

Walworth County Board of Supervisors
Executive Committee Meeting Minutes
Monday, May 15, 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 Sheila T. Reiff, Rick Stacey, and Al Stanek. A quorum was declared.

Others in Attendance

County Board Supervisors: Supervisor Dennis Karbowski

County Staff: Walworth County Administrator Mark W. Luberd; Corporation Counsel/Director-Land Use and Resource Management Michael Cotter; Director-Public Works Richard Hough; Undersheriff Tom Hausner; and Walworth County Sheriff's Department Captain Joshua Staggs

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

On motion by Vice-Chair Holt, second by Supervisor Stacey, the April 24, 2023 Executive Committee meeting minutes were approved.

Public Comment –

Supervisor Dennis Karbowski spoke on behalf of his constituents in District 8. Karbowski spoke about the issues made in the County Zoning Agency Meeting regarding conditional use permits at Duesterbeck Brewery. He stated there have been more than the allowed 18 events a year for conditional use events. There is a need for an LTE (limited term employee) to classify what is an allowed event, and to supervise the enforcement of conditional use permits. This request was voted down at the County Zoning Agency meeting last month. Karbowski asks that this matter is addressed.

Consent Items – expense/mileage reimbursement claims submitted by:

7a. Allan Polyock, Wisconsin River Rail Transit Commission, in the amount of \$154.25

Vice Chair Holt offered a motion, second by Supervisor Reiff, to approve the expense/mileage reimbursement claim submitted by Allan Polyock. Motion carried 5-0.

Appointments. Recommendations regarding County Administrator's nominations:

8a. Aging & Disability Resource Center Board – appointment of Laura Berg

8b. Aging & Disability Resource Center Board – appointment of Lowell Wright

8c. Matheson Memorial Library Board – appointment of Elizabeth Getzen

8d. Matheson Memorial Library Board – appointment of Kathryn Loveless

Supervisor Stacey offered a motion, second by Vice-Chair Holt, to approve the recommended appointments of Laura Berg and Lowell Wright to the Aging & Disability Resource Center Board.

Walworth County Administrator Mark W. Luberd stated the cover Memorandum (Page 8 of the packet) identifies the role the Aging & Disability Resource Center Board played in the recommendations.

Motion carried 5-0.

8c. and 8d. Luberd explained the two appointments were filling vacancies that just became available due to members not wanting reappointments. The recommendations are from the Library Director. Luberd met both of the candidates in person and at the Matheson Memorial Library Board meeting, and recommends both to be appointed.

Vice-Chair Holt offered a motion, second by Supervisor Stanek, to approve the recommended appointments of Elizabeth Getzen and Kathryn Loveless to the Matheson Memorial Library Board. Motion carried 5-0.

New Business

9a. Resolution No. ** - 06/23 Requesting the State of Wisconsin Review and Revise the Compensation Rate for State Public Defenders.

Supervisor Reiff offered a motion, second by Supervisor Stacey, to approve the resolution Requesting the State of Wisconsin Review and Revise the Compensation Rate for State Public Defenders.

Walworth County Administrator Mark W. Luberda explained this issue was returning to the Executive Committee in regard to discussion had at the April 24, 2023 Executive Committee meeting. In addition, based upon input Corporation Counsel/Director-Land Use and Resource Management Michael Cotter had at the April 24, 2023 Executive Committee, Luberda asked Cotter to prepare a draft of the Resolution.

Cotter went over the background of the Resolution Requesting the State of Wisconsin Review and Revise the Compensation Rate for State Public Defenders indicating that it is based on Washington County's resolution. Additional language about other cases the Walworth County Public Defender's Office handles that impact the Walworth County Corporation Counsel Office to include non-criminal cases such as termination of parental rights and mental health cases was added in the Walworth County resolution. Cotter stated he spoke to Walworth County Clerk of Circuit Court/Register in Probate Kristy Secord who did not want the financial information from the April 24, 2023 Executive Committee meeting included in the Walworth County resolution. Cotter noted the issue is gaining momentum throughout the state. Luberda referred to the Wisconsin Policy Forum publication included in the packet (Pages 21-25) discussing the low pay for public attorneys as a growing concern. Cotter also informed the Executive Committee that the State Public Defender Kelly Thompson will have this issue of concern as her topic on the Wisconsin Counties Association (WCA) call this morning at 11 a.m.

Motion carried 5-0.

9b. Resolution No. ** - 06/23 Submitting Certain Advisory Resolutions to the Wisconsin Counties Association to be Included in its Platform.

Luberda explained the difference in this Resolution from what was provided at the April 24, 2023 Executive Committee meeting which was based on the approval of the Resolution regarding Requesting the State of Wisconsin Review and Revise the Compensation Rate for State Public Defenders by the County Board. The approval of the Walworth County Board would then provide the opportunity to also include the second Resolution, Submitting Certain Advisory Resolutions to the Wisconsin Counties Association (WCA) platform, in the WCA platform. The result of these actions is two positions being included in the WCA platform. **Vice-Chair Holt offered a motion, second by Supervisor Reiff, to approve the resolution Submitting Certain Advisory Resolutions to the Wisconsin Counties Association to be Included in its Platform. Motion carried 5-0.**

9c. Request for Surplus of Eight (8) Squads.

Supervisor Stacey, offered a motion, second by Supervisor Reiff, to approve the Request for Surplus of Eight (8) Squads.

Walworth County Undersheriff Tom Hausner summarized the request explaining there is a fleet plan based on the progression of mileage, age, and maintenance. The Walworth County Sheriff's Department follows Department of Public Works (DPW) guidance on the maintenance issue. The squads in question are ones they are looking to turn in for Wisconsin surplus. Captain Joshua Staggs explained the Sheriff's Office is working with Wisconsin Surplus with a trial process in regards to K9 units wherein all emergency equipment from the vehicles are being redistributed for various uses. The K9 units not sold through Wisconsin Surplus are then decommissioned for an additional cost. Success of this K9 Unit trial process will result in the Sheriff's Office following the same protocol for anything surplus. **Motion carried 5-0.**

9d. Resolution No. ** - 06/23 Creating a New 2023 Capital Improvement Project to Purchase Ten (10) Sheriff's Office Squad Cars by Accelerating the 2024 Capital Request and Authorizing a Capital Project Fund Expenditure Budget of \$720,000 Funded by a Transfer from General Fund Building/Equipment Committed Fund Balance and the Sale of Surplus Vehicles.

Hausner presented an overview of the resolution. He went over how last year there were supply issues resulting in not receiving the vehicles needed. This project is necessary to make sure that we have the funding available when the purchase opportunity is presented. When we have to wait, the inventory is not there. Luberda informed the Committee if this Resolution is approved, and Finance also approves, he will work with the Finance Director Jessica Conley for the 2024 budget so we can build this purchase in for preordering like we did in 2022. The fund expenditure will then be put in the 2024 budget appropriations and budget resolutions.

Supervisor Stanek offered a motion, second by Supervisor Reiff, to approve the resolution Creating a New 2023 Capital Improvement Project to Purchase Ten (10) Sheriff's Office Squad Cars by Accelerating the 2024 Capital

Request and Authorizing a Capital Project Fund Expenditure Budget of \$720,000 Funded by a Transfer from General Fund Building/Equipment Committed Fund Balance and the Sale of Surplus Vehicles. Motion carried 5-0.

Chair Pruessing expressed her appreciation to those serving during National Police Week.

9e Update on Fire/EMS Study Committee and the Related Issues

The Executive Committee requested that Walworth County Administrator Mark W. Luberda place an “Update on Fire/EMS Study Committee and Related Issues” on future agendas as an ongoing topic. Luberda explained Item 9e was asked to be put on the Executive Committee Agenda at the Agenda Setting. He referred to the document Recent Timeline of the Fire/EMS Study Committee and Related Issues – Prepared 5/12/23. The document identifies what has happened since this idea was first brought to the Executive Committee. Luberda listened to questions of the committee. He assured everyone that a funding source with a scope of service and waiver of competition was worked out and drafted. A Budget modification resolution approved by the County Board appropriated the \$22,000.00. A restriction has been put on the funds stating the Fire/EMS Study Committee needs to affirm their recommendation. Their main issue is the (Intergovernmental Cooperation Council) ICC and fire protection leadership are still onboard with the plan as they were in 2017. Luberda will be meeting with County Board Chair Rick Stacey to schedule the ICC meeting, then move forward with the Wisconsin Policy Forum. Luberda stated the next round of meetings should resolve the issues and we should be able to go forward with the contract in early June. The Update on Fire/EMS Study Committee and the Related Issues will be put on the June Executive Committee Agenda, and in addition be an ongoing report to the Executive Committee. In addition, Supervisor Reiff informed the Committee of a state-wide survey being done to determine the locations and issues within the fire departments. Reiff noted she will contact the Palmyra Fire Chief because that department was part of the study.

10. Reports/announcements by Chairperson –

Chair Pruessing requested that Supervisor Karbowski’s concerns presented during the public comment period earlier in the meeting be put on the agenda for next month. Discussion ensued following this request. The Executive Committee makes no recommendation relative to the conditional use permit of the Duesterbeck Brewery, which was brought up by Supervisor Karbowski during the public comment period earlier in the meeting. The matter can be considered by the Finance Committee as part of the County Board 2024 Budget Planning item. Luberda noted he would discuss the matter with Supervisor Karbowski one on one.

11. Confirmation of next meeting date and time: The next meeting was confirmed for Monday, June 19, 2023 at 10:00 a.m.

Claims and Litigation

12. The committee may discuss the following topic(s) in open session. The committee convened in closed session **at approximately 10:50 a.m. on motion and second by Vice-Chair Holt and Supervisor Stacey** pursuant to the exemption contained in Section 19.85(1)(g) of the Wisconsin Statutes, “conferring with legal counsel for the governmental body who is rendering oral or written advice concerning strategy to be adopted by the body with respect to litigation in which it is or is likely to become involved,” relative to the items listed below. A roll call vote was conducted and all members present voted “aye.” County Administrator Mark W. Luberda; Corporation Counsel/Director-LURM Michael Cotter; remained in closed session.

- a) Notice of Injury and Claim – Timothy Kane
- b) DWD Age Discrimination Complaint – Craig Konopski

Please note that Sheriff Gerber left the Closed Session at approximately 10:59 a.m.

The Committee reconvened in open session at 11:13 a.m. on motion and second by Vice Chair Holt and Supervisor Stacey.

Vice Chair Holt offered a motion, second by Supervisor Reiff, to approve Item 12a) and to proceed as discussed in closed session on Item 12b). Motion carried 5-0.

13. Adjournment

On motion and second by Vice-Chair Holt and Supervisor Stanek, Chair Pruessing adjourned the meeting at 11:14 a.m.

Submitted by Kathleen Aukland, Administrative Assistant. Meeting minutes approved by the Executive Committee at the June 19, 2023 scheduled meeting.