

**FEBRUARY 11, 2020  
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: Tim Brellenthin, Vice-Chair Jerry A. Grant, Daniel G. Kilkenny, Kenneth H. Monroe, William Norem, Susan M. Pruessing, Rick Stacey, Charlene Staples, David A. Weber and Chair Nancy Russell. Supervisor Kathy Ingersoll was absent. A quorum was established.

David A. Weber, Walworth County Board Supervisor, District #7, delivered the invocation.

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

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

**Approval of the Minutes**

On motion by Supervisor Monroe, second by Supervisor Grant, the January 14, 2020 Committee of the Whole and January 14, 2020 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. County Surveyor
  - Robert Merry – Term to begin upon County Board confirmation and end on December 31, 2021 (Recommended by the Executive Committee 5-0)
2. Board of Adjustment
  - Barbara A. Fischer – Alternate Member – Term to begin upon County Board confirmation and end on June 30, 2022 (Recommended by the Executive Committee 5-0)
3. Pabst Lake District
  - Laura Braund – Citizen Member – Term to begin upon County Board confirmation and end on May 1, 2020 (Recommended by the Land Conservation Committee 4-0)

On motion by Supervisor Norem, second by Supervisor Staples, the appointments to the County Surveyor, Board of Adjustment, and Pabst Lake District 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) United States Bankruptcy Court – William Thomas Plant and Lana Sue Plant, Debtors (To be referred to the Executive Committee)
3. St. Croix County Resolution No. 4 (2020) – Resolution for Referendum on Question for Fair Maps (To be referred to the Executive Committee)
4. Trempealeau County Resolution No. 2019-12-09 – Advisory Referendum on Creation of Nonpartisan Procedure for the Preparation of Legislative and Congressional Redistricting Plans and Maps (To be referred to the Executive Committee)

5. Outagamie County Resolution No. 79-2019-20 and Proposed Amendment to Resolution No. 79-2019-20 – Resolution in support of pending legislation 2019 Senate Bill 427 relating to increased penalties for crimes against elder persons; restraining orders for elder persons; freezing assets of a defendant charged with financial exploitation of an elder person; sexual assault of an elder person; physical abuse of an elder person; and providing a penalty (To be referred to the Health and Human Services Board)
6. Correspondence from Jonah Feyen of the St. Peter’s Brickbusters robotic team requesting permission to appear before the Walworth County Park Committee (To be referred to the Park Committee)
7. Report of the County Clerk Regarding Communications Received by the Board and Recommended to be Placed on File
  - There was none.
8. Report of the County Clerk Regarding Communications Received by the Board After the Agenda Mailing
  - CLAIM – for Public Improvement Lien – Rock Road Companies, Inc., Claimant; Miron Construction Co., Inc., Prime Contractor; Walworth County, Public Entity (To be referred to the Executive Committee)
  - Ord. No. 1202-02/20 – Amending Sections of Chapter 16 Article III of the Walworth County Code of Ordinances Relating to Highway Operations – *Vote Required: Majority* (Recommended by the Public Works Committee 5-0) (Note: The only change to this ordinance is the numbering of the Policy and Fiscal Note, which now reflects the correct Ord. No. 1202-02/20)
  - Res. No. 95-02/20 – Supporting Outagamie County Board of Supervisors Resolution No. 114-2019-20 Urging the Governor and Legislature to Submit an Application for a Waiver from Centers for Medicare and Medicaid Services (CMS) to Allow Federal Reimbursement of Short Term Acute Care and Transition Planning at Institutions for Mental Disease (IMD) – *Vote Required: Majority* (Recommended by the Health and Human Services Board 5-2)
  - Outagamie County Resolution No. 130–2019-20 – Supporting pending legislation that would correct a discrepancy between parallel statutes that compute the detention hearing timelines for Children in Need of Protection (CHIPS) proceedings under State Statutes Chapter 48 and juvenile delinquency cases under Chapter 938 (To be referred to the Health and Human Services Board)
  - Village of East Troy Plan Commission – Resolution 2019-11PC – A Resolution Recommending to the Village Board Adoption of an Updated Comprehensive Plan (To be placed on file)
  - Wisconsin Counties Association – Forward Analytics (FA), *The Rural Challenge – Depopulation & Its Economic Consequences* (To be placed on file)
9. Report of the County Clerk Regarding Zoning Petitions (To be referred to the County Zoning Agency)
  - Jesse R. and Natalie S. Snopek - Owners, Geneva Township. Rezone approximately .231 acres of A-1 Prime Agricultural District property to the A-4 Agricultural Related Manufacturing, Warehousing and Marketing District.
  - WSPR Enterprises, LLC – Owner C/O Donald Frederick, Asphalt Contractors, Inc. C/O Robert Kordus – President, Spring Prairie Township. Rezone approximately 111.28 acres of A-1 Prime Agricultural District property to the M-3 Mineral Extraction District.
  - David and Debra Hollister – Owners, Geneva Township. Rezone approximately 1.23 acres of A-2 Agricultural Land District property to B-2 General Business District.
  - The Town of Delavan – Owner C/O John Olson, Delavan Township. Rezone approximately 1.15 acres of B-5 Planned Commercial-Recreation Business District to the P-2 Industrial Park District.

**Unfinished Business**

**New Business**

**Reports of Standing Committees**

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

1. Matthew A. and Mary E. Polyock Trust – Owners, Section 33, Linn Township. Rezone approximately 1.8 acres of A-1 to A-4 – Approved 6-0 (January 16, 2020 County Zoning Agency Public Hearing)

On motion by Supervisor Stacey, second by Supervisor Weber, Item #1 of the County Zoning Agency Report of Proposed Zoning Amendments was approved as recommended by the County Zoning Agency by voice vote.

### **Executive Committee**

1. Ord. No. 1201-02/20 – Amending Section 2-131 of the Walworth County Code of Ordinances Relative to the Coordination of Criminal Justice Resources – *Vote Required: Two-Thirds* (Recommended by the Executive Committee 4-1)

Supervisor Weber offered a motion, second by Supervisor Grant, to approve Item #1, Ord. No. 1201-02/20. On motion by Supervisor Grant, second by Supervisor Brellenthin, **Ord. No. 1201-02/20** was approved by unanimous consent.

### **Finance Committee**

1. Res. No. 91-02/20 – Accepting a Donation of \$23,000 from Dale and Nina Slowik for the Purchase of a K9 Unit for the Sheriff's Office – *Vote Required: Majority* (Recommended by the Finance Committee 4-0)
2. Res. No. 92-02/20 – Authorizing the Addition of Health and Human Services Dementia Care Specialist Grant under the Aging and Disability Resource Center Grant to Previously Established Pre-Approved Recurring Grants List – *Vote Required: Majority* (Recommended by the Health and Human Services Board 7-0 and the Finance Committee 4-0)
3. Res. No. 93-02/20 – Authorizing the Closure of Highway Project CTH X (CTH X from Rock County Line to Delavan) and Transferring Remaining Funds to the Road and Bridge Construction Committed Fund Balance – *Vote Required: Two-Thirds* (Recommended by the Public Works Committee 5-0 and the Finance Committee 4-0)
4. Res. No. 94-02/20 – Authorizing the Closure of Judicial Center Study/Renovation Project and Transferring Remaining Funds to General Fund Building and Equipment Committed Fund Balance for the Year Ended December 31, 2019 – *Vote Required: Two-Thirds* (Recommended by the Public Works Committee 5-0 and the Finance Committee 4-0)

On motion by Supervisor Norem, seconded by Supervisor Staples, Item #1, **Res. No. 91-02/20**; and Item #2, **Res. No. 92-02/20** were approved by voice vote.

Supervisor Weber offered a motion, second by Supervisor Stacey, to approve Item #3, Res. No. 93-02/20. On motion by Supervisor Grant, second by Supervisor Weber, **Res. No. 93-02/20** was approved by unanimous consent.

Supervisor Norem offered a motion, second by Supervisor Stacey, to approve Item #4, Res. No. 94-02/20. On motion by Supervisor Grant, second by Supervisor Brellenthin, **Res. No. 94-02/20** was approved by unanimous consent.

### **Health and Human Services Board**

1. Res. No. 95-02/20 – Supporting Outagamie County Board of Supervisors Resolution No. 114-2019-20 Urging the Governor and Legislature to Submit an Application for a Waiver from Centers for Medicare and Medicaid Services (CMS) to Allow Federal Reimbursement of Short Term Acute Care and Transition Planning at Institutions for Mental Disease (IMD) – *Vote Required: Majority* (Recommended by the Health and Human Services Board 5-2)

On motion by Supervisor Monroe, seconded by Supervisor Weber, Item #1, **Res. No. 95-02/20** was approved by voice vote.

### **Human Resources Committee**

1. Ord. No. 1204-02/20 – Amending Section 15-359 of the Walworth County Code of Ordinances Relating to Special Pay Premiums at LHCC – *Vote Required: Majority* (Recommended by the Lakeland Health Care Center Board of Trustees 4-0 and the Human Resources Committee 4-0)
2. Ord. No. 1205-02/20 – Amending Section 15-394 of the Walworth County Code of Ordinances Relating to Safety Shoes – *Vote Required: Majority* (Recommended by the Human Resources Committee 4-0)
3. Res. No. 82-02/20 – Setting Salaries for Register of Deeds, County Treasurer and County Clerk for 2021-2024 – *Vote Required: Majority* (Recommended by the Human Resources Committee 4-0)
4. Res. No. 83-02/20 – Authorizing the Reclassification of an Administrative Clerk III to an Asset Manager/Operations Analyst at Public Works – *Vote Required: Majority* (Recommended by the Human Resources Committee 4-0)

5. Res. No. 84-02/20 – Authorizing the Reclassification of an Administrative Clerk III to an Administrative Clerk II in the Register of Deeds Office – *Vote Required: Majority* (Recommended by the Human Resources Committee 4-0)
6. Res. No. 85-02/20 – Authorizing the Addition of a Dementia Care Specialist Position in the Health and Human Services Department – *Vote Required: Two-Thirds* (Recommended by the Human Resources Committee 4-0)
7. Res. No. 86-02/20 – Authorizing the Creation of Two Driver Positions at Health and Human Services – *Vote Required: Two-Thirds* (Recommended by the Human Resources Committee 4-0)
8. Res. No. 87-02/20 – Authorizing the Elimination of Two Positions at Health and Human Services – *Vote Required: Majority* (Recommended by the Human Resources Committee 4-0)
9. Res. No. 88-02/20 – Authorizing the Increase of the Pre-trial Services Coordinator at Clerk of Courts from Part-Time to Full-Time – *Vote Required: Two-Thirds* (Recommended by the Human Resources Committee 4-0)
10. Res. No. 89-02/20 – Authorizing the Creation of a Second Deputy Director Position at Health and Human Services – *Vote Required: Two-Thirds* (Recommended by the Human Resources Committee 4-0)

On motion by Supervisor Grant, second by Supervisor Weber, Item #1, **Ord. No. 1204-02/20**; and Item #2, **Ord. No. 1205-02/20** were approved by voice vote.

Supervisor Norem offered a motion, second by Supervisor Grant, to approve, Item #3, Res. No. 82-02/20. County Administrator Mark W. Luberda suggested one amendment to Res. No. 82-02/20: 1) On Page 1, Line 11, to add language for further clarification following the word rates: “...compensated at the following per annum rates, in accordance with Walworth County’s standard payroll procedures and based upon a standard 2080-hour work year, for performance...”. Luberda stated this modification will help ensure there is one standard method of calculating payroll each year consistent with the handling of other salaried positions. Supervisor Weber offered a motion, second by Supervisor Grant, to approve the amendment to Res. No. 82-02/20 as stated. The amendment was approved. **Res. No. 82-02/20** as amended was approved by voice vote. \*Please note: Additions are underlined.

On motion by Supervisor Grant, second by Supervisor Stacey, Item #4, **Res. No. 83-02/20**; and Item #5, **Res. No. 84-02/20** were approved by voice vote.

Supervisor Stacey offered a motion, second by Supervisor Weber, to approve Item #6, Res. No. 85-02/20. On motion by Supervisor Grant, second by Supervisor Brellenthin, **Res. No. 85-02/20** was approved by unanimous consent.

Supervisor Stacey offered a motion, second by Supervisor Weber, to approve Item #7, Res. No. 86-02/20. On motion by Supervisor Grant, second by Supervisor Brellenthin, **Res. No. 86-02/20** was approved by unanimous consent.

On motion by Supervisor Stacey, second by Supervisor Grant, Item #8, **Res. No. 87-02/20**, was approved by voice vote.

Supervisor Norem offered a motion, second by Supervisor Weber, to approve Item #9, Res. No. 88-02/20. On motion by Supervisor Grant, second by Supervisor Brellenthin, **Res. No. 88-02/20** was approved by unanimous consent.

Supervisor Staples offered a motion, second by Supervisor Weber, to approve Item #10, Res. No. 89-02/20. On motion by Supervisor Grant, second by Supervisor Weber, **Res. No. 89-02/20** was approved by unanimous consent.

#### **Public Works Committee**

1. Ord. No. 1202-02/20 – Amending Sections of Chapter 16 Article III of the Walworth County Code of Ordinances Relating to Highway Operations – *Vote Required: Majority* (Recommended by the Public Works Committee 5-0)
2. Ord. No. 1203-02/20 – Amending Sections of Chapter 16 Article II – Public Property of the Walworth County Code of Ordinances Relating to Heating Devices in Facilities and Disposition of Harvested Wood – *Vote Required: Majority* (Recommended by the Public Works Committee 5-0)

Supervisor Stacey offered a motion, second by Supervisor Grant, to approve Item #1, Ord. No. 1202-02/20; and Item #2, Ord. No. 1203-02/20. Supervisor Staples inquired about a potential change that was previously discussed during Agenda Setting relating to the harvesting of wood and asked if that was related to Ord. No. 1203-02/20. Director-Public Works Richard Hough confirmed the item Staples was inquiring about was in fact a different item related to Public Work's burn pit. **Ord. No. 1202-02/20** and **Ord. No. 1203-02/20** were approved by voice vote.

**Report 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**

Chair Russell stated titles for the Tuesday, March 10, 2020 agenda are to be submitted on or before Wednesday, February 26, 2020.

**Adjournment**

On motion by Supervisor Monroe, second by Supervisor Stacey, the meeting was adjourned at 3:48 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 February 11, 2020 meeting.