Order, and Final Order – B.R. Amon & Sons, Inc., Amon & Sons, Inc., Amon Land Company, LLC, Lake Mills Blacktop, Inc.; b) Summons and Complaint – Frank and Patricia Eames, Co-Trustees under the Frank or Patricia Eames Revocable Trust, William and Lorraine Norem, Polo Park, LLC, Glenn and Lisa Terry, Plaintiffs, vs. Ronald M. Carlson, Esq. Court Appointed Receiver of B.R. Amon & Sons, Inc., Amon & Sons, Inc., Amon Land Company, LLC, and Lake Mills Blacktop, Inc., Forseti Consulting, LLC, Southwind RAS, LLC, County of Walworth, and Walworth County Zoning Agency, Defendants; c) Claim for Vehicle Damage – Patti Fladten; d) Claim for Vehicle Damage – Randy Lathrop; e) Notice of Receiver's Motions to Approve the Sale of Certain Assets to Sugar Creek Sanctuary, LLC – B.R. Amon & Sons, Inc., et al. (To be referred to the Executive Committee)
3. Correspondence from Peg Reedy, Executive Secretary – Walworth County Farm Technology Days, regarding a possible special zoning district for temporary use for the 2016 Farm Technology Days (To be referred to the County Zoning Agency)
4. Formal complaint and request to review the conditional use permit for the wind turbine in use at Green Leaf located at 5072 Hwy 50, Delavan (To be referred to the County Zoning Agency)
5. Outagamie County Resolution No. 9-2014-15 regarding the State Legislature accepting federal funds for Badger Care (To be referred to the Executive Committee)
6. Wisconsin Department of Administration Preliminary Estimate of January 1, 2014 Population for Walworth County (To be referred to the Executive Committee)
7. Correspondence from SEWRPC regarding their Calendar Year 2015 Budget (To be referred to the Finance Committee)
8. Correspondence from Ed Yaeger expressing concern over the proposed parking structure in the City of Lake Geneva and requesting closure of TIF District #4 (To be referred to the Finance Committee)
9. Correspondence from SEWRPC regarding the Park and Open Space Plan for Walworth County (To be placed on file)
10. Correspondence from State of Wisconsin Division of Emergency Management regarding FFY 2013 Southeast Region 2013 First-Half County Plan of Work Reports (To be placed on file)
11. Correspondence from the Wisconsin Historical Society in regard to Wandawega Inn, N5453 Lake View Drive, Sugar Creek Township, being considered for nomination to the National Register of Historic Places and the Wisconsin State Register of Historic Places (To be placed on file)
12. Correspondence from Enbridge regarding pipelines in Walworth County (To be placed on file)
13. Correspondence from Enbridge Energy regarding the Line 61 Pipeline Upgrade Project (To be placed on file)
14. Correspondence from Wisconsin State Building Trades Crafts regarding pipeline safety (To be placed on file)
15. Correspondence from Local 118 Plumbers and Steamfitters in support of the Enbridge Energy Line 61 Pipeline Upgrade (To be placed on file)
16. Correspondence from Jane Myers regarding the upcoming circus being held at the Walworth County Fairgrounds and the mistreatment of animals (To be placed on file)
17. Report of the County Clerk Regarding Communications Received by the Board and Recommended to be Placed on File
 - Juneau Co. Resolution No. 14-55 – Endorsement of Legislative Action Regarding Funding of 911 Services (was previously referred to the Executive Committee)

- Dodge Co. Resolution No. 14-25 – Supporting State Funding for County 911 Services/One Designated Public Service Answering Point Per County (was previously referred to the Executive Committee)
 - Oconto Co. Resolution No. 45-14 – In Support of State Funding for County Emergency Dispatch (“911”) Services/One Designated Public Safety Answering Point Per County (was previously referred to the Executive Committee)
 - Jackson Co. Resolution No. 47-8-2014 – Endorsement of Legislative Action Regarding Funding of 911 Services (was previously referred to the Executive Committee)
 - Waushara Co. Resolution No. 24-08-14 – Supporting State Funding for County 911 Services/One Designated Public Service Answering Point Per County (was previously referred to the Executive Committee)
 - Trempealeau Co. Resolution – Opposition to Proposed Lapse in State Funding to Circuit Court System (was previously referred to the Executive Committee)
 - Shawano Co. Resolution No. 41-14 – Opposition to Proposed Lapse in State Funding to Circuit Court System (was previously referred to the Executive Committee)
 - Milwaukee Co. Resolution No. 14-458 – Opposition to the proposed \$11.8 million budget reduction in funding to the Wisconsin Circuit Court System over the next two-year period (was previously referred to the Executive Committee)
 - Door Co. Resolution No. 2014-63 – Opposition to Proposed Lapse in State Funding to Circuit Court System (was previously referred to the Executive Committee)
 - Jackson Co. Resolution No. 48-8-2014 – Opposition to Proposed Lapse in State Funding to Circuit Court System (was previously referred to the Executive Committee)
18. Report of the County Clerk Regarding Communications Received by the Board After the Agenda Mailing
- Resolution No. 27-09/14 – Accepting the Kikkoman Corporation Donation of an 11,000 Gallon Storage Tank for Public Works Operations – *Vote Required: Majority* (The Public Works and Finance Committees will consider this resolution and make a recommendation at a joint meeting to be held immediately preceding the September 4, 2014 County Board meeting.)
 - Correspondence from Governor Scott Walker acknowledging receipt of Walworth County resolution – To be placed on file
 - *Walworth County Aging & Disability Resource Center News*, September 2014 – To be placed on file
19. Report of the County Clerk Regarding Zoning Petitions (To be referred to the County Zoning Agency)
- Joanne Beck and Mark Anders, East Troy Township, Rezone approx. .12 acres of C-4 Lowland Resource Conservation District (shoreland wetland) to R-1 Single Family Residential District (unsewered)
 - Christian League for the Handicapped, Inspiration Ministries c/o Richard Hall, Walworth Township, Rezone approx. 7.49 acres of A-1 Prime Agricultural and P-2 Institutional Park Districts to A-1, P-2 and C-2 Upland Resource Conservation Districts
 - Fort Community Credit Union c/o Jim Simdon (President), LaGrange Township, Rezone approx. 1.5 acres of C-2 Upland Resource Conservation District to A-5 Agricultural Rural Residential District

Unfinished Business

New Business

Reports of Standing Committees

County Zoning Agency Report of Proposed Zoning Amendments

1. Ord. No. 879-09/14 – Amending Sections 74-26, 74-28, 74-44, 74-51, 74-56, 74-58, 74-59, 74-60, 74-61, 74-63, 74-66, 74-67, 74-129, 74-131, 74-151, 74-153, 74-171, 74-178, 74-183, 74-185, 74-186, 74-186.1, 74-188, 74-190, 74-193, 74-194, 74-261 and 74-263 of the Walworth County Code of Ordinances Relating Farmland Preservation – *Vote Required: Majority* (Recommended by the County Zoning Agency 5-0)
Amendment to Section(s) 74-26, 74-28, 74-44, 74-51, 74-56, 74-58, 74-59, 74-60, 74-61, 74-63, 74-66, 74-67, 74-129 and 74-131 of the Zoning Ordinance and Section(s) 74-151, 74-153, 74-171, 74-178, 74-183, 74-185, 74-186, 74-186.1, 74-188, 74-190, 74-193, 74-194, 74-261 and 74-263 of the Shoreland Zoning Ordinance needed to obtain State of Wisconsin Department of Agriculture, Trade and Consumer Protection Certification for County farmers to be eligible for Farmland Preservation Program state income tax credits – Approved: 5-0 (August 21, 2014 County Zoning Agency Public Hearing)
2. Mark & Karen Korf, Section 11, Richmond Township. Rezone 10.57 acres of C-3 to C-2 – Approved: 5-0 (August 21, 2014 County Zoning Agency Public Hearing)

On motion by Supervisor Brandl, seconded by Supervisor Brellenthin, the County Zoning Agency Report of Proposed Zoning Amendments, Items 1 and 2, was approved as recommended by the County Zoning Agency.

Executive Committee

1. Res. No. 23-09/14 – Opposing the Proposed Lapse in State Funding to the Circuit Court System – *Vote Required: Majority* (Recommended by the Executive Committee 5-0)
2. Res. No. 24-09/14 – Supporting State Funding for County 911 Services and One Designated Public Safety Answering Point Per County – *Vote Required: Majority* (Recommended by the Executive Committee 5-0)

On motion by Supervisor Weber, seconded by Supervisor Brandl, Item 1, **Resolution No. 23-09/14**; and Item 2, **Resolution No. 24-09/14**; were approved by voice vote.

Human Resources Committee

1. Ord. No. 877-09/14 – Amending Section 15-802 of the Walworth County Code of Ordinances Relating to Ethical Standards for Employees – *Vote Required: Majority* (Recommended by the Human Resources Committee 5-0)
2. Ord. No. 878-09/14 – Amending Sections 15-533 and 15-536 of the Walworth County Code of Ordinances Relating to Premium Contributions and Changes in Employment Status – *Vote Required: Majority* (Recommended by the Human Resources Committee 5-0)

Supervisor Kilkenny offered a motion, seconded by Supervisor Monroe, to approve Item 1, Ordinance No. 877-09/14. Supervisor Kilkenny referred to Item E on Page 1 of the ordinance and asked if “employees” includes Supervisors. Bretl stated it does not apply to elected officials who are covered by statutory provisions. He said this ordinance is a work in progress and they need to develop administrative procedures. Supervisor Ingersoll was excused at 6:47 p.m. Supervisor Staples offered a motion to refer Ordinance No. 877-09/14 back to the Human Resources Committee. This motion was seconded by Supervisor Kilkenny. Supervisor Kilkenny withdrew his second. The motion failed due to a lack of a second. **Ordinance No. 877-09/14** was approved by voice vote.

On motion by Supervisor Monroe, seconded by Supervisor Brandl, Item 2, **Ordinance No. 878-09/14** was approved by voice vote.

Supervisor Kilkenny was excused at 6:50 p.m.

