

**Walworth County Board of Supervisors  
Executive Committee Meeting Minutes  
Monday, October 18, 2021  
Walworth County Government Center, County Board Room 114  
100 West Walworth Street, Elkhorn, Wisconsin**

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Chair David Weber called the meeting to order at 10:00 a.m.

Roll call was conducted and the following members were present, either in person or by remote attendance: Chair David Weber; Vice Chair Daniel Kilkenny; Supervisors Brian Holt, Susan Pruessing, and Nancy Russell. A quorum was declared.

**Others in Attendance**

County Board Supervisors: Jerry Grant

County Staff: Walworth County Administrator Mark W. Luberda; Corporation Counsel/Director-Land Use and Resource Management (LURM) Michael Cotter; Risk Manager Megan Rogers; Sheriff Kurt Picknell; and Director-Public Works Richard Hough.

Members of the Public: Adam Borosch, Live Nation; and Peggy Race.

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

**On motion by Supervisor Holt, second by Vice Chair Kilkenny, the October 12, 2021 Special Executive Committee meeting minutes were approved.**

**Public Comment**

Chair David Weber advised that he would like to allow public comment now and during discussion of Item 9a in reference to Puppy Mill Ordinances.

**Consent Items – expense/mileage reimbursement claims submitted by:**

7a. Rick Stacey, County Board Supervisor, in the amount of \$15.46

**Supervisor Holt offered a motion, second by Vice Chair Kilkenny, to approve the expense/mileage reimbursement claim submitted by Rick Stacey. Motion carried 5-0.**

**Appointments. Recommendations regarding County Administrator's nominations:**

8a. Housing Authority Commission – appointment of John Bigler

8b. Community Action – appointment of Alan Kupsik

8c. Matheson Memorial Library Board – appointment of Cheryl Kenth

8d. East Troy Lions Public Library Board – appointment of Jackie Gotz

8e. Burlington Library Board – appointment of Lori Haas-Faber

8f. Agriculture and Extension Education Committee – re-appointment of Jennifer Straus

8g. Barrett Memorial Library Board – appointment of Gretchen Witowich

8h. Barrett Memorial Library Board – appointment of Roberta Killian

**Supervisor Russell offered a motion, second by Supervisor Holt, to approve the appointments to the Housing Authority Commission, Community Action, Matheson Memorial Library Board, East Troy Lions Public Library Board, Burlington Library Board, Agriculture and Extension Education Committee, and Barrett Memorial Library Board. Motion carried 5-0.**

County Administrator Mark W. Luberda shared that state statute intends for Library Boards to have representation from individuals living outside of the municipal boundary; noting this requirement can be challenging to maintain. He referenced Williams Bay, stating that the individual appointed lives within the municipal boundary. Luberda had a conversation with this individual to ensure understanding of the nature of library funding and the role that is expected of them.

### **Unfinished business**

9a. Puppy Mill Ordinances: Overview of research, strategies, alternatives (continued from June 14, 2021 Executive Committee Meeting)

The following individuals appeared at the meeting, expressed their concerns, and spoke in favor of enacting a humane pet store ordinance that would prohibit the sale of dogs and cats in pet stores.

- Supervisor Jerry Grant
- Peggy Race distributed and spoke briefly regarding legislation concerning regulation of the sale of dogs and cats in pet stores. She also addressed Luberda's Memorandum that was included in the packet (Pages 25-28.)

Discussion ensued relative to the details of such an ordinance and addressing concerns that pet rescues and training facilities may be negatively impacted if the verbiage is not concise.

**Vice Chair Kilkenny offered a motion, second by Supervisor Holt, to instruct Corporation Counsel and the County Administrator to develop an ordinance, as outlined in Options and Alternatives Item #1 of the Administrator's Memorandum, addressing considerations discussed in this meeting.** Luberda clarified that he understood the motion requested, in addition to banning the sale of dogs and cats in retail stores, would allow animal rescue groups and/or specialized training facilities to continue to operate within Walworth County.

**Motion carried 5-0.**

Supervisor Holt asked to consider sending a resolution to Wisconsin Counties Association (WCA) requesting increased state oversight of puppy mills. Luberda suggested that the Committee could request that a resolution be brought back if and when the County Board of Supervisors approves the ordinance amendment. Supervisor Holt noted this will give time for the Administrator to gauge interest from surrounding counties, and whether any are drafting similar resolutions. **Supervisor Russell offered a motion, second by Supervisor Holt, to direct the Administrator to bring forth a resolution to the Executive Committee, if and when the County Board of Supervisors were to adopt a Puppy Mill Ordinance, that would request the state increase efforts to stop puppy mills and also request Wisconsin Counties Association (WCA) include this in their platform. Motion carried 5-0.**

### **New business**

10a. Alpine Valley Music Theatre 2022 Business Plan and License Application and 2022 Camping Operational Plan

- Review 2022 Operations Plan
- Set date and time for public hearing on 2022 Alpine Valley business plan and license application

Adam Borosch, Live Nation stated Alpine Valley is looking to renew the plan with nothing having changed since 2019. He did note that Undersheriff Gerber requested that event staff find onsite Law Enforcement for incidents in which 911 would normally be called. Sheriff Kurt Picknell pointed out that Law Enforcement and Fire and Rescue are onsite during all events at Alpine Valley Music Theatre, and this is a more efficient way for patrons to receive help.

Borosch shared that Live Nation plans to host six to eight shows over four or five weekends. Discussion then focused on COVID-19 protocols.

Chair Weber announced the planned date for the Public Hearing will be Monday, November 15, 2021.

**Supervisor Russell offered a motion, second by Vice Chair Kilkenny, to approve the Alpine Valley Music Theatre 2022 Operations Plan and set the date for a Public Hearing to be held on November 15, 2021. Motion carried 5-0.**

10b. Ordinance No. \*\*-11/21 Amending Section 2-235 of the Walworth County Code of Ordinances Relating to the Transportation Coordinating Committee

Luberda stated that this item was recommended for approval by the Transportation Coordinating Committee (TCC.) He noted the original ordinance addressed the Specialized Program and was never amended when the Shared-ride Program was created in 2017. This amendment will include the Shared-ride Program and expand upon the powers and duties of the TCC. **Supervisor Russell offered a motion, second by Supervisor Holt, to approve the ordinance Amending Section 2-235 of the Walworth County Code of Ordinances Relating to the Transportation Coordinating Committee. Motion carried 5-0.**

10c. Res. No. \*\*-11/21 Setting Compensation for the Walworth County Board of Supervisors for the 2022-2024 Term

Luberda stated that if no change is to take place a resolution will not be needed, but per county ordinance this item must be brought for a vote every year. Supervisor Russell suggested increasing salaries for Supervisors to \$650 per month, and decreasing the salary of the Chair to \$950 per month. She stated this would not change the budget since the total amount for the County Board of Supervisors salaries would remain the same. Russell cited that certain duties of the Chair have been delegated to other Supervisors reducing the burden on the position, and also there would still remain a \$300 differential. All Supervisors were in agreement with this suggestion. **Supervisor Russell offered a motion, second by Supervisor Holt, to recommend a change in compensation to \$650 per month for each County Board Supervisor, excluding the County Board Chair, and change the County Board Chair compensation to \$950 per month, and to direct the Administrator, subject to review by Corporation Counsel, to prepare an appropriate ordinance as such for submission to the County Board. Motion carried 5-0.**

10d. Res. No. \*\*-11/21 Authorizing the Transfer of \$40,000 from the General Fund Contingency account to Corporation Counsel for Legal Service Costs

**Supervisor Holt offered a motion, second by Vice Chair Kilkenny, to approve and forward to the full County Board of Supervisors the resolution Authorizing the Transfer of \$40,000 from the General Fund Contingency account to Corporation Counsel for Legal Service Costs. Motion carried 5-0.**

**Reports/announcements by Chairperson** – There were none.

**Confirmation of next meeting date and time:** The next meeting was confirmed for Monday, November 15, 2021 at 10:00 a.m.

### **Claims and Litigation**

13. The committee may discuss the following topic(s) in open session. The committee convened in closed session **at approximately 10:58 a.m. on motion and second by Vice Chair Kilkenny and Supervisor Russell** 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; Director-Public Works Richard Hough; and Risk Manager Megan Rogers remained in closed session. Supervisor Pruessing remained on the telephone.

- a) Claim – Murphy, Martin J. v. Walworth County Board of Adjustment
- b) Claim – Enterprise Rent-A-Car – Claim #17224371

**The Committee reconvened in open session at 11:04 a.m. on motion and second by Vice Chair Kilkenny and Supervisor Holt.**

**Vice Chair Kilkenny offered a motion, second by Supervisor Holt, to proceed as discussed in closed session on Items a) and b), above herein. Motion carried 5-0.**

## **Adjournment**

**On motion and second by Supervisor Holt and Vice Chair Kilkenny, Chair Weber adjourned the meeting at 11:04 a.m.**

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Submitted by Jennifer Stinnett, Administrative Assistant. Meeting minutes were approved by the Executive Committee at the November 15, 2021 meeting.