

**January 12, 2016**  
**WALWORTH COUNTY BOARD OF SUPERVISORS**  
**MEETING**

The Walworth County Board of Supervisors meeting was called to order by Chair Russell at 2:00 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, Daniel G. Kilkenny, Kenneth H. Monroe, Joe Schaefer, Charlene Staples, David A. Weber, Paul Yvarra, and Chair Nancy Russell. Kathy Ingersoll was excused. District #1-Vacant. A quorum was established.

Paul Yvarra, Walworth County Board Supervisor, District #4, delivered the invocation.

**Amendments, Withdrawals, and Approval of Agenda**

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

**Approval of the Minutes**

On motion by Supervisor Weber, second by Supervisor Brandl, the December 8, 2015 Committee of the Whole minutes and December 8, 2015 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. Election of County Board Vice-Chairperson
2. Health and Human Services Board
  - William Wucherer – Three-year term to begin upon confirmation and end on November 13, 2018 (Recommended by the Executive Committee 5-0)
3. Lake Geneva Public Library Board
  - Larry Kundert – Three-year term to begin upon confirmation and end on January 8, 2019 (Recommended by the Executive Committee 5-0)
4. Wisconsin River Rail Transit Commission (WRRTC)
  - Eric Nitschke – Term to begin upon confirmation and end on April 30, 2016 (Recommended by the Executive Committee 5-0)
5. CDBG Southern Housing Consortium Board
  - David Betl (Recommended by the Executive Committee 5-0)

Chair Russell turned the election process over to Clerk Bushey.

Clerk Bushey outlined the process of elections as they have been conducted in the past.

There were no changes to the procedure. Clerk Bushey announced that nominations for County Board Vice-Chairperson were open.

On motion by Supervisor Kilkenny, second by Supervisor Monroe, Supervisor Brandl was nominated for County Board Vice-Chairperson. On motion by Supervisor Staples, second by Supervisor Schaefer, Supervisor Weber was nominated for County Board Vice-Chairperson. The Clerk asked if there were any other

nominations three times. On motion by Supervisor Weber, second by Supervisor Yvarra, nominations were closed. Bretl noted that if Supervisor Weber were to be elected as County Board Vice-Chairperson, he would have to immediately vacate the Executive Committee Chair position and it would have to be put on the next County Board of Supervisors meeting in February for a vote. Supervisor Brandl did not wish to address the Board. Supervisor Weber addressed the Board and stated, as the Executive Committee Chair, he did not wish to take the position of County Board Vice-Chairperson due to the chain of events that would be created by that process. There were no other comments to the Board. Supervisor Brandl was unanimously elected as County Board Vice-Chairperson by ballot vote.

Chair Russell announced Supervisor Brandl as the new County Board Vice-Chairperson. Brandl accepted the position.

On motion by Supervisor Brandl, second by Supervisor Brellenthin, the appointments to the Health and Human Services Board, Lake Geneva Public Library Board, Wisconsin River Rail Transit Commission, and CDBG Southern Housing Consortium Board 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) Amended Claim for Surplus – LSCG Fund 17, LLC vs Mann Bros, Inc, et al; b) Notice of Hearing – Michael P. Scholl & Christine L. Scholl vs Walworth County (To be referred to the Executive Committee)
3. Iron County Resolution No. 2888 – Resolution to repeal the requirements of Act 55 related to Shoreland Zoning (To be referred to the County Zoning Agency)
4. Correspondence from Nancy Russell regarding resignation as Chair of Land Conservation Committee (To be referred to the Land Conservation Committee)
5. Report of the County Clerk Regarding Communications Received by the Board and Recommended to be Placed on File
  - Shawano County Resolution No. 67-15 – To urge amending the law concerning county payment for library services (To be placed on file)
  - Kewaunee County Resolution No. 22-12-15 – Resolution in support of a national marine sanctuary in Wisconsin’s mid-lake region and inclusion of Kewaunee County’s coastal areas (To be placed on file)
6. Report of the County Clerk Regarding Communications Received by the Board After the Agenda Mailing
  - Answer to First Amended Complaint – LSCG Fund 17, LLC vs Central States, Southeast and Southwest Areas Pension Fund, Central States, Southeast and Southwest Areas Health and Welfare Fund, et al (To be referred to the Executive Committee)
  - Answer of Defendant, City of Elkhorn, to Plaintiff’s Second Amended Complaint and Counterclaim for Surplus – LSCG Fund 17, LLC vs Mann Bros, Inc., et al (To be referred to the Executive Committee)
  - Claim for Damaged Property received from Chuck Nass (To be referred to the Executive Committee)
  - Correspondence from State Representative David Craig acknowledging receipt of Walworth County Resolution No. 58-12/15 – Urging the State Legislature to Pass Legislation to Transfer Jurisdiction of 17-Year-Old Delinquent Offenders Back into the Juvenile Justice System from the Adult Corrections System (To be placed on file)
  - Correspondence from Supervisor David A. Weber, District 7, requesting an amendment to the Walworth County Zoning Ordinances relative to Special Event Campgrounds (To be referred to the County Zoning Agency)
  - *Walworth County Aging & Disability Resource Center News*, January 2016 (To be placed on file)

7. Report of the County Clerk Regarding Zoning Petitions (To be referred to the County Zoning Agency)
  - Robert C. and Gail A. Hansen Trust, Owners, Robert C. Hansen, Applicant, Town of Darien. Rezone 5.39 acres of A-1 Prime Agricultural to B-2 General Business District and a small portion of M-1 Industrial District
  - Walworth County Zoning Agency (CZA), All Townships. Amendment to Section(s) 74-62(7) of the Zoning Ordinance and Section(s) 74-189(7) of the Shoreland Zoning Ordinance regarding Planned Campground Developments and tent gazebos, storage sheds, structures and fencing

## **Unfinished Business**

## **New Business**

## **Reports of Standing Committees**

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

1. Ord. No. 964-01/16 – Amending Chapter 58 of the Walworth County Code of Ordinances Relating to Subdivisions – *Vote Required: Majority* (Recommended by the County Zoning Agency 5-0)  
Amendment to Chapter 58 – Subdivisions, Section 58-11.6. - Lots (4); of the Walworth County Code of Ordinances – Approved 5-0 (December 17, 2015 Zoning Agency hearing)
2. Zoning Ordinance for Town of Bloomfield. Town of Bloomfield Ordinance 2015-O-1114 and Resolution 2015-R-12 for a rezone from A-2 to B-2, tax parcel MB 3600009 – Approved 5-0 (December 17, 2015 Zoning Agency hearing)
3. Jeffrey and Margaret Keller – Owners, Section 26, Spring Prairie Township. Rezone approximately .21 acres of C-4 and C-2 to C-4 and C-2 – Approved 5-0 (December 17, 2015 Zoning Agency hearing)
4. Stonebeigh Real Estate, LLC – Owner, Donald S. Huml – Applicant, Section 23, Lyons Township. Rezone approximately 3.43 acres of A-2 to C-2 – Approved 5-0 (December 17, 2015 Zoning Agency hearing)

On motion by Supervisor Schaefer, second by Supervisor Brandl, Items #1 thru #4 of the County Zoning Agency Report of Proposed Zoning Amendments were approved as recommended by the County Zoning Agency by voice vote.

### **Executive Committee**

1. Res. No. 63-01/16 – Opposing Expansion to the Subpoena Process as Proposed in Wisconsin Assembly Bill 90 – *Vote Required: Majority* (Recommended by the Executive Committee 5-0)
2. Res. No. 64-01/16 – Establishing a Committee of the Whole Meeting Date for a Report on the County's Treatment Courts – *Vote Required: Majority* (Recommended by the Executive Committee 5-0)
3. Res. No. 65-01/16 – Urging the State Legislature to Include Fourth Time OWI Offenders in 2009 Wisconsin Act 100 Funding – *Vote Required: Majority* (Recommended by the Executive Committee 5-0)
4. Res. No. 66-01/16 – Supporting the Implementation of the Achieving a Better Life Experience (ABLE) Act to Reform the SSI Asset Limits in Wisconsin – *Vote Required: Majority* (Recommended by the Executive Committee 5-0)

On motion by Supervisor Weber, second by Supervisor Staples, Item #1, **Res. No. 63-01/16**; Item 2, **Res. No. 64-01/16**; and Item #3, **Res. No. 65-01/16** were approved by voice vote.

County Administrator David Bretl recommended Item #4, Res. No. 66-01/16, be referred back to the Executive Committee, as it was authorized by the State of Wisconsin on July 12, 2015 and signed by the Governor.

On motion by Supervisor Weber, second by Supervisor Kilkenny, Item #4, **Res. No. 66-01/16**, was referred back to the Executive Committee.

### **Finance Committee**

1. Ord. No. 963-01/16 – Amending Section 30-286 of the Walworth County Code of Ordinances Relative to the Lakeland Health Care Center Medical Records Fee – *Vote Required: Majority* (Recommend by the Finance Committee 3-0)
2. Res. No. 62-01/16 – Authorizing the Sheriff’s Office to Accept Community Oriented Policing Services (COPS) Anti-Heroin Task Force Grant Funds in the amount of \$30,000 Over Two Years and Appropriate the Funds to Monitor and Enforce Anti-heroin Laws – *Vote Required: Majority* (Recommended by the Finance Committee 3-0)

On motion by Supervisor Staples, second by Supervisor Brandl, Item #1, **Ord. No. 963-01/16**; and Item #2, **Res. No. 62-01/16** were approved by voice vote.

### **Human Resources Committee**

1. Ord. No. 962-01/16 – Amending Section 15-17 of the Walworth County Code of Ordinances Relating to Changes to LPN and RN Positions at the Lakeland Health Care Center – *Vote Required: Majority* (Recommended by the Human Resources Committee 4-0)
2. Ord. No. 965-01/16 – Amending Sections of Chapter 15 of the Walworth County Code of Ordinances Relating to Overtime Threshold Changes and Weekend Premium Changes for Certain Employees at Lakeland Health Care Center – *Vote Required: Majority* (Recommended by the Human Resources Committee 3-0 and the Lakeland Health Care Center Board of Trustees 4-1)

On motion by Supervisor Brandl, second by Supervisor Weber, Item #1, **Ord. No. 962-01/16** was approved by voice vote.

Human Resources Director, Dale Wilson, distributed a revised copy of Ord. No. 965-01/16 to the County Board Supervisors.

Supervisor Schaefer made a motion, second by Supervisor Monroe, to amend the title of Ord. No. 965-01/16 to – Amending Section 15-359 of the Walworth County Code of Ordinances Relating to Weekend Premium Changes for Certain Employees at Lakeland Health Care Center. The amendment was approved by voice vote. On motion by Supervisor Monroe, second by Supervisor Schaefer, Item #2, **Ord. No. 965-01/16 as amended** was approved by voice vote.

### **Park Committee**

1. Res. No. 67-01/16 – Permitting the Friends of the White River County Park to Conduct an Architectural Study of the Barn at the White River County Park and Naming the Restored Barn In Honor of County Board Chair Nancy Russell – *Vote Required: Majority* (Recommended by the Park Committee 4-0 with 1 abstention and the Public Works Committee 2-0 with 1 abstention)

On motion by Supervisor Weber, second by Supervisor Brandl, Item #1, **Res. No. 67-01/16** was approved by voice vote. Chair Russell abstained.

### **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**

There was none.

**Adjournment**

On motion by Supervisor Weber, second by Supervisor Schaefer, the meeting was adjourned at 2:23 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 12, 2016 meeting.