

JULY 11, 2023
WALWORTH COUNTY BOARD OF SUPERVISORS

The Walworth County Board of Supervisors meeting was called to order by Chair Rick Stacey at 5:11 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; Supervisors Brian Holt, Kathy Ingersoll, Dennis G. Karbowski, Joanne Laufenberg, Kenneth H. Monroe, Susan Pruessing, Sheila T. Reiff, Joseph H. Schaefer (Remote), and Al Stanek. A quorum was established.

Brian Holt, Walworth County Board Supervisor, District #3, delivered the invocation.

Amendments, Withdrawals, and Approval of Agenda

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

Approval of the Minutes

On motion by Supervisor Pruessing, second by Supervisor Karbowski, the June 13, 2023 County Board Meeting minutes were approved by voice vote.

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

Dr. Jeremy Bria of the Town of Walworth spoke relative to the issue of housing. He agreed with the Board housing is a concern that needs to be addressed. Bria stated two of the main issues, in his opinion, are safety and sanitation. He expressed his concerns regarding the workers who are housed for employment and the issues affecting the people in the community. Housing of the workers has compromised the safety and privacy of him and his family. Bria stressed the importance of knowing more about the people being housed. He wanted put on record the housing of temporary workers is affecting the lives of taxpaying residents. Bria did close with thanking the County Zoning Agency who fought for the community; and stated this issue still needs to be addressed and fixed.

Special Order of Business

1. Presentation by Ashley Hagenow, 2023 Alice in Dairyland.
2. Presentation by Lillienne Cauffman, 2023 Walworth County Fairest of the Fair.

Ashley Hagenow, 2023 Alice in Dairyland, introduced herself and thanked the Walworth County Board of Supervisors for their support and dedication to the Alice in Dairyland Finals this year. A plaque entitled "76th Alice in Dairyland Finals Sponsors, Tiara Circle \$5,000+" was presented to County Board Chair Stacey. Board of Directors, Director/Board Treasurer Susan Earle also thanked the County Board for their donation and sponsorship given to the 2023 Alice in Dairyland event. She expressed how the Board's assistance was important to all attendees stating it was one of the best finals they ever attended. Earle indicated this event really set the bar high for Walworth County.

Lillienne Cauffman, 2023 Walworth County Fairest of the Fair, introduced herself, and thanked the County Board for their support of the Walworth County Fair. The theme for the fair this year is "There is no place like home at the Walworth County Fair." Cauffman expressed the theme is fitting for her personally, the entertainment, and fun at the fair for everyone. She showed appreciation for the County Board's support this year, and continued support in the future.

Appointments/Elections

There were none.

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. Report of the County Clerk Regarding Communications Received by the Board and Recommended to be Placed on File:
 - Douglas County Res. No. 35-23 – Regarding Foreign Ownership of Farmland (To be placed on file)
 - Green Lake County Res. No. 14-2023 – Request for State of Wisconsin to Review and Revise Its Policy on Foreign Ownership of Farmland (To be placed on file)
 - Kenosha County Res. No. 20 – Request the State of Wisconsin Revise Solar Energy System Law (To be placed on file)
 - Oneida County Res. No. 70-2023 – 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)
4. Report of the County Clerk Regarding Communications Received by the Board After Agenda Mailing
 - CLAIM: Grant Anliker – Vehicle Damage (To be referred to the Executive Committee)
 - AMENDED County Zoning Agency Report of Proposed Zoning Amendments
5. Report of the County Clerk Regarding Zoning Petitions (To be referred to the County Zoning Agency)
 - Paul & Patricia Beran/L&DP Investments C/O Lance Petrasek, Whitewater Township. Rezone approximately 4.9 acres of P-1 Recreational Park District to C-2 Upland Resource Conservation District, 0.123 acres of A-1 Prime Agricultural Land District to C-2 Upland Resource Conservation District, 3.02 acres of P-1 Recreational Park District to C-1 Lowland Resource Conservation District, 5.2 acres of P-1 Recreational Park District to C-2 Upland Resource Conservation District, and 2.75 acres of P-1 Recreational Park District to C-1 Lowland Resource Conservation District.
 - James Alexander Trust C/O James Alexander, Lyons Township. Rezone approximately 19.6 acres of C-3 Conservancy-Residential District to C-2 Upland Resource Conservation District and 2.6 acres of M-3 Mineral Extraction District to C-2 Upland Resource Conservation District.
 - Geneva Territory Inc. C/O William Bensheimer, Lyons Township. Rezone approximately 16.6 acres of C-1 Lowland Resource Conservation District to P-1 Recreational Park District.
 - Beber Camp Property, Inc. C/O Harrell Wittenstein, East Troy Township. Rezone approximately 1.2 acres of R-1 Single-Family Residence District (Unsewered) to C-2 Upland Resource Conservation District.

Unfinished Business

New Business

Reports of Standing Committees

County Zoning Agency Report of Proposed Zoning Amendments

1. Ord. No. 1318-07/23 – Amendment to Section(s) 74-182, 74-188, 74-189, and 74-191 of the Walworth County Code of Ordinances - Shoreland Zoning to clarify food truck usage, define junk yard, amend marina definition, allow 12 foot high sheds in planned campgrounds, amend parking requirements for residences and public assembly uses, and correct section references and typos. **Portions of the April 26, 2022 approved language were inadvertently excluded in the**

proposed ordinance amendment formatted for County Board approval, and therefore not included correctly in the codification. – *Vote Required: Majority* (Recommended by the County Zoning Agency 6-0)

Walworth County - Amendment to Section(s) 74-182, 74-188, 74-189, and 74-191 of the Walworth County Code of Ordinances - Shoreland Zoning to clarify food truck usage, define junk yard, amend marina definition, allow 12 foot high sheds in planned campgrounds, amend parking requirements for residences and public assembly uses, and correct section references and typos. **Portions of the April 26, 2022 approved language were inadvertently excluded in the proposed ordinance amendment formatted for County Board approval, and therefore not included correctly in the codification.**
– Approved 6-0 (June 15, 2023 County Zoning Agency Public Hearing)

On motion by Supervisor Karbowski, second by Supervisor Simons, Item #1, **Ord. No. 1318-07/23** of the County Zoning Agency Report of Proposed Zoning Amendments was approved as recommended by the County Zoning Agency by voice vote.

2. Ord. No. 1319-07/23 – Amendment to Section(s) 74-55, 74-64, 74-74, and 74-131 of the Walworth County Code of Ordinances – Zoning and Sections 74-182, 74-191, 74-203, and 74-263 of the Walworth County Code of Ordinances - Shoreland Zoning to provide an option for a conditional use permit in the B-5 zone district allowing up to 8 occupants in a dwelling unit for temporary seasonal employees when the housing is located on the same site as the employment. – *Vote Required: Majority* (Recommended by the County Zoning Agency 6-0)
Walworth County - Amendment to Sections 74-55, 74-64, 74-74, and 74-131 of the Walworth County Code of Ordinances – Zoning and Sections 74-182, 74-191, 74-203, and 74-263 of the Walworth County Code of Ordinances - Shoreland Zoning to provide an option for a conditional use permit in the B-5 zone district allowing up to 8 occupants in a dwelling unit for temporary seasonal employees when the housing is located on the same site as the employment. – Approved 6-0 (June 15, 2023 County Zoning Agency Public Hearing)

Supervisor Simons offered a motion, second by Supervisor Karbowski, to approve Item #2, Ord. No. 1319-07/23. Supervisor Simons noted this ordinance, which was worked on diligently by the County Zoning Committee, addresses the location which affected some of our local residents discussed earlier in the meeting. **Ord. No. 1319-07/23** was approved as recommended by the County Zoning Agency by voice vote.

3. Ord. No. 1320-07/23 – Amendment to Section 74-174 of the Walworth County Code of Ordinances – Shoreland Zoning to incorporate 2021 Wisconsin Act 200 language and to clarify the intent and interpretation of existing language. – *Vote Required: Majority* (Recommended by the County Zoning Agency 6-0 **5-1 (JoAnne Laufenberg opposing)**)
Walworth County - Amendment to Section 74-174 of the Walworth County Code of Ordinances – Shoreland Zoning to incorporate 2021 Wisconsin Act 200 language and to clarify the intent and interpretation of existing language. – Approved 6-0 **5-1 (JoAnne Laufenberg opposing)** (June 15, 2023 County Zoning Agency Public Hearing)

Supervisor Simons offered a motion, second by Supervisor Karbowski, to approve, Item #3, Ord. No. 1320-07/23. Supervisor Laufenberg explained the reasoning for her “No” vote at the June 15, 2023 County Zoning Agency Public Hearing was the issue of the Shoreland on what is allowed to be called shoreland and what is not. She stated if someone had a large piece of property, they couldn’t continue to have a larger open space. **Ord. No. 1320-07/23** was approved as recommended by the County Zoning Agency by voice vote. Supervisor Laufenberg requested her vote be recorded as “No”.

4. **Return on Court Decision:** Christian League for the Handicapped, Inc. dba Inspiration Ministries – Owner, Abbey Provident Venture, LLC C/O Richard Donner – Applicant, Section 2, Walworth Township. Rezone approximately 4.13 acres of P-2 to C-2 by Order of the Walworth County Circuit Court. – Approved 6-0 (June 15, 2023 County Zoning Agency Public Hearing)
5. Land Reserves, LLC C/O Jack Pease – Owner, Sections 4 & 9, Sugar Creek Township. Rezone approximately 0.16 acres of A-1 to C-2, 12.69 acres of A-1 to M-3, 1.14 acres of A-4 to A-1NC, 2.76 acres of A-4 to M-3, 5.2 acres of C-2 to C-1, 9.36 acres of C-2 to M-3, 15.8 acres of M-3 to A-1NC, and 0.11 acres of M-3 to C-2 – Approved 6-0 (June 15, 2023 County Zoning Agency Public Hearing)
6. Zan Enterprises, LLC C/O Edmund Doran – Owners, Section 22, Geneva Township. Rezone approximately .55 acres of R-2 to R-3 – Approved 6-0 **5-1 (JoAnne Laufenberg opposing)** (June 15, 2023 County Zoning Agency Public Hearing)
7. S. Terry Woods, LTD, Inc. – Owner, Section 31, Linn Township. Rezone approximately 20.5 acres of A-2 to C-2 – Approved 6-0 (June 15, 2023 County Zoning Agency Public Hearing)
8. Vollmer Family Holdings, LLC C/O Gail Stephens, Section 21, Delavan Township. Rezone approximately 0.17 acres of B-1 to R-2 – Approved 6-0 (June 15, 2023 County Zoning Agency Public Hearing)

Supervisor Karbowski requested that Item #4 and Item #5 be voted on separately.

Supervisor Karbowski offered a motion to discuss Item #4, second by Supervisor Ingersoll. Karbowski discussed the history of this decision, and his desire to oppose the court order and continue with appealing the matter. Corporation Counsel/Director-Land Use and Resource Management Michael Cotter stated this was discussed at the committee level. He indicated that Walworth County Judge Reddy ordered the County Zoning Agency and the County Board to approve this rezone. The conditional use has been approved and the time to appeal the rezone has expired. Discussion further ensued regarding the County Board to take further action. Cotter firmly advised the County Board will be held in contempt of court if they do not follow the order of Judge Reddy. Cotter expressed he understands Karbowski's statements; but stressed this issue is no longer up for debate due to direct order of the Circuit Court. On motion by Supervisor Simons, second by Supervisor Stanek, Item #4, of the County Zoning Agency Report of Proposed Zoning Amendments was approved by voice vote. Supervisor Karbowski and Supervisor Schaefer requested their votes be recorded as "No".

On motion by Supervisor Simons, second by Supervisor Ingersoll, Items #5 of the County Zoning Agency Report of Proposed Zoning Amendments was approved as recommended by the County Zoning Agency by voice vote.

Supervisor Monroe offered a motion, second by Supervisor Simons, to approve Item #6 of the County Zoning Agency Report of Proposed Zoning Amendments. Supervisor Laufenberg explained her reasons for voting "No" at the June 15, 2023 County Zoning Agency Public Hearing was all of the neighbors said the rezone was not sufficient for garbage, parking and matters of the sort. Item #6, of the County Zoning Agency Report of Proposed Zoning Amendments was approved as recommended by the County Zoning Agency by voice vote. Supervisor Laufenberg requested her vote be recorded as "No".

On motion by Supervisor Simons, second by Supervisor Karbowski, Items #7 through #8, 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. Ord. No. 1317-07/23 – Amending Section 2-215 of the Walworth County Code of Ordinances Relating to Library Board Appointments – *Vote Required: Majority* (Recommended by the Executive Committee 4-0)

On motion by Supervisor Pruessing, second by Supervisor Reiff, Item #1, **Ord. No. 1317-07/23** was approved by voice vote.

Finance Committee

1. Res. No. 28-07/23 – Authorizing the Accepting of State Child Welfare – Temporary Funding Pool for Sex Trafficking Out of Home Care Placement Funding, Establishing a Budget, and Authorizing the Addition to Previously Established Pre-Approved Recurring Grants List – *Vote Required: Two-thirds* (Recommended by the Health and Human Services Board 9-0 and Finance Committee 5-0)

Supervisor Monroe offered a motion, second by Supervisor Reiff, to approve, Item #1, Res. No. 28-07/23. 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; Absent: 0. **Res. No. 28-07/23** was approved by roll call vote.

2. Res. No. 29-07/23 – Accepting the Adult Protective Services American Rescue Plan Act Grant and Establishing a Budget – *Vote Required: Two-thirds* (Recommended by the Finance Committee 5-0)

Supervisor Holt offered a motion, second by Supervisor Ingersoll, to approve, Item #1, Res. No. 29-07/23. 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; Absent: 0. **Res. No. 29-07/23** was approved by roll call vote.

Human Resources Committee

1. Ord. No. 1321-07/23 – Amending Section 15-902 of the Walworth County Code of Ordinances Relating to Public Records – *Vote Required: Majority* (Recommended by the Human Resources Committee 5-0)

On motion by Supervisor Ingersoll, second by Supervisor Reiff, Item #1, **Ord. No. 1321-07/23** was approved by voice vote.

2. Res. No. 30-07/23 – Authorizing the Increase of a Vacant 0.50 FTE Occupational Therapist Position to a 1.00 FTE Occupational Therapist Position and the Elimination of a 0.10 FTE Occupational Therapist Position at Lakeland School – *Vote Required: Two-thirds* (Recommended by the Human Resources Committee 5-0, Children with Disabilities Education Board 5-0, and Finance Committee 5-0)

Supervisor Schaefer offered a motion, second by Supervisor Holt, to approve, Item #2, Res. No. 30-07/23. 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; Absent: 0. **Res. No. 30-07/23** was approved by roll call vote.

Reports of Special Committees

There were none.

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

There was none.

Chairperson's Report

There was none.

Adjournment

On motion by Supervisor Monroe, second by Supervisor Schaefer, the meeting was adjourned at 5:44 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 July 11, 2023 meeting.