

**OCTOBER 13, 2015**  
**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, Kathy Ingersoll, Kenneth H. Monroe, Joe Schaefer, Rick Stacey, Charlene Staples, David A. Weber, Paul Yvarra, and Chair Nancy Russell. Supervisor Daniel G. Kilkenny was excused. A quorum was established.

David Bretl, Walworth County Administrator, delivered the invocation.

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

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

**Approval of the Minutes**

On motion by Supervisor Brandl, second by Vice Chair Stacey, the September 8, 2015 Committee of the Whole Meeting minutes and September 8, 2015 County Board Meeting minutes were approved by voice vote.

On motion by Supervisor Weber, second by Supervisor Ingersoll, the September 17, 2015 Special 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. Civil Service Board
  - Edward A. Siert – Term to begin upon confirmation and end on December 31, 2019 (Recommended by the Executive Committee 5-0)
2. Delavan Aram Public Library Board
  - Robert Gray Betzer – Three-year term to begin upon confirmation and end on January 8, 2019 (Recommended by the Executive Committee 5-0)
3. Local Emergency Planning Committee (LEPC)
  - State Senator Stephen Nass (Recommended by the Executive Committee 5-0)

On motion by Supervisor Weber, second by Supervisor Staples, the appointments to the Civil Service Board, Delavan Aram Public Library Board and the Local Emergency Planning Committee 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: None.

3. Correspondence from William R. Mangold, Chairman, Town of Lyons – Regarding re-zone proposal and conditional use application for Northwinds Perennial Farm at 7047 Hospital Road and requested amendment to A4 Zoning District (To be referred to the County Zoning Agency)
4. Correspondence from Jane Roberts of Richmond Township – Regarding educational programs offered through the Whitewater-Area League of Women Voters (To be placed on file)
5. Report of the County Clerk Regarding Communications Received by the Board and Recommended to be Placed on File
  - Jefferson County Resolution No. 2015-39 – Supporting the Funding of Pay Progression for Assistant District Attorneys and Creation and Funding of Additional Assistant District Attorney Positions (To be placed on file)
  - Oconto County Resolution No. 87-2015 – To Support 2015 Senate Bill 204 (2015 Assembly Bill 284) Relating to Causing or Threatening Bodily Harm to Certain Child Welfare and Juvenile Justice Workers and Providing a Penalty (To be placed on file)
  - Correspondence/Notice of Hearing from the Public Service Commission of Wisconsin in regard to Application by American Transmission Company LLC to Build and Place in Service a New 138 kV Transmission Line Between the Spring Valley Substation in Kenosha County and the North Lake Geneva Substation in Walworth County, Wisconsin, to Build a New 138/69 kV Substation in Kenosha County, Wisconsin, and to Build or Rebuild Other Lines and Facilities in the Project Area (To be placed on file)
6. Report of the County Clerk Regarding Communications Received by the Board After the Agenda Mailing
  - Wisconsin Department of Administration Final Estimate of January 1, 2015 Population for Walworth County (To be referred to the Executive Committee)
  - Correspondence from Ehlers regarding Village of Darien Tax Incremental District No. 3 (This correspondence and the complete packet including:
    - Joint Review Board Agenda – October 6, 2015
    - Notice of Joint Review Board Meeting
    - Official Proceedings Village of Darien Joint Review Board – September 2, 2015
    - Joint Review Board Resolution Approving the Creation of Tax Incremental District No. 3
    - Resolution No. 15-10 Resolution Approving the Project Plan and Establishing the Boundaries for and the Creation of Tax Incremental District No. 3
    - Resolution No. PC2015-01 Resolution Designating Proposed Boundaries and Approving a Project Plan for Tax Incremental District No. 3
    - Project Plan for the Creation of Tax Incremental District No. 3 – September 22, 2015
 will be referred to the Finance Committee and can be viewed in the County Clerk’s Office)
  - Correspondence from Joyce Reed, Potters Lake District – Requesting a questionnaire of various district board members as to time spent and fair compensation (To be referred to the Land Conservation Committee)
  - Correspondence from Sasha’s Farm Fresh LLC regarding the request to cancel the October 13, 2015 hearing for A-4 Zoning of W2699 State Road 11 Lafayette, WI – Note: This correspondence relates to County Zoning Agency Report Item #3 (To be placed on file)
  - *Walworth County Aging & Disability Resource Center News*, October 2015 – 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. Hanson Trust – Owner, Robert C. and Gail A. Hanson trustees – Applicant, Darien Township. Amend the 2035 Land Use Plan Map to change 5.39 acres from AP Prime Agricultural to C Commercial
  - Richard J. Stacey, Jr. – Owner, Troy Township. Amend the 2035 Land Use Plan Map to change 19.97 acres from AG3 Other Agricultural Rural Residential and Other Open Lands (20 to 34 acres per dwelling) to AG2 Other Agricultural Rural Residential and Other Open Lands (5 to 19 acres per dwelling)
  - John P. Bashaw, Corinne G. Lorian – Owners, Troy Township. Amend the 2035 Land Use Plan Map to change 19.35 acres from AG3 Other Agricultural Rural Residential and Other Open Lands

(20 to 34 acres per dwelling) and RU Urban Density Residential to AG2 Other Agricultural Rural Residential and Other Open Lands (5 to 19 acres per dwelling)

- Lakeland Community Church, Inc. – Owner, Pastor Josh Amstutz – Applicant, Delavan Township. Amend the 2035 Land Use Map to change 26.17 acres from AG3 Other Agricultural Rural Residential and Other Open Lands (20 to 34 acres per dwelling) to G Governmental and Institutional
- Northwestern University Settlement Association – Owner, Delavan Township. Amend the 2035 Land Use Plan Map to change .44 acres and .56 of land from RU Urban Density Residential to P Park and Recreational
- Hilltop Securities, LLC, Steve Waddell WW Trucking – Owner, Darien Township. Rezone 10.36 acres from A-4 Agricultural Related Manufacturing Warehousing and Marketing to M-2 Heavy Industrial
- Eric and Keri Schmidt – Owners, Sugar Creek Township. Rezone approximately .5 acres from A-2 Agricultural, C-4 and C-1 Lowland Resource Conservation to A-2, C-4 and C-1

### **Unfinished Business**

There was none.

### **New Business**

### **Reports of Standing Committees**

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

1. Zoning Ordinance for Town of Bloomfield. Town of Bloomfield proposed Ordinance change concerning rezone of portion of MA 397600001, Town of Bloomfield, per petition filed with the Town of Bloomfield by Potter’s Self Storage (Recommended by the County Zoning Agency 7-0)(September 17, 2015 Zoning Agency Hearing)
2. Covington Court Apartments, LLC and South Lake Shore Drive Property Company, LLC, Sections 14 and 15, Delavan Township. Rezone approximately 1.95 acres of R-2 to C-2, 13.55 acres of R-2 to R-3. Also rezone approximately 24.68 acres of R-2 to R-5A – Approved 7-0 (September 17, 2015 Zoning Agency Hearing)
3. Robert A. Turtenwald – Owner, Robert Peterson – Applicant, Section 25, LaFayette Township. Rezone A-1 to A-4 – Approved 7-0 (September 17, 2015 Zoning Agency Hearing)
4. John Neighbors – Owner/Applicant, Section 25, Delavan Township. Rezone R-1 to B-2 – Approved 7-0 (September 17, 2015 Zoning Agency Hearing)
5. Stanley R. and Claudine Malin – Owners/Applicants, Section 22, Lyons Township. Rezone approximately 6.31 acres of A-2 to C-2 – Approved 7-0 (September 17, 2015 Zoning Agency Hearing)

Supervisor Stacey made a motion, second by Supervisor Weber, to place Item #3, Robert A. Turtenwald, on file and to approve Items #1, #2, #4 and #5 of the County Zoning Agency Report of Proposed Zoning Amendments, as recommended by the County Zoning Agency.

Cotter gave a brief explanation of Item #3 and stated there was a letter regarding this item on the Report of the County Clerk Regarding Communications Received by the Board After the Agenda Mailing by the new owner, Sasha’s Farm Fresh LLC, requesting the rezone be tabled. He said the original owner petitioned for a rezone in September to try to accommodate a different prospective buyer. Motion carried by voice vote.

### **Finance Committee**

1. Ord. No. 949-10/15 – Amending Section 30-181(2)(a) of the Walworth County Code of Ordinances Relating to Public Works Excess Net Position at Yearend – *Vote Required: Majority* (Recommended by the Public Works Committee 5-0 and the Finance Committee 5-0)

2. Res. No. 38-10/15 – Adopting the Walworth County Plan of Library Service for Funding Years 2016-2018 – *Vote Required: Majority* (Recommended by the Finance Committee 5-0)
3. Res. No. 39-10/15 – Authorizing Internal Allowances for Lakeland Health Care Center 2015 Net Position for Future Building/Equipment – *Vote Required: Two-Thirds* (Recommended by the Lakeland Health Care Center Board of Trustees 5-0 and the Finance Committee 5-0)
4. Res. No. 40-10/15 – Authorizing the Closure of White River Park Acquisition and Health and Human Services HVAC System Replacement Capital Projects and the Transfer of Remaining Funds to the General Fund Unassigned Fund Balance Account – *Vote Required: Majority* (Recommended by the Parks Committee 3-0, the Public Works Committee 5-0, and the Finance Committee 5-0)
5. Res. No. 41-10/15 – Authorizing the Addition of the Conservation Aids Program Grant to Previously Established Pre-Approved Recurring Grants List – *Vote Required: Majority* (Recommended by the Finance Committee 5-0)
6. Res. No. 42-10/15 – Committing General Fund Balances for Future Building/Equipment – *Vote Required: Two-Thirds* (Recommended by the Finance Committee 5-0)
7. Res. No. 43-10/15 – Accepting the Donation of Two Bridges in White River County Park – *Vote Required: Majority* (Recommended by the Public Works Committee 4-0, and the Finance Committee 3-0)

On motion by Supervisor Brandl, second by Supervisor Weber, Item #1, **Ord. No. 949-10/15** and Item #2, **Res. No. 38-10/15** were approved by voice vote.

Supervisor Brandl offered a motion, second by Supervisor Schaefer, to approve, Item #3, Res. No. 39-10/15. On motion by Vice Chair Stacey, second by Supervisor Brandl, **Res. No. 39-10/15** was approved by unanimous consent.

On motion by Supervisor Ingersoll, second by Supervisor Staples, Item #4, **Res. No. 40-10/15** and Item #5, **Res. No. 41-10/15** were approved by voice vote.

Supervisor Brandl offered a motion, second by Supervisor Weber, to approve, Item #6, Res. No. 42-10/15. On motion by Vice Chair Stacey, second by Supervisor Ingersoll, **Res. No. 42-10/15** was approved by unanimous consent.

On motion by Supervisor Weber, second by Vice Chair Stacey, Item #7, **Res. No. 43-10/15** was approved by voice vote.

### **Human Resources Committee**

1. Ord. No. 950-10/15 – Amending Sections 15-17 and 15-810 of the Walworth County Code of Ordinances Relating to the Reclassification of a Desktop Lead/Server Specialist Position to a Systems Specialist Position in Information Technology – *Vote Required: Majority* (Recommended by the Human Resources Committee 5-0)
2. Ord. No. 951-10/15 – Amending Section 15-17 of the Walworth County Code of Ordinances Relating to the Elimination of a Scheduling/Payroll Clerk Position and the Creation of a Staff & Support Services Manager Position at Lakeland Health Care Center – *Vote Required: Majority* (Recommended by the Human Resources Committee 5-0)

On motion by Supervisor Brandl, second by Supervisor Monroe, Item #1, **Ord. No. 950-10/15** and Item #2, **Ord. No. 951-10/15** were approved by voice vote.

### **Report of Special Committees**

There was none.

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

1. Jeff & Nora Karbash of N5612 Johnson Rd., Delavan, Town of Richmond – Nora Karbash distributed a letter and packet. She gave a brief overview of the information. Karbash expressed concern that her daughter who had been receiving braille instruction since age three from Lakeland School instructor Holly Smith would no longer be able to receive these services. She requested Holly Smith be contracted through the County by the Delavan-Darien School District and asked that their request be referred to the Children With Disabilities Education Board. Chair Russell stated this matter will be referred to the Children With Disabilities Education Board meeting in November.

**Chairperson’s Report**

Chair Russell reminded Supervisors of the Public Budget Hearing scheduled for Thursday, October 29, 2015 at 6:00 p.m. and the November Board of Supervisor meeting scheduled for Tuesday, November 10, 2015 at 6:00 p.m. Russell stated that the Board received a letter from The Tree House thanking the County Board for attending and supporting the 2<sup>nd</sup> Annual Safety & Fun vs. 911Safety Fair.

**Adjournment**

On motion by Supervisor Brandl, second by Supervisor Monroe, the meeting was adjourned at 6:22 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 October 13, 2015 meeting.