

**MAY 11, 2021  
WALWORTH COUNTY BOARD OF SUPERVISORS  
MEETING**

The Walworth County Board of Supervisors meeting was called to order by Chair Russell at 3:30 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, either in person or remotely: Vice-Chair Jerry A. Grant, Brian Holt, Kathy Ingersoll, Daniel G. Kilkenny, Kenneth H. Monroe, Susan M. Pruessing, Joseph H. Schaefer, Ryan G. Simons, Rick Stacey, David A. Weber and Chair Nancy Russell. A quorum was established.

Rick Stacey, Walworth County Board Supervisor, District #1, 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 Stacey, second by Supervisor Grant, the April 20, 2021 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. Aging & Disability Resource Center Governing Board
  - Araceli Wence – Term to begin upon County Board confirmation and end on June 30, 2023 (Recommended by the Executive Committee 5-0)
  - Deborah Gill-Dorgan – Term to begin upon County Board confirmation and end on June 30, 2022 (Recommended by the Executive Committee 5-0)
2. Emergency Communications Advisory Committee
  - City of Delavan Police Chief James Hansen – Term to begin upon County Board confirmation and end on December 31, 2021 (Recommended by the Executive Committee 5-0)
3. Local Emergency Planning Committee (LEPC)
  - Jason Rowland
  - Ashley Vickers
  - Senator Stephen Nass
  - Joseph Balog
  - Gary Rowland
  - Erica Bergstrom
  - Carlo Nevicosi
  - Richard Kuhnke
  - Kurt Picknell
  - Nancy Russell
  - Richard Hough
  - Nancy Douglass
  - Michael Anderson
  - Melvin Rhodes
  - Brad Wilson
  - Mark Lubarda

Upon County Board confirmation this will be a continuation of the appointments for the 2020-2021 term and end on September 30, 2021, to include formally confirming the appointments of Carlo Nevicosi and Jason Rowland (Recommended by the Executive Committee 5-0)

On motion by Supervisor Weber, second by Supervisor Holt, the appointments to the Aging & Disability Resource Center Governing Board, the Emergency Communications Advisory Committee, 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: a) U.S. Bank Trust, National Association, As Trustee of American Homeowner Preservation Trust Series 2015A+ vs. Walworth County and Walworth County Treasurer – Summons in a Civil Action (To be referred to the Executive Committee)
3. Green Lake County Res. No. 5-2021 – Opposition to changes in Wildlife Damage Abatement and Claims Program (To be Referred to the Land Conservation Committee)
4. Report of the County Clerk Regarding Communications Received by the Board and Recommended to be Placed on File
  - There were none.
5. Report of the County Clerk Regarding Communications Received by the Board After Agenda Mailing
  - CLAIM – Summons and Complaint – First American National, LLC, Plaintiff vs. William T. Graves, Jane Doe Graves, State of Wisconsin, and Walworth County Clerk of Circuit Court, Defendants – Foreclosure of Mortgage (To be referred to the Executive Committee) (The complete packet can be viewed in the County Clerk’s Office)
  - State of Wisconsin Waste Facility Siting Board – Statement of Economic Interests – Richard A. Hough and Mark W. Luberda (To be placed on file as part of Res. No. 12-05/21)
  - Correspondence from the Wisconsin Historical Society – State and National Register of Historic Places – Oak Hill Cemetery, 1101 Cemetery Road, Lake Geneva, Walworth County, WI (To be placed on file)
6. Report of the County Clerk Regarding Zoning Petitions (To be referred to the County Zoning Agency)
  - Michael Landers – Owner, John Berget – Applicant, Delavan Township. Rezone approximately 8.72 acres of A-2 Agricultural Land District property to the A-4 Agricultural Related Manufacturing, Warehousing and Marketing District and to rezone .92 acres of A-2 Agricultural Land District to A-5 Agricultural-Rural Residential District
  - Ryan and Sarah Dexter – Owners, LaFayette Township. Rezone approximately 1.2 acres of A-1 Prime Agricultural Land District to the A-4 Agricultural Related Manufacturing, Warehousing and Marketing District

Supervisor Grant referred to, Item #3, Green Lake County Res. No. 5-2021 and expressed the importance of supporting this type of resolution. Chair Russell clarified that the resolution is to be referred to the Land Conservation Committee.

### **Unfinished Business**

1. COVID-19 Response, Update, and State & Federal Actions

County Administrator Mark W. Luberda continues to prepare the Friday Report and Update per the Supervisors request and reported the following:

- The U.S. Treasury Department has issued guidance, as to how funding from the American Rescue Plan Act can be utilized. Review of the Preliminary Guidance document consisting of

approximately 157-pages will commence to determine how the County may utilize the \$20,000+ million over the course of the next three years. Walworth County will seek further guidance from the Wisconsin County's Association (WCA), the Wisconsin Finance Officers Association, etc. to make certain the funds are appropriately applied. Review of this document will be addressed under the COVID-19 Update section of the Finance Committee Agenda and will be discussed during Agenda Setting.

Acting Director of Health and Human Services (HHS) Carlo Nevicosi provided an update relative to the COVID-19 vaccinations and highlighted the following:

- Demand for mass clinic vaccinations have dropped.
- HHS will continue walk-in clinics two days a week through the month of June.
- Pfizer vaccinations will now be offered to 16-17 year olds.
- The first employer-based clinic has taken place with two more clinics planned by the Public Health Department for next week.
- The first community-based clinic took place this past Saturday with roughly 200 participants.
- Aging and Disability Resource Center (ADRC) has compiled a list of individuals requiring homebound vaccinations. Nurses will be sent out into the participant's home.
- HHS anticipates reaching out to employers relative to holding employer-based vaccination clinics and referring them to larger pharmacies seeking to offer these services.
- HHS has pulled together data relative to vaccine acceptance by zip code, which will help with outreach efforts.
- Williams Bay and Fontana are the two highest vaccinated communities with approximately 65% to 70% of their residents being vaccinated; Lake Geneva is at approximately 53%; Elkhorn and Delavan are at approximately 47% to 48%; with Whitewater lagging at 26.82%.

Discussion then focused on walk-in clinics; individuals who are unable or incapable of getting onto the internet to register; that HHS staff is available to help people register; and that ADRC is available to assist with homebound inquiries and other resources/referrals.

Luberda asked Nevicosi to provide data relative to vaccine acceptance by zip code, as a COVID-19 update at the May 19<sup>th</sup> Health and Human Services Board meeting.

## **New Business**

### **Reports of Standing Committees**

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

1. Walworth County at the request of The Wisconsin Department of Natural Resources (DNR) is required to remove a portion of a stream tributary to Geneva Lake identified as the east branch of Stream 24 on the Navigable Streams of Geneva Lake Study Map from the navigable stream inventory. The DNR determination of non-navigability shall result in adjustment of the shoreland boundary by removal of the shoreland designation **245 feet along the stream corridor** south of the culvert at Summit Drive. The water course of concern is located in the SE ¼ of Section 18 of Linn Township. (A locational map #77 is available at the Walworth County Land Use and Resource Management Department). The point of navigability is on Tax Parcel IMH 00017 – Approved 7-0 (April 22, 2021 County Zoning Agency Public Hearing)

2. Christopher D. and Anna G. Meisner – Owners, Section 25, Delavan Township. Rezone 16.7 acres of A-5 to A-1NC – Approved 7-0 (April 22, 2021 County Zoning Agency Public Hearing)

On motion by Supervisor Stacey, second by Supervisor Weber, Items #1 thru #2 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. 07-05/21 – Denying the Claim of James Stine – *Vote Required: Majority* (Recommended by the Executive Committee 5-0)
2. Res. No. 08-05/21 – Approving the Settlement of the Claim Involving Megan Jackson – *Vote Required: Majority* (Recommended by the Executive Committee 5-0)
3. Res. No. 09-05/21 – Approving the Settlement of the Claim Involving Village of East Troy’s 2017 Dodge Charger – *Vote Required: Majority* (Recommended by the Executive Committee 5-0)
4. Res. No. 10-05/21 – Approving the Settlement of the Claim Involving Joseph Dorsey – *Vote Required: Majority* (Recommended by the Executive Committee 5-0)

On motion by Supervisor Weber, second by Supervisor Holt, Item #1, **Res. No. 07-05/21**; Item #2, **Res. No. 08-05/21**; Item #3, **Res. No. 09-05/21**; and Item #4, **Res. No. 10-05/21** were approved by voice vote.

#### **Finance Committee**

1. Ord. No. 1239-05/21 – Amending Section 30-256 of the Walworth County Code of Ordinances Relating to Capitalization Thresholds – *Vote Required: Majority* (Recommended by the Finance Committee 5-0)
2. Ord. No. 1240-05/21 – Amending Section 30-173 of the Walworth County Code of Ordinances Relating to the Establishment of a Recovery Grants Fund – *Vote Required: Majority* (Recommended by the Finance Committee 5-0)
3. Res. No. 15-05/21 – Authorizing the Public Works 2017 Brine Maker, One 2004 Mack Tandem Truck with Attachments, and Two 2006 Mack Tandem Trucks with Attachments to be Declared Surplus and Authorizing Staff to Dispose of the Assets – *Vote Required: Majority* (Recommended by the Public Works Committee 5-0 and Finance Committee 5-0)
4. Res. No. 16-05/21 – Allocating/Transferring Highway Fund Available Net Position to Pavement Management System & Analysis Study Project – *Vote Required: Two-thirds* (Recommended by the Public Works Committee 5-0 and the Finance Committee 5-0)
5. Res. No. 17-05/21 – Authorizing the Sheriff’s Office to Accept the Community Oriented Policing Services (COPS) Anti-Methamphetamine Program (CAMP) Grant and Community Oriented Policing Services (COPS) Anti-Heroin Task Force (AHTF) Grant and Authorizing Addition to Previously Established Pre-Approved Recurring Grants List – *Vote Required: Majority* (Recommended by the Finance Committee 5-0)
6. Res. No. 18-05/21 – Authorizing Write Off of 2018 Personal Property Taxes Uncollectible in 2019 – *Vote Required: Two-thirds* (Recommended by the Finance Committee 5-0)
7. Res. No. 19-05/21 – Closing Fiscal Year 2020 – *Vote Required: Two-thirds* (Recommended by the Finance Committee 5-0)
8. Res. No. 20-05/21 – Committing Fund Balances as of December 31, 2020 – *Vote Required: Two-thirds* (Recommended by the Finance Committee 5-0))

On motion by Supervisor Monroe, second by Supervisor Ingersoll, Item #1, **Ord. No. 1239-05/21**; Item #2, **Ord. No. 1240-05/21**; and Item #3, **Res. No. 15-05/21** were approved by voice vote.

Supervisor Holt offered a motion, second by Supervisor Weber, to approve, Item #4, Res. No. 16-05/21 by unanimous consent. **Res. No. 16-05/21** was approved by unanimous consent.

On motion by Supervisor Grant, second by Supervisor Ingersoll, Item #5, **Res. No. 17-05/21** was approved by voice vote.

Supervisor Holt offered a motion, second by Supervisor Weber, to approve, Item #6, Res. No. 18-05/21 by unanimous consent. **Res. No. 18-05/21** was approved by unanimous consent.

Supervisor Holt offered a motion, second by Supervisor Weber, to approve, Item #7, Res. No. 19-05/21 by unanimous consent. **Res. No. 19-05/21** was approved by unanimous consent.

Supervisor Holt offered a motion, second by Supervisor Weber, to approve, Item #8, Res. No. 20-05/21 by unanimous consent. **Res. No. 20-05/21** was approved by unanimous consent.

### **Human Resources Committee**

1. Ord. No. 1238-05/21 – Amending Sections of Chapter 15 of the Walworth County Code of Ordinances Relating to CDEB Professional Employees – *Vote Required: Majority* (Recommended by the Human Resources Committee 5-0 and the Children with Disabilities Education Board 4-0)
2. Res. No. 14-05/21 – Authorizing the Creation of a Recovery Manager Position, an Accountant – Recovery Grants Position and an Emergency Management Program Assistant Position – *Vote Required: Two-thirds* (Recommended by the Human Resources Committee 5-0)

On motion by Supervisor Weber, second by Supervisor Grant, Item #1, **Ord. No. 1238-05/21** was approved by voice vote.

Supervisor Holt offered a motion, second by Supervisor Weber, to approve, Item #2, Res. No. 14-05/21 by unanimous consent. **Res. No. 14-05/21** was approved by unanimous consent. Luberda announced that a modified version of this resolution may need to be brought back to the Board for approval, as it may be impacted by interpretation of the U.S. Treasury Department Preliminary Guidance document.

### **Public Works Committee**

1. Res. No. 11-05/21 – Approving the 5-Year Solid Waste Management and Recycling Implementation Plan for Walworth County Solid Waste Program – *Vote Required: Two-thirds* (Recommended by the Public Works Committee 5-0)
2. Res. No. 12-05/21 – Authorizing Walworth County’s Intent to Participate in Negotiations Regarding the Mallard Ridge Landfill, Inc. Proposed Western Expansion (Siting Resolution) *Vote Required: Majority* (Recommended by the Public Works Committee 5-0)
3. Res. No. 13-05/21 – Authorizing an Intergovernmental Agreement Between the Walworth County Metropolitan Sewerage District, the City of Elkhorn, and Walworth County Relating to the Costs for Televising Sewers – *Vote Required: Majority* (Recommended by the Public Works Committee 5-0)

Supervisor Holt offered a motion, second by Supervisor Weber, to approve, Item #1, Res. No. 11-05/21 by unanimous consent. **Res. No. 11-05/21** was approved by unanimous consent.

County Clerk Kimberly S. Bushey noted a revised Intergovernmental Agreement was placed on the Supervisors’ desks prior to the meeting and stated dollar figures were inserted near the bottom of Page 1. Chair Russell clarified the revised Intergovernmental Agreement is relative to Res. No. 13-05/21 – Cost sharing between the Walworth County Metropolitan Sewerage District, the City of Elkhorn, and Walworth County. Supervisor Monroe offered a motion, second by Supervisor Grant, to approve, Item #2, Res. No. 12-05/21; and, Item #3, Res. No. 13-05/21 with the revision as presented. Luberda noted there was also the

correction of a typo on Page 2. **Res. No. 12-05/21** and **Res. No. 13-05/21** with the revision were approved by voice vote. No “No” vote was heard.

**Reports of Special Committees**

There were none.

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

The following individuals appeared at the meeting, expressed their concerns, and spoke in favor of enacting a humane pet store ordinance that prohibits the sale of puppies and kittens in pet stores:

- Peggy Race distributed and spoke briefly regarding the contents of a packet that included a draft proposed ordinance, coalition correspondence requesting a human pet store ordinance in Walworth County, and a Wisconsin Puppy Mill and Pet Store Ordinance Guide for the Board’s review. This packet was placed on the Supervisors’ Desks prior to the meeting.
- Megan Nicholson, Wisconsin State Director for the Humane Society of the United States

Jim Boardman of the Walworth County Historical Society addressed the Board and announced that the current Elkhorn City Hall Building, which is listed on the National Register of Historic Places, will serve as the new home of the Doris M. Reinke Resource Center and the Schmidt Library. He explained the three-phase approach to moving and stated the Webster House Museum will continue to operate and that the current locations of the Reinke Resource Center and Heritage Hall will be vacated and eventually sold. Boardman concluded by thanking County Administrator Luberda and the Supervisors for their past and future support.

The following individuals expressed their concerns remotely via telephone and spoke in favor of enacting a humane pet store ordinance that prohibits the sale of puppies and kittens in pet stores:

- Christin Schubert, a team lead for Bailing Out Benji, a non-profit dedicated to education and raising awareness of puppy mills and their connection to pet stores. Schubert adopted Lamb Chop who is featured in the packet of information that was previously shared by Race.
- Mandy Lewis – Founder and President of Albert’s Dog Lounge, Whitewater, WI.

**Chairperson’s Report**

Russell stated titles for the Tuesday, June 8, 2021 agenda are to be submitted on or before Monday, May 24, 2021.

Russell expressed that Memorial Day is a time to remember our veterans and those who fought for our country and have sacrificed greatly.

**Adjournment**

On motion by Supervisor Monroe, second by Supervisor Weber, the meeting was adjourned at 4:16 p.m.

Prepared By: Patricia Sommers, Administrative Assistant  
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 May 11, 2021 meeting.