

**Walworth County Board of Supervisors  
Executive Committee Meeting Minutes  
Monday, April 27, 2020  
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 confirmed all members were present either in person or remotely: Chair David Weber, Supervisors Brian Holt, Dan Kilkenny, Susan Pruessing and Nancy Russell. A quorum was declared.

**Others in Attendance**

County staff: County Administrator Mark W. Luberda; Corporation Counsel/Director of Land Use and Resource Management (LURM) Michael Cotter; and County Clerk Kimberly Bushey.

**On motion by Supervisor Pruessing, second by Supervisor Russell, the agenda was approved with no withdrawals.**

**On motion by Supervisor Russell, second by Supervisor Pruessing, the minutes of the March 16, 2020 Executive Committee Meeting were approved.**

**Public Comment** – There was none.

**Special Order of Business**

- Nominations/Elections of Executive Committee Vice Chair

Chair Weber announced that nominations for the Executive Committee Vice Chairperson were open. **On motion by Supervisor Pruessing, second by Supervisor Russell, Supervisor Dan Kilkenny was nominated for Executive Committee Vice Chairperson.** Chair Weber asked if there were any other nominations. Hearing none, **Supervisor Russell moved to approve Dan Kilkenny as the Executive Committee Vice Chairperson, second by Supervisor Pruessing. Motion carried 5-0.**

- Role of Executive Committee – Sec. 2-131, Walworth County Code of Ordinances

County Administrator Mark W. Luberda spoke briefly regarding the role of the Executive Committee as indicated in Section 2-131 of the Walworth County Code of Ordinances.

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

- Anna Seaver, citizen member on Board of Adjustment, in the amount of \$17.83

**Supervisor Russell offered a motion, second by Supervisor Pruessing, to approve the expense/mileage reimbursement claim submitted by Anna Seaver. Motion carried 5-0.**

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

- Elkhorn Matheson Memorial Library Board – appointment of Debbie Michetti

**Supervisor Pruessing offered a motion, second by Supervisor Holt, to approve the appointment of Debbie Michetti to the Elkhorn Matheson Memorial Library Board. Motion carried 5-0.**

- Wisconsin River Rail Transit Commission – appointment of Albert Stanek

Administrator Luberda stated if the Wisconsin River Rail Transit Commission (WRRTC) appointment were to be approved, it should be contingent upon approval of 11a – Proposed ordinance amending Section 2-167 Relating to Membership on the WRRTC. **Supervisor Russell offered a motion, second by Supervisor Pruessing, to approve the appointment of Albert Stanek to the WRRTC contingent upon approval of the proposed ordinance amending Section 2-167 of the Walworth County Code of Ordinances. Motion carried 5-0.**

**Unfinished Business**

- Correspondence from County Board Vice-Chair Jerry Grant regarding County Board election years Chair Weber briefly summarized correspondence received from Jerry Grant regarding County Board election years. Administrator Luberda explained the course of action that would need to be taken, should the Executive Committee and County Board of Supervisors choose to enact a change. Discussion followed. Supervisor Russell suggested postponing any action on Supervisor Grant’s correspondence and to forward it to the full County Board, which will allow further discussion by all Supervisors. The Executive Committee requested County Clerk Kimberly Bushey and Administrative Luberda to provide a packet containing relevant data as to how the process would be enacted, such as an election timeline with deadline requirements; dates when the salaries are to be set for the County Board term; a history of contested elections in the past ten years; and potential issues prior to further discussion by the Executive Committee and/or County Board Supervisors. **Supervisor Holt offered a motion, second by Supervisor Russell, to postpone any action on Supervisor Grant’s correspondence and for it to be placed on the July Executive Committee agenda along with a packet containing relevant data relating to the matter. Motion carried 5-0.**

- St. Croix and Trempealeau County Resolutions regarding Referendum on Creating Non-Partisan Procedure for Redistricting Plans  
Administrator Luberda gave a brief overview of the St. Croix and Trempealeau County Resolutions and stated the content matter included in the two resolutions has previously been addressed by the Walworth County Board of Supervisors through Res. No. 18-06/17 and Res. No. 34-07/19, which basically contained the same position and intent without an expiration date. **Vice Chair Kilkenny offered a motion, second by Supervisor Pruessing, to place the resolutions on file. Motion carried 5-0.** Holt stated, as a new Supervisor, he supports the original resolutions. Supervisor Russell stated there will be another opportunity to vote on resolutions, such as these, at the 2020 Wisconsin Counties Association (WCA) Annual Conference.

- Proposed Ordinance regarding Naming Public Real Property  
Administrator Luberda referred to his Memorandum on Page 2 of the packet and briefly explained the purpose for the proposed ordinance creating sections 16-4, 42-10, and 54-3 of the Walworth County Code of Ordinances relating to the naming of public real property.

**Supervisor Russell offered a motion to approve the proposed ordinance.** Motion failed for lack of a second. Vice Chair Kilkenny expressed concern and spoke briefly regarding the controversies involved with naming public real property. He stated postponing the proposed ordinance would provide an opportunity for all County Board Supervisors to review the ordinance and offer comment. **Vice Chair Kilkenny offered a motion to postpone the proposed ordinance at the call of the Executive Committee Chairperson.** Motion failed for lack of a second. Kilkenny suggested discussing the proposed ordinance at the July Executive Committee meeting, which will coincide with the staggered terms for Supervisors. **Vice Chair Kilkenny offered a motion to postpone the proposed ordinance at the call of the Executive Committee Chairperson in July, second by Supervisor Russell.** Discussion then focused on the need for an ordinance to exist and the desire to have other Supervisors attend a future Executive Committee meeting in order for them to provide their input. Kilkenny requested that further information be provided in the form of a memorandum or packet for the Supervisors to review prior to the meeting. Chair Weber and Administrator Luberda requested clarification of Kilkenny’s intent, which is to place the proposed ordinance on the July Executive Committee agenda. Kilkenny confirmed this is his intent. **Motion carried 5-0.** Supervisor Russell requested the proposed ordinance be included in the Committee Minutes Packet in full.

### **New Business**

- Ordinance Amending Section 2-167 of the Walworth County Code of Ordinances Relating to Membership on the Wisconsin River Rail Transit Commission

Administrator Lubberda reminded the Committee they previously approved the appointment of Albert Stanek to the Wisconsin River Rail Transit Committee (WRRTC) contingent upon approval of the proposed ordinance amending Section 2-167 of the Walworth County Code of Ordinances Relating to Membership on the WRRTC. Lubberda explained the purpose for the proposed ordinance and stated Mr. Stanek was a former employee who set up the Shared-Ride Transit Service for Walworth County. **Supervisor Holt offered a motion, second by Supervisor Russell, to approve the proposed ordinance amending Section 2-167 of the Walworth County Code of Ordinances. Motion carried 5-0.**

- Resolution Proclaiming May 17-23, 2020 as Fair Housing Week in Walworth County

Administrator Lubberda gave a brief overview of the proposed resolution and stated the resolution indicates Walworth County's continued support for Fair Housing. **Supervisor Pruessing offered a motion, second by Supervisor Russell, to approve the proposed resolution. Motion carried 5-0.**

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

**Confirmation of next meeting date and time:** The next meeting was confirmed for Monday, May 18, 2020 at 10:00 a.m.

### **Claims and Litigation**

The Committee convened in closed session at approximately 10:42 a.m. on motion and second by Supervisor Pruessing 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. Lubberda and Corporation Counsel/Director of Land Use and Resource Management Michael Cotter remained in closed session.

- a) Notice of Motion and Motion for Confirmation of Sheriff's Sale – Steven Phelps and Leslie Phelps, Plaintiffs vs. David Hughes, Rebecca Hughes, Walworth County, Walworth County Clerk of Circuit Court, Lake Como Beach Property Owners Association, Defendants
- b) U.S. Bankruptcy – Notice and Request to Modify Confirmed Chapter 13 Plan – William Thomas LaPlant and Lana Sue LaPlant

**The committee reconvened in open session at 10:49 a.m. on motion and second by Vice Chair Kilkenny and Supervisor Holt.**

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

### **Adjournment**

**On motion and second by Vice-Chair Kilkenny and Supervisor Russell, Chair Weber adjourned the meeting at 10:58 a.m.**