

February 9, 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: Vice-Chair 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.

Richard Brandl, Walworth County Board Supervisor, District #9, delivered the invocation.

Amendments, Withdrawals, and Approval of Agenda

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

Approval of the Minutes

On motion by Supervisor Brandl, second by Supervisor Weber, the January 12, 2016 County Board Meeting minutes were approved by voice vote.

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

There was none.

Special Order of Business

- Government Finance Officers Association (GFOA) Certificate of Achievement for Excellence in Financial Reporting for Fiscal Year Ended December 31, 2014

Chair Russell presented the GFOA Certificate of Achievement for Excellence in Financial Reporting for Fiscal Year Ended December 31, 2014 to Deputy County Administrator-Finance, Jessica Conley and Senior Accountant-Finance, Todd Paprocki and recognized them for this achievement.

Appointments/Elections

1. Agriculture and Extension Education Committee
 - Rosalie Riewer – Two-year term to begin upon confirmation and end on December 31, 2017 (Recommended by the Executive Committee 5-0)
2. Civil Service Board
 - James Nerud – Five-year term to begin upon confirmation and end on December 31, 2020 (Recommended by the Executive Committee 5-0)
3. Veterans Service Commission
 - John W. Allen – Three-year term to begin upon confirmation and end on December 31, 2018 (Recommended by the Executive Committee 5-0)
4. Walworth County Metropolitan Sewerage District (WalCoMet)
 - Douglas Snyder – Five-year term to begin upon confirmation and end on February 28, 2021 (Recommended by the Executive Committee 5-0)
 - Ron Henriott – Term to begin upon confirmation and end on February 28, 2019 (Recommended by the Executive Committee 5-0)

5. Pabst Lake District Board

- David Bourenske – Term to begin upon confirmation and end on April 30, 2016 (Recommended by the Land Conservation Committee 5-0)

On motion by Supervisor Weber, second by Supervisor Brandl, the appointments to the Agriculture and Extension Education Committee, Civil Service Board, Veterans Service Commission, Walworth County Metropolitan Sewerage District and Pabst Lake District 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) Claim for Damaged Property received from Kristi Herek; b) Summons and Complaint – Consuelo V. Valdes, as Special Administrator, et al. v. Kurt Picknell, Sheriff of Walworth County, et al. (To be referred to the Executive Committee)
3. Outagamie County Resolution No. 117-2015-16 – Supporting proposed legislation to make the guidelines and fees for issuing a marriage license and a domestic partnership license the same and allows updates to information that is statutorily required to be distributed with any marriage license application as well as the way the information can be distributed (To be referred to Executive Committee)
4. Outagamie County Resolution No. 118-2015-16 – Opposing proposed legislation relating to the referral of cases of suspected or threatened child abuse or neglect to the sheriff or police department, coordination of the investigation of those cases and referral of those cases to the district attorney for criminal prosecution (To be referred to the Executive Committee)
5. Outagamie County Resolution No. 120-2015-16 – Opposing any legislation which would allow a dairy farmer to sell unpasteurized (raw) milk and raw milk products (To be referred to the Health and Human Services Board)
6. Correspondence from Wisconsin Counties Association regarding Call for Applications/Nominations (To be placed on file)
7. Report of the County Clerk Regarding Communications Received by the Board and Recommended to be Placed on File
 - Racine County Resolution No. 2015-94 – Resolution by the Government Services Committee Opposing any Legislation Expanding the Subpoena Process (Walworth County Res. No. 63-01/16 was passed on 1/12/16 – To be placed on file)
8. Report of the County Clerk Regarding Communications Received by the Board After the Agenda Mailing
 - Res. No. 71-02/16 – Approving a Contract Settlement Agreement by and between Walworth County and the Deputy Sheriffs Association for the Period of January 1, 2016 to December 31, 2018 – *Vote Required: Majority* (Recommended by the Human Resources Committee 3-0)
 - Order for Dismissal of Adversary Action – Michael & Christine Scholl vs Walworth County ONE90H90H LLC (To be placed on file)
 - Answer to Plaintiff's Second Amended Complaint – LSCG Fund 17, LLC vs Mann Bros., Inc., et al (To be referred to the Executive Committee)
 - Answer to State of Wisconsin's Cross Claim – LSCG Fund 17, LLC vs Mann Bros., Inc., et al (To be referred to the Executive Committee)
 - Bayfield County Amendatory Ordinance No. 2016-03 – Amending Bayfield County Ordinance to Create Chapter 6 [Large-Scale Concentrated Animal Feeding Operations Ordinance] of Title 5 [Public Safety] of the Bayfield County Code of Ordinances, Bayfield County, WI (To be referred to the County Zoning Agency)
 - Bayfield County Amendatory Ordinance No. 2016-04 – South Fish Creek Watershed Animal Waste Storage and Management Ordinance (To be referred to the County Zoning Agency)
 - Door County Resolution No. 2016-07 – Recommendations as to Legislation that Impacts Planning,

- Zoning, and Land Use Laws (To be referred to the County Zoning Agency)
- Correspondence from State Representative David Craig acknowledging receipt of Walworth County Resolutions:
 - No. 63-01/16 – Opposing Expansion to the Subpoena Process as Proposed in Wisconsin Assembly Bill 90
 - No. 65-01/16 – Urging the State Legislature to Include Fourth Time OWI Offenders in 2009 Wisconsin Act 100 Funding
(To be placed on file)
- *Walworth County Aging & Disability Resource Center News*, February 2016 (To be placed on file)
- 9. Report of the County Clerk Regarding Zoning Petitions (To be referred to the County Zoning Agency)
 - Harvey R. & Gladys M. Gudeyon Trust – Owner, Joseph & Wendy Staller – Applicant, Richmond Township. Rezone of a 25 foot strip of land or approximately .40 acres from A-1 Prime Agricultural zone district to the A-4 Agricultural Related Manufacturing, Warehousing and Marketing district
 - Charles and Jennifer Kaska – Owners, East Troy Township. Rezone approximately .06 acres of C-4 Lowland Resource Conservation District to R-1 Single Family Residential District
 - Walworth County Zoning Agency (CZA) – All Townships. Amendment to Sections 74-55, 74-62, and 74-131 of the Zoning Ordinance and Section(s) 74-182, 74-189, and 74-263 of the Shoreland Zoning Ordinance regarding Special Event Campgrounds in the B-5 zoning district in conjunction with a previously approved conditional use permit for special events held under the approval of the following uses: drive-in movies; dude ranches; fairgrounds; race tracks; golf courses and country clubs; amphitheaters; theatres, music entertainment facilities; arenas; field houses; gymnasiums; natatoriums; auditoriums; exhibition halls; music halls; stadiums; airports; schools; and churches.

Unfinished Business

New Business

Reports of Standing Committees

County Zoning Agency Report of Proposed Zoning Amendments

1. Ord. No. 970-02/16 – Amending Section(s) 74-166(b) of the Walworth County Code of Ordinances Relating to the Shoreland Floodplain Ordinance – *Vote Required: Majority* (Recommended by the County Zoning Agency 5-0)
Amendment to Section(s) 74-166(b) of the Walworth County Code of Ordinances – Shoreland Zoning – Approved 5-0 (January 21, 2016 Zoning Agency hearing)
2. Robert Bern – Owner, Section 9, East Troy Township. Rezone approximately .87 acres of C-4 to R-1 – Denied 5-0 (January 21, 2016 Zoning Agency hearing)

Supervisor Schaefer offered a motion, second by Supervisor Weber, to approve the County Zoning Agency Report of Proposed Zoning Amendments as recommended by the County Zoning Agency, which was to approve Item #1, Ord. No. 970-02/16, and to deny Item #2, rezone petition of Robert Bern. Motion carried by voice vote.

Chair Russell inquired about the rezone process. Michael Cotter, Director of Land Use and Resource Management (LURM)/Deputy Corporation Counsel, stated the Town of East Troy denied the rezone request of Robert Bern. He said the property is in shoreland and the County has final advisory jurisdiction.

Children With Disabilities Education Board

1. Ord. No. 969-02/16 – Amending Chapter 9 of the Walworth County Code of Ordinances Regarding Special Needs Education – *Vote Required: Majority* (Recommended by the Children With Disabilities Education Board 4-0)

On motion by Supervisor Weber, second by Supervisor Schaefer, Item #1, **Ord. No. 969-02/16** was approved by voice vote.

Finance Committee

1. Ord. No. 966-02/16 – Amending Section 30-286 of the Walworth County Code of Ordinances Relative to the Sheriff's Office Jail Inmate Deposit Fees – *Vote Required: Majority* (Recommended by the Finance Committee 4-0)
2. Res. No. 68-02/16 – Authorizing the Public Works Automated Radio Frequency ID (RFID) Scale System to be Declared Surplus and Authorizing Staff to Dispose of the Asset – *Vote Required: Majority* (Recommended by the Finance Committee 4-0)
3. Res. No. 69-02/16 – Authorizing the Addition of the Department of Natural Resources (DNR) Transient Non-Community Water Systems Grant to Previously Established Pre-Approved Recurring Grants List – *Vote Required: Majority* (Recommended by the Finance Committee 4-0)

On motion by Supervisor Brandl, second by Supervisor Weber, Item #1, **Ord. No. 966-02/16**; Item #2, **Res. No. 68-02/16**; and Item #3, **Res. No. 69-02/16** were approved by voice vote.

Human Resources Committee

1. Ord. No. 967-02/16 – Amending Section 15-17 of the Walworth County Code of Ordinances Relating to Receptionist/Clerk Positions at Health and Human Services – *Vote Required: Two-thirds* (Recommended by the Human Resources Committee 3-0)
2. Ord. No. 968-02/16 – Amending Sections of Chapter 15 of the Walworth County Code of Ordinances Relating to the LHCC Pilot Program Involving 12-Hour Shifts – *Vote Required: Majority* (Recommended by the Human Resources Committee 3-0)
3. Res. No. 70-02/16 – Setting Salaries for Register of Deeds, County Treasurer and County Clerk for 2017-2020 – *Vote Required: Majority* (Recommended by the Human Resources Committee 3-0)
4. Res. No. 71-02/16 – Approving a Contract Settlement Agreement by and between Walworth County and the Deputy Sheriffs Association for the Period of January 1, 2016 to December 31, 2018 – *Vote Required: Majority* (Recommended by the Human Resources Committee 3-0)

Supervisor Monroe offered a motion, second by Supervisor Weber, to approve Item #1, Ord. No. 967-02/16. On motion by Supervisor Brandl, second by Supervisor Weber, **Ord. No. 967-02/16** was approved by unanimous consent.

Supervisor Monroe offered a motion, second by Supervisor Weber, to approve Item #2, Ord. No. 968-02/16. Chair Russell expressed concern as to the health and welfare of both the residents and employees. Discussion then focused on how the program would be monitored, when the pilot program would start and end, and how this ordinance amendment would facilitate the pilot program. David Bretl, County Administrator, stated the Human Resource Committee would perform a post evaluation. **Ord. No. 968-02/16** was approved by voice vote. Chair Russell and Supervisor Staples requested their vote be recorded as “No”.

On motion by Supervisor Brandl, second by Supervisor Brellenthin, Item #3, **Res. No. 70-02/16**; and Item #4, **Res. No. 71-02/16** were approved by voice vote.

Report of Special Committees

There were none.

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

