

**Walworth County Board of Supervisors
Executive Committee Meeting Minutes
Monday, May 18, 2020
Walworth County Government Center, County Board Room 114
100 West Walworth Street, Elkhorn, Wisconsin**

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, Vice Chair Daniel Kilkenny, Supervisors Brian Holt, Susan Pruessing and Nancy Russell. A quorum was declared.

Others in Attendance

County Board Supervisors: Kathy Ingersoll, Ryan Simons, and Rick Stacey

County staff: County Administrator Mark W. Luberda; Corporation Counsel/Director of Land Use and Resource Management (LURM) Michael Cotter; Director-Public Works Richard Hough; Finance Director Jessica Conley; Clerk of Circuit Court Kristina Secord; Director of Human Resources Kate Bishop; and Director of Health & Human Services Elizabeth Aldred

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

On motion by Supervisor Holt, second by Supervisor Pruessing, the minutes of the April 27, 2020 Executive Committee Meeting were approved.

Public Comment – There was none.

Appointments. Recommendations regarding County Administrator's nominations:

- Southeastern Wisconsin Regional Planning Commission – appointment of Dave Weber

Chair Weber stated he was asked by Supervisor Russell to fill the vacancy on the Southeastern Wisconsin Regional Planning Commission (SEWRPC.) **Supervisor Russell offered a motion, second by Supervisor Holt, to approve the appointment of David Weber to SEWRPC. Motion carried 5-0.**

New Business

- Ordinance Confirming Special Authority for 2020 to Enable Continued Response to and Management of Operations During the COVID-19 Pandemic by Extending Certain Authorization as Approved within the Resolution for a Declaration of Emergency as Approved March 19, 2020

County Administrator Luberda spoke briefly regarding the original Emergency Declaration that was approved by the County Board of Supervisors on March 19, 2020 and is due to expire on June 17, 2020. He gave a brief overview of the proposed ordinance (Pages 12-17) and requested approval of the portions that fall under the purview of the Executive Committee (Part I creating Section 2-69 and Part IV amending Section 15-707(b) of the Walworth County Code of Ordinances). Luberda explained the option of either implementing the proposed ordinance prior to the June 17th deadline or extending the Emergency Declaration by 60 to 90 days. Vice Chair Kilkenny requested an Administrative Report, inclusive of expenditures, be given at all future committee meetings as to the actions that have been taken or will be taken under the authority of either the Emergency Declaration and/or proposed ordinance. Discussion then focused on the line of communication between the County Administrator and Corporation Counsel; and providing information and guidance to County Board Supervisors as things progress at the state, federal and public health level. **Supervisor Russell offered a motion, second by Supervisor Pruessing, to accept the revisions in the proposed ordinance as suggested by the County Administrator.** Supervisor Holt stated he is comfortable with the recommended changes as indicated in Parts I, IV and V of the proposed ordinance, as applicable to the Executive Committee. **Motion carried 5-0.**

- Discussion regarding essential employees and essential operations
Administrator Luberda provided a brief explanation and timeline leading up to the use of essential employees and essential operations language contained within the Emergency Declaration. He stated even though this language is now moot due to the Supreme Court's action to overturn the Safer at Home order, it is worth preserving moving forward. Discussion then focused on the need for continued monitoring of the rulings defining essential employees and essential operations to make certain that all funding mechanisms still apply to Walworth County once The Family First Corona Response Action (FFCRA) money is distributed from the federal government to the state and governor. Luberda stated the FFCRA definitions will be useful in anticipating future funding.
- Wisconsin Counties Association (WCA) consideration of Walworth County advisory resolutions at WCA annual business meeting
Administrator Luberda briefly explained the purpose for the proposed resolution submitting certain advisory resolutions to the Wisconsin Counties Association (WCA) to be included in its platform. Supervisor Russell stated the executed resolutions that are attached to the proposed resolution were previously sent to the WCA and suggested eliminating Res. No. 39-07/19 (Page 25) as it contains the same information as Res. No. 02-04/20 found on Page 35. **Supervisor Russell offered a motion, second by Supervisor Pruessing, to approve the proposed resolution and to exclude Res. No. 39-07/19. 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, June 15, 2020 at 10:00 a.m.

Claims and Litigation

The Committee convened in closed session at approximately 11:16 a.m. on motion and second by Vice Chair Kilkenny and Supervisor Pruessing 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 and Corporation Counsel/Director of Land Use and Resource Management Michael Cotter remained in closed session.

- a) Judith Demeuse and the Estate of James Demeuse, Plaintiffs, vs. Walworth County, Corrections Officer Peggy Horsthemke, Corrections Officer Jarrett McCardle, and Corrections Officer Doug Welch, each in his or her individual capacity, Defendants
- b) Jeré Fabrick and Larry Chapman, Petitioners, vs. Andrea Palm, et al, Respondents

The committee reconvened in open session at 11:33 a.m. on motion and second by Vice Chair Kilkenny and Supervisor Pruessing.

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 Vice-Chair Kilkenny and Supervisor Russell, Chair Weber adjourned the meeting at 11:34 a.m.