

MAY 12, 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 either in person or remotely: Vice-Chair Jerry A. Grant, Brian Holt, Kathy Ingersoll, Daniel G. Kilkenny, Kenneth H. Monroe, Susan M. Pruessing, Joseph H. Schaefer, Ryan G. Simons, Rick Stacey, David A. Weber and Chair Nancy Russell. A quorum was established.

Kenneth H. Monroe, Walworth County Board Supervisor, District #10, delivered the invocation.

Amendments, Withdrawals, and Approval of Agenda

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

Approval of the Minutes

On motion by Supervisor Monroe, second by Supervisor Weber, the April 21, 2020 County Board Meeting, April 22, 2020 Nominating Committee Meeting, and April 23, 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. Elkhorn Matheson Memorial Library Board
 - Debbie Michetti – Three-year term to begin upon County Board confirmation and end on April 30, 2023 (Recommended by the Executive Committee 5-0)
2. Wisconsin River Rail Transit Commission (WRRTC)
 - Al Stanek – Term to begin upon County Board confirmation and end on April 30, 2022 (Recommended by the Executive Committee 5-0) (This appointment is contingent upon the approval of Ord. No. 1212-05/20)

On motion by Supervisor Weber, second by Supervisor Schaefer, the appointments to the Elkhorn Matheson Memorial Library Board and Wisconsin River Rail Transit Commission 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: None
3. Correspondence from Portage County Clerk Kayla R. Filen regarding Nonpartisan Redistricting Referendum Results (To be placed on file)
4. Report of the County Clerk Regarding Communications Received by the Board and Recommended to be Placed on File
 - There was none.
5. Report of the County Clerk Regarding Communications Received by the Board After the Agenda Mailing
 - Claims: a) Complaint and Jury Demand – Judith Demeuse and The Estate of James Demeuse vs. Walworth County, Corrections Officer Peggy Horsthemke, Corrections Officer Jarrett McCardle, and Corrections Officer Doug Welch;

b) Final Combined Petition – Jeré Fabick and Larry Chapman, Petitioners v. Andrea Palm, et al, Respondents (To be referred to the Executive Committee)

- Correspondence from the Wisconsin Counties Association (WCA) regarding the WCA 2020 Annual Conference – Call for Resolutions: 2020 WCA Annual Business Meeting (To be referred to the Executive Committee)
 - Correspondence from Forbes McIntosh of the National Association of Theatre Owners of WI & Upper Michigan regarding Wisconsin Theatre Owners Letter to County Leaders (To be placed on file)
6. Report of the County Clerk Regarding Zoning Petitions (To be referred to the County Zoning Agency)
- There were no rezone petitions filed for May 21, 2020 County Zoning Agency review.

Supervisor Grant asked to discuss, Item #3, Correspondence from Portage County Clerk regarding Nonpartisan Redistricting Referendum Results. Grant stated he agrees with the resolutions and believes Walworth County should do the same. Grant requested the materials be referred to the Executive Committee.

County Administrator Mark W. Luberda stated he believes the Executive Committee already referred this topic to a future Executive Committee Agenda. Luberda will include this documentation with the packet of information that will be distributed at said future Executive Committee meeting. Supervisor Grant stated this was satisfactory.

Unfinished Business

1. Emergency Declaration, State & Federal Actions, and COVID-19 Response: Update

Administrator Luberda gave a brief overview and update as to the Emergency Declaration, State and Federal Actions, and coronavirus disease 2019 (COVID-19) Response. Luberda stated the County's Declaration of Emergency 90-day period will be ending June 17th, which makes the June 9th County Board meeting the last chance to extend the declaration and to decide what pieces need to be incorporated into the County's actions through the end of the calendar year. A proposed ordinance will be presented and discussed at the Finance, Executive and Human Resources Committees next week. He said Walworth County is working with the Public Health Department to make certain advisory recommendations are met within both the private sector and the County, should the Supreme Court lift the Safer at Home order. Luberda also reported the Health and Human Services Department will be issuing a Press Release indicating there has been one confirmed case of COVID-19 within the Lakeland Health Care Center. The appropriate steps have been taken; all families have been informed; and Health and Human Services is working with the State of Wisconsin to conduct testing on all employees and residents.

New Business

Reports of Standing Committees

County Zoning Agency Report of Proposed Zoning Amendments

1. Robert Lightfield – Owner, Katherine Cash – Applicant, Section 20, Spring Prairie Township. Rezone approximately 24 acres of A-1, C-2, and C-4 to C-2 and C-4 – Approved 7-0 (April 28, 2020 County Zoning Agency Public Hearing)
2. Slawomir and Renata Rybicki and Neal and Kimberly Moss – Owners, Section 12, LaFayette Township. Rezone approximately 28.4 acres of A-1 to C-2 – Approved 7-0 (April 28, 2020 County Zoning Agency Public Hearing)
3. Kamyar Saeian Trust C/O Kamyar Saeian – Owner, Section 9, Troy Township. Rezone approximately 3.88 acres of A-2 to C-2 – Approved 7-0 (April 28, 2020 County Zoning Agency Public Hearing)
4. The Estate of William Dean Mularkey C/O Scot W. Mularkey – Personal Rep. – Owner, Section 6, Troy Township. Rezone approximately .59 acres of B-2 to R-1 – Approved 6-0 (April 28, 2020 County Zoning Agency Public Hearing) (Supervisor Simons recused himself from the hearing due to a conflict)

Corporation Counsel/Director of Land Use and Resource Management (LURM) Michael Cotter recommended taking Items #1 thru #3 separately, giving Supervisor Simons an opportunity to opt out of Item #4.

On motion by Supervisor Stacey, second by Supervisor Weber, Items #1 thru #3 of the County Zoning Agency Report of Proposed Zoning Amendments were approved as recommended by the County Zoning Agency by voice vote.

On motion by Supervisor Stacey, second by Supervisor Weber, Item #4 of the County Zoning Agency Report of Proposed Zoning Amendments was approved as recommended by the County Zoning Agency by voice vote. Supervisor Simons abstained from voting.

Executive Committee

1. Ord. No. 1212-05/20 – Amending Section 2-167 of the Walworth County Code of Ordinances Relating to Membership on the Wisconsin River Rail Transit Commission – *Vote Required: Two-thirds* (Recommended by the Executive Committee 5-0)
2. Res. No. 09-05/20 – Proclaiming May 17-23, 2020 as Fair Housing Week in Walworth County – *Vote Required: Majority* (Recommended by the Executive Committee 5-0)

Supervisor Weber, offered a motion, second by Supervisor Monroe, to approve Item #1, Ord. No. 1212-05/20. On motion by Supervisor Grant, second by Supervisor Ingersoll, **Ord. No. 1212-05/20** was approved by unanimous consent.

On motion by Supervisor Grant, second by Supervisor Schaefer, Item #2, **Res. No. 09-05/20** was approved by voice vote.

Finance Committee

1. Ord. No. 1214-05/20 – Amending Section 62-42 of the Walworth County Code of Ordinances Regarding Penalty on Delinquent Taxes Related to Second Installment Payments of the 2019 Tax Year – *Vote Required: Majority* (Recommended by the Finance Committee 5-0)
2. Res. No. 15-05/20 – Closing Fiscal Year 2019 – *Vote Required: Two-thirds* (Recommended by the Finance Committee 5-0)
3. Res. No. 16-05/20 – Committing Fund Balances as of December 31, 2019 – *Vote Required: Two-thirds* (Recommended by the Finance Committee 5-0)
4. Res. No. 17-05/20 – Committing Children with Disabilities Education Board Available Fund Balance – *Vote Required: Two-thirds* (Recommended by the Children with Disabilities Education Board 5-0 and the Finance Committee 5-0)

On motion by Supervisor Grant, second by Supervisor Weber, Item #1, **Ord. No. 1214-05/20** was approved by voice vote.

Supervisor Weber, offered a motion, second by Supervisor Stacey, to approve Item #2, Res. No. 15-05/20. On motion by Supervisor Grant, second by Supervisor Ingersoll, **Res. No. 15-05/20** was approved by unanimous consent.

Supervisor Weber, offered a motion, second by Supervisor Monroe, to approve Item #3, Res. No. 16-05/20. On motion by Supervisor Grant, second by Supervisor Ingersoll, **Res. No. 16-05/20** was approved by unanimous consent.

Supervisor Weber, offered a motion, second by Supervisor Holt, to approve Item #4, Res. No. 17-05/20. On motion by Supervisor Grant, second by Supervisor Ingersoll, **Res. No. 17-05/20** was approved by unanimous consent.

Human Resources Committee

1. Ord. No. 1213-05/20 - Amending Section 15-359 of the Walworth County Code of Ordinance Relating to Special Pay Premiums for Certain LHCC Employees – *Vote Required: Majority* (Recommended by the Lakeland Health Care Center Board of Trustees 5-0 and the Human Resources Committee 5-0)
2. Res. No. 10-05/20 – Authorizing the Early Implementation of the Assistant Buyer Position in the Finance Department – *Vote Required: Majority* (Recommended by the Human Resources Committee 5-0)
3. Res. No. 11-05/20 – Authorizing the Early Transition of the Property Lister Position from the Register of Deeds Office to the Treasurer’s Office – *Vote Required: Majority* (Recommended by the Human Resources Committee 5-0)
4. Res. No. 12-05/20 – Authorizing the Addition of a Driver Position at Health and Human Services – *Vote Required: Two-thirds* (Recommended by the Health and Human Services Board 9-0 and the Human Resources Committee 5-0)

