

**Walworth County Board of Supervisors
Executive Committee Meeting Minutes
Monday, April 24, 2023
Walworth County Government Center, County Board Room 114
100 West Walworth Street, Elkhorn, Wisconsin**

Chair Susan Pruessing called the meeting to order at 10:00 a.m.

Roll call was conducted and the following members were present: Chair Susan Pruessing; Vice-Chair Brian Holt; and Supervisors Rick Stacey (Remote), and Al Stanek. Supervisor Sheila T. Reiff was absent. A quorum was declared.

Others in Attendance

County Board Supervisors: Kathy Ingersoll

County Staff: Walworth County Administrator Mark W. Luberda; Corporation Counsel/Director-Land Use and Resource Management Michael Cotter; Walworth County Clerk of Circuit Court/Register in Probate Kristy Secord; Deputy Corporation Counsel Estee Scholtz; State Public Defender Kenzie Renner; Walworth County Sheriff Dave Gerber; Undersheriff Tom Hauser; Office Supervisor Sara Richards; and Captain of Communications Todd Neumann.

On motion by Vice-Chair Holt, second by Supervisor Stanek, the agenda was approved with no withdrawals.

On motion by Supervisor Stanek, second by Vice-Chair Holt, the March 20, 2023 Executive Committee meeting minutes were approved.

Public Comment – There was none.

Consent Items – expense/mileage reimbursement claims submitted by:

7a. David Held, Board of Adjustment, in the amount of \$35.39

7b. Rose Smith-Miller, Board of Adjustment, in the amount of \$43.30

7c. County Zoning Agency Committee for Joint Town Walworth/CZA Meeting – Shodeen Family Conservation Subdivision Meeting in Walworth

1) Dennis Karbowski, in the amount of \$23.58

2) Susan Pruessing, in the amount of \$2.62

3) Ryan Simons, in the amount of \$22.27

4) Al Stanek, in the amount of \$34.72

5) Richard Kuhnke, Sr., in the amount of \$72.27

6) Jim VanDreser, in the amount of \$55.24

Vice-Chair Holt offered a motion, second by Supervisor Stanek, to approve the expense/mileage reimbursement claims submitted by David Held, and Rose Smith-Miller. Motion carried. 4-0

Corporation Counsel/Director-Land Use and Resource Management Michael Cotter requested Items, 7c, 1-6, be reviewed one at a time to avoid a voting issue. Chair Pruessing confirmed.

Supervisor Stanek offered a motion, second by Vice-Chair Holt, to approve the expense/mileage reimbursement claim submitted by Dennis Karbowski. Motion carried. 4-0.

Supervisor Stanek offered a motion, second by Supervisor Stacey, to approve the expense/mileage reimbursement claim submitted by Susan Pruessing. Motion carried. 3-0. Supervisor Pruessing abstained.

Supervisor Stanek offered a motion, second by Supervisor Stacey, to approve the expense/mileage reimbursement claim submitted by Ryan Simons. Motion carried. 4-0

Vice-Chair Holt offered a motion, second by Supervisor Stacey, to approve the expense/mileage reimbursement claim submitted by Al Stanek. Motion carried. 3-0. Supervisor Stanek abstained.

Vice-Chair Holt offered a motion, second by Supervisor Stanek, to approve the expense/mileage reimbursement claims submitted by Richard Kuhnke, Sr. and Jim VanDreser. Motion carried. 4-0.

Chair Pruessing stated for the record that Richard Kuhnke, Sr. and Jim VanDreser are not on the County Board and receive a \$50.00 stipend for being citizen members on the County Zoning Agency Committee.

New Business

8a. Correspondence from Wisconsin Counties Association (WCA) regarding 2023 WCA Annual Business Meeting Resolutions – Deadline for Submission: 4:30 p.m. on June 19, 2023

County Administrator Mark W. Luberda explained Items 8a and 8b are related: Item 8a is correspondence from the Wisconsin Counties Association (WCA) announcing their deadline to submit resolutions for consideration at the Annual Business Meeting is 4:30 p.m. on June 19, 2023; and Item 8b is an advisory resolution the Executive Committee may wish to include for submission.

8b. Resolution No. ** - 05/23 Submitting an Advisory Resolution to the Wisconsin Counties Association to be Included in its Platform

Luberda explained the purpose for the proposed advisory resolution to the WCA and noted that if the Executive Committee were to consider drafting a Walworth County resolution relative to Item 8c, it could be placed on the May Executive Committee Agenda for review. If that resolution was to be approved, it would be placed on the June County Board of Supervisors Meeting Agenda for inclusion with the advisory resolution. **Supervisor Stacey offered a motion, second by Supervisor Stanek, to table Item 8b until later in the Agenda for inclusion of Item 8c. Supervisor Stacey amended his motion to place Item 8b on the May Executive Committee Agenda with Supervisor Stanek's approval. Motion carried 4-0.**

8c. Washington County 2022 Resolution 63 – Requesting the State of Wisconsin Review and Revise the Compensation Rate for State Public Defenders

Walworth County Clerk of Circuit Court/Register in Probate Kristy Second, Deputy Corporation Counsel Estee Scholtz, and State Public Defender Kenzie Renner spoke briefly regarding the issues contained in the resolution submitted by Washington County and noted how the current compensation rate is impacting Walworth County and the community:

- Shortage of State Public Defender (SPD) attorneys and private attorneys due to current low compensation.
- Unfairness to attorneys representing State Public Defendant clients because of disparity of their \$70.00 rate, and the court-appointed attorney's \$100.00 rate.
- Impact on the Corporation Counsel's office to find attorneys to handle child welfare cases – CHIPS (Child In Need of Protective Services), TPR (Termination of Parental Rights), guardianships, and mental health cases- Chapter 51 (Emergency detention for alcohol, drug abuse, developmental disabilities, and mental health).
- Dismissing cases, which may cause further harm to the community.
- Clients are not only criminal defendants, but non-criminal: parents, children, and subjects in Chapter 51 cases.
- Corporation Counsel utilizing staff hours walking the court corridor before a hearing to ask an attorney to represent clients.
- County resources used for this constitutional crisis – 2022 Report where 27 counties paid 1.6 million dollars in attorney's fees; Walworth County projected cost \$80,000.00 for 12 cases; and \$73,000 last year.
- Shocking numbers: Five SPD openings, 70 unrepresented cases, case log for an SPD attorney surpassed for the year by April.

Cotter confirmed his support of the resolution stating it is shocking we are in this situation. He believes county funding should be allocated to compensate Public Defenders rather than spent on technology that will become outdated.

Supervisor Stanek offered a motion, second by Vice-Chair Holt, for the County Administrator to work with the interested individuals to draft a Walworth County Resolution Requesting the State of Wisconsin Review and Revise the Compensation Rate for State Public Defenders that includes parity. Motion carried 4-0.

Luberda clarified his interpretation of the motion, which was to include some of the concerns brought up for the non-criminal side.

8d. Resolution No. ** - 05/23 Establishing the Budget and Authorizing the Acceptance of the Law Enforcement Specialized Training Grant in the Sheriff's Office

Undersheriff Tom Hauser stated the Wisconsin Department of Justice, Division of Law Enforcement Services (DLES) has awarded the Walworth County Sheriff's Office \$5,000 in state funding from the Law Enforcement Training Fund – Local

Assistance Program for advanced and specialized training for certified Wisconsin officers. It is anticipated that grant funding will be utilized in the training of staff. **Vice-Chair Holt offered a motion, second by Supervisor Stacey, to approve the resolution Establishing the Budget and Authorizing the Acceptance of the Law Enforcement Specialized Training Grant in the Sheriff's Office. Motion carried 4-0.**

8e. Ordinance No. **** - 05/23 Amending Section 15-321 of the Walworth County Code of Ordinances Relating to Overtime Pay

Walworth County Sheriff Dave Gerber referred to his Memorandum and supporting documents on Pages 21-23 of the packet. He stated in the past few years, outside law enforcement officers have been utilized to fulfill the operational needs at Alpine Valley concerts due to the lack of internal sworn deputy volunteers. The proposed ordinance is requesting the ability to allow salaried management staff within the Corrections Division the ability to work special events at Alpine Valley with the cost of the overtime being reimbursed by Alpine Valley. This change would also allow the use of corrections management staff to assist with Incident Command and various tasks should a major incident occur at Alpine Valley. **Supervisor Stanek offered a motion, second by Vice-Chair Holt, to approve the Ordinance Amending Section 15-321 of the Walworth County Code of Ordinances Relating to Overtime Pay. Motion carried 4-0.**

8f. Budget Adjustment SH001 – Create Sheriff's Office Data Closet Capital Project

Captain of Communications Todd Neumann summarized his Memorandum (Pages 25-26) requesting a budget amendment to construct a data closet to accommodate switch replacement and equipment for security electronics.

Luberda confirmed the bulk of the cost is moving the wiring and getting that into place. The Finance Department can approve this amendment later this week to meet the timelines for the project.

Discussion then focused on long term vs. short term planning: studies in 2019-2020 presented a long term 10 year projection for projects: projects to be done now and in three years, in three to seven years, and seven to ten years; life expectancies of buildings; amenities of the buildings; communication centers converting to one centralized center and potential cost benefits utilizing long term rental vs. construction, etc. **Vice-Chair Holt offered a motion, second by Supervisor Stanek, to approve Budget Adjustment SH001 – Create Sheriff's Office Data Closet Capital Project. Motion carried. 4-0.**

8g. Contract Change Order Request for 911 Center Radio System Project

Undersheriff Tom Hauser referred to the Public Safety Radio System P25 Project Change Order and provided a detailed summary of the proposed changes. The requested changes would result in an enhanced and robust system, increasing our continuity of operations strategy should the need arise to abandon the communications center due to a fire or tornado, and a space to continue and operate in another space in the county. **Vice-Chair Holt offered a motion, second by Supervisor Stanek, to approve and forward the Contract Change Order Request for the 911 Center Radio System Project to the County Board. Motion carried. 4-0.**

9. Reports/announcements by Chairperson – There was none.

10. Set/confirm next meeting date and time: The next meeting was confirmed for Monday, May 15, 2023 at 10:00 a.m.

11. Annual evaluation of the County Administrator. The committee will convene in closed session pursuant to the exemption contained in Section 19.85 (1)(c) of the Wisconsin Statutes, "Considering employment, promotion, compensation or performance evaluation data of any public employee over which the government body has jurisdiction or exercises responsibility."

The committee convened in closed session **at approximately 10:54 a.m. on motion and second by Vice-Chair Holt and Supervisor Stanek** pursuant to the exemption contained in Section 19.85 (1)(c) of the Wisconsin Statutes, "Considering employment, promotion, compensation or performance evaluation data of any public employee over which the government body has jurisdiction or exercises responsibility" relative to the item listed above. A roll call

vote was conducted and all members present voted “Aye.” County Administrator Mark W. Luberdá (departed at approximately 12:00 p.m.) and Corporation Counsel/Director-LURM Michael Cotter remained in closed session. Supervisor Kathy Ingersoll remained on the telephone.

The committee reconvened in open session at 12:36 p.m. on motion and second by Vice-Chair Holt and Supervisor Stanek.

Vice-Chair Holt offered a motion, second by Supervisor Stanek, to find the annual evaluation of Walworth County Administrator Mark W. Luberdá as satisfactory. Motion carried. 4-0.

On motion and second by Supervisor Stacey and Supervisor Stanek, Chair Pruessing adjourned the meeting at 12:38 p.m.

Submitted by Kathleen Aukland, Administrative Assistant. Meeting minutes approved by the Executive Committee at the May 15, 2023 regularly scheduled meeting.