

APRIL 21, 2016
WALWORTH COUNTY BOARD OF SUPERVISORS
MEETING

The Walworth County Board of Supervisors meeting was called to order by Chair Russell at 6:09 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, Kathy Ingersoll, Vice-Chair Daniel G. Kilkenny, Kenneth H. Monroe, Susan M. Pruessing, Joe Schaefer, Charlene Staples, Randy Timms, David A. Weber, Paul Yvarra, and Chair Nancy Russell. A quorum was established.

Kathy Ingersoll, Walworth County Board Supervisor, District #6, delivered the invocation.

Amendments, Withdrawals, and Approval of Agenda

Supervisor Kilkenny offered a motion, second by Supervisor Brellenthin, to withdraw, Item #2, Elections of Committee Members for Lakeland Health Care Center Board of Trustees and Children with Disabilities Education Board, under Reports of Special Committees. Motion was approved by voice vote.

Supervisor Kilkenny offered a motion, second by Supervisor Weber, to approve the agenda with one Amendment: 1) Communications and Matters to be Referred, Item #3, Res. No. 02-04/16 to follow Approval of the Minutes. The agenda as amended was approved by voice vote.

Approval of the Minutes

On motion by Supervisor Weber, second by Supervisor Monroe, the March 8, 2016 County Board Meeting minutes were approved by voice vote.

Communication and Matters to Be Referred – Item #3

3. Correspondence from County Administrator and County Board Chair requesting the Walworth County Board to approve Res. No. 02-04/16 – Recognizing Kyle Gorden for his Commitment to the German Student Exchange Program Between Elkhorn Area High School and the Alte Landschule, Korbach, Germany

Supervisor Kilkenny offered a motion, second by Supervisor Brellenthin, to suspend the rules to take action on this item at the meeting. Motion was approved by voice vote.

On motion by Supervisor Kilkenny, second by Supervisor Weber, **Res. No. 02-04/16** was approved by voice vote.

Administrator Bretl and Chair Russell read Res. No. 02-04/16 and presented it to Kyle Gorden and thanked him for his services. Bretl stated it was an opportune moment to recognize Mr. Gorden, as the German exchange students were visiting Walworth County. Kyle Gorden gave a brief overview of the German Student Exchange Program and thanked the Board for their support with the sister school relationship. He announced he will be retiring from teaching, but plans to continue working with the student exchange program. Gorden introduced Katrin Lange, a visiting teacher from Germany who expressed gratitude toward the Board for the student exchange program and the opportunity to visit and observe our Country and Walworth County.

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

There was none.

Appointments/Elections

1. Wisconsin River Rail Transit Commission (WRRTC)
 - Eric Nitschke – Three-year term to begin upon confirmation and end on April 30, 2019 (Recommended by the Executive Committee 5-0)
2. Lakeshores Library System Board of Trustees
 - Signe Emmerich – Three-year term to begin upon confirmation and end on December 31, 2018 (Recommended by the Executive Committee 5-0)
3. 911 Governing Board
 - Nancy Russell – Two-year term to begin upon confirmation and end on May 8, 2018 (Recommended by the Executive Committee 4-0)
 - Bruce VanderVeen – Two-year term to begin upon confirmation and end on May 8, 2018 (Recommended by the Executive Committee 5-0)
 - David Fladten – Two-year term to begin upon confirmation and end on May 8, 2018 (Recommended by the Executive Committee 5-0)
 - Captain Jamie Green – Two-year term to begin upon confirmation and end on May 8, 2018 (Recommended by the Executive Committee 5-0)

On motion by Supervisor Weber, second by Supervisor Ingersoll, the appointments to the Wisconsin River Rail Transit Commission (WRRTC), Lakeshores Library System Board of Trustees, and 911 Governing 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: None
3. Correspondence from County Administrator and County Board Chair requesting the Walworth County Board to approve Res. No. 02-04/16 – Recognizing Kyle Gorden for his Commitment to the German Student Exchange Program Between Elkhorn Area High School and the Alte Landschule, Korbach, Germany (Please note, it is anticipated that the County Board will move pursuant to Section 2-65 (c)(1) of the Walworth County Code of Ordinances to take action on the resolution at this meeting.)
4. Correspondence from Wisconsin Department of Transportation (WisDOT) – Access Control Project along WIS 120 in Walworth County (To be referred to Public Works Committee)
5. Correspondence from the Wisconsin Historical Society regarding Nomination to the National Register and/or State Register of Historic Places – Bounded by the 200, 300, and 400 blocks of East Walworth Avenue, City of Delavan, Walworth County, Wisconsin (To be placed on file)
6. Correspondence from the Wisconsin Historical Society regarding Nomination to the National Register and/or State Register of Historic Places – Generally bounded by 101-137 Park Place and 104-130 East Walworth Avenue, City of Delavan, Walworth County, Wisconsin (To be placed on file)
7. Correspondence from Wisconsin Counties Association (WCA) regarding 2016 WCA District Meetings (To be placed on file)
8. Correspondence from Wisconsin Counties Association (WCA) regarding WCA Steering Committee Nominations (To be placed on file)
9. Brochure from Wisconsin Counties Association (WCA) regarding 2016 County Officials Workshops (COWS)(To be placed on file)
10. Report of the County Clerk Regarding Communications Received by the Board and Recommended to be Placed on File
 - Chippewa County Resolution No. 07-16 – Resolution to Formally Oppose the UW-Cooperative Multi-County Reorganization Plan (Topic previously referred to the Agriculture & Extension Education Committee and placed on file)

- Calumet County Resolution 2015-36 – Resolution Opposing the UW-Cooperative Extension Reorganization Plan (Topic previously referred to the Agriculture & Extension Education Committee and placed on file)
 - Buffalo County Resolution #16-03-05 – Resolution to Oppose UW-Cooperative Extension Multi-County Reorganization Plan (Topic previously referred to the Agriculture & Extension Education Committee and placed on file)
 - Correspondence from Surface Transportation Board regarding Docket No. FD 35952, Great Lakes Basin Transportation, Inc. (GLBT) – Authority to Construct and Operate a Rail Line in Indiana, Illinois, and Wisconsin: Notice of Intent to Prepare an Environmental Impact Statement, Draft Scope of Study, Notice of Scoping Meetings, and Request for Comments on Draft Scope (To be placed on file)
11. Report of the County Clerk Regarding Communications Received by the Board After the Agenda Mailing
- Appointments/Elections
911 Governing Board
 - Notice of Interest to Serve as a Citizen Representative – Jamie Green (Recommended by the Executive Committee 5-0)
 - Notice of Interest to Serve as a Citizen Representative – Bruce VanderVeen (Recommended by the Executive Committee 5-0)
 - Claim for Damaged Property received from Andrew Stultz (To be referred to the Executive Committee)
 - Resolution No. 04-04/16 – Nominating Members to the Various Committees of the County Board – *Vote Required: Majority* (Recommended by the Nominating Committee 3-0)
 - City of Elkhorn Resolution No. 16-06 – Resolution Encouraging and Supporting the Undertaking of a Study by Walworth County on Alternative Long-Term Service Delivery Options Relative to Fire and/or Emergency Medical (EMS) Services (To be referred to the Executive Committee)
 - Correspondence from City of Elkhorn regarding City of Elkhorn/2040 Comprehensive Plan (To be placed on file)
 - Communications from the Office of the Secretary-Wisconsin Department of Transportation relating to:
 - Correspondence from Wisconsin Department of Transportation dated April 11, 2016 regarding Great Lakes Basin Transportation, Inc. – Railroad Proposal in Wisconsin (To be placed on file)
 - Updated correspondence from Surface Transportation Board regarding Docket No. FD 35952, Great Lakes Basin Transportation, Inc. (GLBT) – Authority to Construct and Operate a Rail Line in Indiana, Illinois, and Wisconsin: Notice of Intent to Prepare an Environmental Impact Statement, Draft Scope of Study, Notice of Scoping Meetings, and Request for Comments on Draft Scope (To be placed on file)
 - Communication – Access Control Project on WIS 120 – Public Informational Meeting (To be placed on file)
 - *Walworth County Aging & Disability Resource Center News*, April 2016 – To be placed on file
12. Report of the County Clerk Regarding Zoning Petitions (To be referred to the County Zoning Agency)
- Delavan Lake Enterprises, LLC, Owner, Peter Juergens, Applicant, Town of Delavan. Rezone approximately 14 acres of M-2 Heavy Industrial District and approximately .44 acres of C-2 Upland Resource Conservation District to B-4 Highway Business District. In addition, rezone approximately .24 acres of M-2 district to C-2 district.
 - Silverstone Ranch, LLC, Owner, William L. Appelbaum, Applicant, Town of LaFayette. Rezone approximately 102.11 acres of A-1 Prime Agricultural and A-2 Agricultural Lands to C-2 Upland Resource Conservation District. In addition, rezone lands zoned A-1, C-1 Lowland Conservation District and C-4 Lowland Resource Conservation District to C-2, C-1 and C-4 districts.

Unfinished Business

New Business

Reports of Standing Committees

County Zoning Agency Report of Proposed Zoning Amendments

1. Ord. No. 978-04/16 – Amending Section(s) 74-55, 62, 131, 182, 189 and 263 of the Walworth County Code of Ordinances Relating to Special Event Campgrounds in the B-5 Zoning District – *Vote Required: Majority* (Recommended by the County Zoning Agency 5-0)
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 – Approved 5-0 (March 17, 2016 County Zoning Agency Public Hearing)
2. Robert C. and Gail A. Hansen Trust – Owner, Robert C. Hansen – Applicant, Section 21, Darien Township. Rezone 5.39 acres of A-1 to B-4 – Approved 5-0 (March 17, 2016 County Zoning Agency Public Hearing)
3. Kevin and Teresa Akey – Owners, Section 1, Richmond Township. Rezone approximately .6 acres of C-2 to A-4 – Approved 5-0 (March 17, 2016 County Zoning Agency Public Hearing)
4. Mieczyslaw Ozga – Owner, Sections 27, 28, Spring Prairie Township. Rezone approximately .23 acres of A-2 to A-4 – Approved 5-0 (March 17, 2016 County Zoning Agency Public Hearing)

On motion by Supervisor Weber, second by Supervisor Brellenthin, 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. Approval of 2016-2017 County Board Meeting Schedule – *Vote Required: Majority* (Recommended by the Executive Committee 5-0)

Administrator Bretl referred to Page 47 of the packet and gave a brief overview of the 2016-2017 County Board Meeting Schedule and stated the County Board will meet at 3:30 p.m. according to the new schedule.

Supervisor Weber offered a motion, second by Supervisor Kilkenny, to approve the Walworth County Board of Supervisors 2016-2017 Meeting Schedule. Supervisor Weber offered a motion, second by Supervisor Timms, to amend the calendar to schedule the October 27, 2016 – Public Budget Hearing at 6:00 p.m. The amendment was approved. The 2016-2017 County Board Meeting Schedule as amended was unanimously approved by voice vote.

2. Res. No. 01-04/16 - Establishing a Committee of the Whole Meeting Date for a Discussion on County Board Room Upgrades – *Vote Required: Majority* (Recommended by the Executive Committee 5-0)

On motion by Supervisor Weber, second by Supervisor Pruessing, Item #2, **Res. No. 01-04/16** was approved by voice vote.

Finance Committee

1. Ord. No. 976-04/16 – Amending Section 30-286 of the Walworth County Code of Ordinances Relative to Public Works Trail Pass Fees – *Vote Required: Majority* (Recommended by the Finance Committee 4-0)
2. Ord. No. 977-04/16 – Amending Sections 46-61 and 30-286 of the Walworth County Code of Ordinances Regarding Prisoner Fees for Huber and Home Detention – *Vote Required: Majority* (Recommended by the Finance Committee 4-0)
3. Ord. No. 980-04/16 – Amending Section 30-286 of the Walworth County Code of Ordinances Relative to the Land Use and Resource Management Special Event Campground Fees – *Vote Required: Majority* (Recommended by the County Zoning Agency 5-0 and the Finance Committee 5-0)

A motion was made by Supervisor Weber, second by Supervisor Kilkenny, to approve Item #1, Ord. No. 976-04/16; Item #2, Ord. No. 977-04/16; and Item #3, Ord. No. 980-04/16.

Supervisor Weber inquired as to the success rate of the County collecting the fees relative to Item #2. Administrator Bretl stated Ord. No. 977-04/16 is not raising the fees, but rather is clarifying the fees being charged. He said the WI Department of Revenue audited Walworth County and is taking the position that the electronic monitoring fee is subject to sales tax. Bretl said the ordinance change indicates that Walworth County is going to use tax levied dollars for the fees and should not be charged taxes. He indicated there is approximately a 90% collection rate.

The motion to approve Item #1, **Ord. No. 976-04/16**; Item #2, **Ord. No. 977-04/16**; and Item #3, **Ord. No. 980-04/16** was approved by voice vote.

Human Resources Committee

1. Ord. No. 975-04/16 – Amending Section 15-17 of the Walworth County Code of Ordinances Relating to Various Changes at Health and Human Services – *Vote Required: Majority* (Recommended by the Human Resources Committee 3-0)

On motion by Supervisor Monroe, second by Supervisor Weber, Item #1, **Ord. No. 975-04/16** was approved by voice vote.

Public Works Committee

1. Ord. No. 979-04/16 – Amending Chapter 16 of the Walworth County Code of Ordinances Relating to Prohibition of Knives in the Sheriff's Office and Health and Human Services – *Vote Required: Majority* (Recommended by the Public Works Committee 4-0)
2. Res. No. 03-04/16 – Authorizing Use of County-Owned Lands for Construction of CTH NN Pedestrian/Bike Trail from City of Elkhorn to White River State Trail – *Vote Required: Majority* (Recommended by the Public Works Committee 4-0)

On motion by Supervisor Monroe, second by Supervisor Weber, Item #1, **Ord. No. 979-04/16** and Item #2, **Res. No. 03-04/16** were approved by voice vote.

Report of Special Committees

1. Res. No. 04-04/16 – Nominating Members to the Various Committees of the County Board – *Vote Required: Majority* (Recommended by the Nominating Committee 3-0)
2. Elections of Committee Members for Lakeland Health Care Center Board of Trustees and Children with Disabilities Education Board (The Nominating Committee will meet on April 20, 2016 to make recommendations)

Clerk Bushey noted that an updated version of Res. No. 04-04/16 was distributed with the Report of the County Clerk Regarding Communication Received After the Agenda Mailing Packet which contains the names of the individuals being appointed.

On motion by Supervisor Kilkenny, second by Supervisor Weber, Item #1, **Res. No. 04-04/16** was approved by voice vote.

Item #2 was withdrawn previously in the meeting.

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

There was none.

Chairperson's Report

Chair Russell stated the committees will meet next week and that Supervisors will receive their packets delivered by courier to their residence. Bretl advised any Supervisor that does not receive their packet by Friday afternoon, to call the Administration Office.

Adjournment

On motion by Supervisor Weber, second by Supervisor Timms, the meeting was adjourned at 6:45 p.m.

Prepared By: Patricia Sommers, Administrative Clerk

Submitted By: Kimberly S. Bushey, County Clerk

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 April 21, 2016 meeting.