

**JUNE 13, 2023**  
**WALWORTH COUNTY BOARD OF SUPERVISORS**

The Walworth County Board of Supervisors meeting was called to order by Chair Rick Stacey at 5:00 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: Chair Rick Stacey; Vice-Chair Ryan Simons (attended remotely); Supervisors Brian Holt, Kathy Ingersoll, Dennis G. Karbowski, Joanne Laufenberg, Kenneth H. Monroe, Susan Pruessing, Sheila T. Reiff, Joseph H. Schaefer, and Al Stanek. A quorum was established.

**Other in attendance:**

Walworth County Administrator Mark W. Luberda; Corporation Counsel/Director-Land Use and Resource Management Michael Cotter and Director-Public Works Richard Hough.

Al Stanek, Walworth County Board Supervisor, District #4, delivered the invocation.

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

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

**Approval of the Minutes**

On motion by Supervisor Ingersoll, second by Supervisor Karbowski, the May 9, 2023 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 and Disability Resource Center Board
  - Laura Berg – Three-year term to begin upon County Board confirmation and end on June 30, 2026 (Recommended by the Executive Committee 5-0)
  - Lowell Wright – Three-year term to begin upon County Board confirmation and end on June 30, 2026 (Recommended by the Executive Committee 5-0)
2. Matheson Memorial Library Board
  - Elizabeth Getzen – Three-year term to begin upon County Board confirmation and end on April 30, 2026 (Recommended by the Executive Committee 5-0)
  - Kathryn Loveless – Three-year term to begin upon County Board confirmation and end on April 30, 2026 (Recommended by the Executive Committee 5-0)

On motion by Supervisor Holt, second by Supervisor Schaefer, the appointments to the Aging and Disability Resource Center Board and Matheson Memorial Library Board were approved by voice vote.

**Communications and Matters to Be Referred**

Chair Stacey 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. Price County Res. No. 19-23 – Request the State of Wisconsin to Address Concerns of Act 216, Relating to Distributing the Proceeds from the Sale of Tax Delinquent Property to the Former Owner (To be referred to the Finance Committee)
4. Winnebago County Res. No. 220-042023 – Urge the Wisconsin Legislature to Provide \$18.7 Million in Stable, Core Funding Support for County Conservation Department Staffing (To be referred to the Land Conservation Committee)
5. Report of the County Clerk Regarding Communications Received by the Board and Recommended to be Placed on File
  - Lincoln County Resolution No. 2023-04-27 – Resolution Requesting the State Revise the Current Real Estate Transfer Fees Revenue Sharing Formula (To be placed on file)
  - Jackson County Resolution No. 19-05-2023 – Request State to Revise the Current Real Estate Transfer Fee Revenue Sharing Formula (To be placed on file)
  - Vernon County Resolution No. 2023-33 – Revise the Current Real Estate Transfer Fees (To be placed on file)
  - Washburn County – Letter of Support to the Wisconsin Counties Association requesting legislative changes to improve the safety of ATV/UTV riders and those using public highways for transportation (To be placed on file)
  - Lafayette County Resolution No. 10-23 – Requesting the State to Revise Solar Energy System Law (To be placed on file)
  - Lafayette County Resolution No. 11-23 – Requesting to Better Protect the State's Agricultural Land by Reviewing and Revising its Policy on Foreign Ownership of Farmland (To be placed on file)
  - Douglas County Resolution No. 26-23 – State of Wisconsin Review and Revise Compensation Rate for State Public Defenders (To be placed on file)
  - Door County Resolution Number 2023-43 – Request State of Wisconsin to use a Portion of the 2023 Budgetary Surplus for the Maintenance, Repair and Replacement of County Trunk Highway System (To be placed on file)
  - Portage County Resolution No. 110-2022-2024 – Requesting the State Revise the Current Real Estate Transfer Fees Revenue Sharing Formula (To be placed on file)
6. Report of the County Clerk Regarding Communications Received by the Board After Agenda Mailing
  - Correspondence from Wisconsin Counties Association – Forward Analytics (FA), *Silent Killer, The Fentanyl Epidemic in Wisconsin* (To be placed on file)

7. Report of the County Clerk Regarding Zoning Petitions (To be referred to the County Zoning Agency)
  - Land Reserves, LLC C/O Jack Pease, Sugar Creek Township. Rezone approximately 0.16 acres of A-1 Prime Agricultural Land District to C-2 Upland Resource Conservation District, 12.69 acres of A-1 Prime Agricultural Land District to M-3 Mineral Extraction District, 1.14 acres of A-4 Agricultural-Related Manufacturing, Warehousing, and Marketing District to A-1NC Prime Agricultural Land Holding District, 2.76 acres of A-4 Agricultural-Related Manufacturing, Warehousing, and Marketing District to M-3 Mineral Extraction District, 5.2 acres of C-2 Upland Resource Conservation District to C-1 Lowland Resource Conservation District, 9.36 acres of C-2 Upland Resource Conservation District to M-3 Mineral Extraction District, 15.8 acres of M-3 Mineral Extraction District to A-1NC Prime Agricultural Land Holding District, and 0.11 acres of M-3 Mineral Extraction to C-2 Upland Resource Conservation District.
  - S. Terry Woods, LTD, Inc., Linn Township. Rezone approximately 20.5 acres of A-2 Agricultural Land District to C-2 Upland Resource Conservation District.
  - Stephen Russ, East Troy Township. Rezone approximately 0.365 acres of A-3 Lane Holding land to C-4 Shoreland Wetland District and 0.641 acres of C-4 Shoreland Wetlands to A-3 Land Holding District.
  - Alex Martzke, Lyons Township. Rezone approximately 1.56 acres of C-3 Conservancy Residential land to B-2 General Business District, 0.8 acres of C-3 Conservancy Residential land to C-2 Upland Resource Conservation District, and 6.72 acres of B-2 General Business land to C-2 Upland Resource Conservation District.
  - Vollmer Family Holdings, LLC C/O Gail Stephens, Delavan Township. Rezone approximately 0.17 acres of B-1 Local Business land to R-2 Single-Family Residence District (Sewered).

#### Unfinished Business

#### New Business

#### Reports of Standing Committees

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

1. RM Krueger Investments, LLC C/O Ron Krueger – Owner, Tom Jurasinski – Applicant, Section 16, East Troy Township. Rezone approximately 2.6 acres of A-1, 2.2 acres of C-4, and 16.6 acres of C-2 to B-5 – Approved 7-0 (May 18, 2023 County Zoning Agency Public Hearing)
2. Sunset Investment Holdings LLC C/O Roberta Wagner – Owner, Robert O'Neill – Applicant, Section 3, Lyons Township. Rezone approximately 6.01 acres of M-1 and A-2 to C-2 and 2.07 acres of M-1 and A-1 to A-2 – Approved 7-0 (May 18, 2023 County Zoning Agency Public Hearing)

On motion by Supervisor Karbowski, second by Supervisor Reiff, 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.

##### County Zoning Agency

1. Res. No. 27-06/23 - Recommending Revisions to the Solar and Wind Energy Regulations as Established by the Wisconsin Administrative Code and the Wisconsin Statutes – *Vote Required: Majority* (Recommended by the County Zoning Agency 4-3)

On motion by Supervisor Stanek, second by Supervisor Schaefer, **Res. No. 27-06/23** was approved by voice vote.

##### Executive Committee

1. Res. No. 19-06/23 – Requesting the State of Wisconsin Review and Revise the Compensation Rate for State Public Defenders – *Vote Required: Majority* (Recommended by the Executive Committee 5-0)
2. Res. No. 20-06/23 – Submitting Certain Advisory Resolutions to the Wisconsin Counties Association to be included in its Platform – *Vote Required: Majority* (Recommended by the Executive Committee 5-0)
3. Res. No. 23-06/23 – Approving the Claim of Timothy Kane – *Vote Required: Majority* (Recommended by the Executive Committee 5-0)

On motion by Supervisor Pruessing, second by Supervisor Holt, Item #1, **Res. No. 19-06/23** was approved by voice vote.

Supervisor Pruessing offered a motion, second by Supervisor Laufenberg, to approve, Item #2, Res. No. 20-06/23 with one Amendment: 1) to include Item #1 under County Zoning Agency, Res. No. 27-06/23 for submission to the Wisconsin Counties Association (WCA).

Supervisor Laufenberg offered a motion to include Lafayette County Res. No. 11-23, found on Pages 33-34 of the Agenda Packet, for submission to the WCA. Discussion then focused on the following:

- The proper procedures for referring another counties resolution to a committee for their review and possible action, which has not taken place on this particular resolution.
- That although the WCA may receive Committee/County Board approved resolutions at any time, there is only one designated period in the year wherein the WCA reviews collected resolutions at their conference and the deadline for submitting resolutions is June 19, 2023 at 4:00 p.m.
- The fact that Lafayette County may have already submitted their resolution to the WCA.

Laufenberg withdrew her motion for a second amendment.

The amendment to include Item #1 under County Zoning Agency, Res. No. 27-06/23 for submission to the Wisconsin Counties Association (WCA) was approved by voice vote. **Res. No. 20-06/23** as amended, was approved by voice vote.

Supervisor Schaefer offered a motion, second by Supervisor Reiff, to approve, Item #3, Res. No. 23-06/23. At the request of Supervisor Laufenberg, Corporation Counsel/Director-Land Use and Resource Management Michael Cotter explained that despite a thorough investigation by both Walworth County and Waukesha County Sheriff's Department, it was unclear of the whereabouts of the item after arriving at the Walworth County Jail. **Res. No. 23-06/23** was approved by voice vote.

#### **Finance Committee**

1. Res. No. 25-06/23 – Accepting Room and Board Residential Substance Use Disorder (RSUD) Opioid Settlement Funding and Adding Grant to Previously Established Pre-Approved Recurring Grant List – *Vote Required: Majority* (Recommended by the Finance Committee 5-0)
2. Res. No. 26-06/23 – 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 – *Vote Required: Two-thirds* (Recommended by the Executive Committee 5-0, the Public Works Committee 5-0, and the Finance Committee 5-0)

On motion by Supervisor Ingersoll, second by Supervisor Reiff, Item #1, **Res. No. 25-06/23** was approved by voice vote.

Supervisor Stanek offered a motion, second by Supervisor Reiff, to approve, Item #2, Res. No. 26-06/23. A roll call vote was conducted. Total votes: 11; Ayes: 11 – Holt, Ingersoll, Karbowski, Laufenberg, Monroe, Pruessing, Reiff, Schaefer, Simons, Stacey, and Stanek; Noes: 0. **Res. No. 26-06/23** was approved by roll call vote.

#### **Human Resources Committee**

1. Ord. No. 1315-06/23 – Amending Sections 15-359 and 30-286 of the Walworth County Code of Ordinances Relating to Lakeland School Lunch Duty Pay and Lunch Fees – *Vote Required: Majority* (Recommended by the Human Resources Committee 5-0, the Children with Disabilities Education Board 5-0, and the Finance Committee 5-0)
2. Ord. No. 1316-06/23 – Amending Section 15-333(h) of the Walworth County Code of Ordinances Relating to Pay Plan Administration-Promotion – *Vote Required: Majority* (Recommended by the Human Resources Committee 5-0)
3. Res. No. 24-06/23 – Approving an Affirmative Action Plan for Walworth County for Plan Year July 1, 2023 to June 30, 2025 – *Vote Required: Majority* (Recommended by the Human Resources Committee 4-1)

Supervisor Monroe offered a motion, to approve, Item #1, Ord. No. 1315-06/23; Item #2, Ord. No. 1316-06/23; and Item #3, Res. No. 24-06/23. Supervisor Laufenberg requested, Item #3, Res. No. 24-06/23 be voted upon separately. Supervisor Monroe agreed to modify his motion to approve only, Item #1, Ord. No. 1315-06/23; and Item #2, Ord. No. 1316-06/23, second by Supervisor Holt. **Ord. No. 1315-06/23** and **Ord. No. 1316-06/23** were approved by voice vote.

Supervisor Ingersoll offered a motion, second by Supervisor Schaefer, to approve, Item #3, Res. No. 24-06/23. Supervisor Laufenberg expressed her perception of the hiring process is not based on the applicant's ability to do the job, but rather on the basis of the goals of the Affirmative Action Plan; which would include hiring based on gender or color. Walworth County Administrator Mark W. Luberda assured those present that these concerns are not part of the Affirmative Action Plan. He noted the Walworth County Code of Ordinance requires Walworth County to follow the Equal Opportunity Employment Division rules and reporting in which the data is tracked. Luberda expressed the plan is not designed to promote favoritism, but is intended to be a tool to keep records appropriately reported to the Federal Government. **Res. No. 24-06/23** was approved by voice vote. Supervisor Laufenberg requested her vote be recorded as "No."

#### **Land Conservation Committee**

1. Res. No. 22-06/23 – Approving the Walworth County Farmland Preservation Plan Update for 2022, Revised January 15, 2023 – *Vote Require: Majority* (Recommended by the Land Conservation Committee 5-0)

On motion by Supervisor Holt, second by Supervisor Schaefer, Item #1, **Res. No. 22-06/23** was approved by voice vote.

#### **Public Works Committee**

1. Res. No. 21-06/23 – Approving a Storm and Sanitary Sewer System Memorandum of Understanding between Aurora Health Care Southern Lakes, Inc. and Walworth County – *Vote Required: Majority* (Recommended by the Public Works Committee 5-0)

On motion by Supervisor Monroe, second by Supervisor Karbowski, Item #1, **Res. No. 21-06/23** was approved by voice vote.

#### **Reports of Special Committees**

There were none.

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

There was none.

Supervisor Ingersoll inquired about the Nancy Russell Trail Naming White River County Park event on June 24, 2023. Luberda asked Director-Public Works Richard Hough to provide a brief synopsis of the event. Cotter indicated he will make sure the event is properly noticed that a quorum may be present so any County Board members could attend. Luberda stated County Board members are welcome to attend, as long as they do not discuss business and focus on the event agenda. The event is scheduled for June 24, 2023 at 9 a.m.

#### **Chairperson's Report**

There is a Special Committee of the Whole meeting on July 11, 2023 at 4:00 p.m. for the Strategic Planning of the Housing for Walworth County; with Agenda Setting at 3:15 p.m.

**Adjournment**

On motion by Supervisor Monroe, second by Supervisor Reiff, the meeting was adjourned at 5:29 p.m.

Prepared By: Kathleen Aukland, Administrative Assistant

Submitted By: Susi Pike, County Clerk

STATE OF WISCONSIN     )  
  )  
COUNTY OF WALWORTH    )

I, Susi Pike, 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 June 19, 2023 meeting.