

**JULY 12, 2022**  
**WALWORTH COUNTY BOARD OF SUPERVISORS**  
**MEETING**

The Walworth County Board of Supervisors meeting was called to order by Chair Rick Stacey 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: Chair Rick Stacey; Vice-Chair Ryan Simons; Brian Holt, Kathy Ingersoll, Dennis G. Karbowski, Joanne Laufenberg, Kenneth H. Monroe, Susan M. Pruessing, Sheila T. Reiff, Joseph H. Schaefer, and Al Stanek. A quorum was established.

Al Stanek, Walworth County Board Supervisor, District #4, delivered the invocation.

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

On motion by Vice-Chair Simons, second by Supervisor Schaefer, the agenda was approved by voice vote with no withdrawals.

**Approval of the Minutes**

Supervisor Laufenberg offered a motion, second by Supervisor Holt, to make one amendment to the Committee of the Whole minutes: 1) to strike ~~approval of planned projects; with one rejection~~ and replace with requests; located in Discussion on Walworth County Recovery Grant (ARPA) projects, funding, and uses, including completed, budgeted, ongoing, proposed, or potential projects and uses; on Page 11 of the packet. Motion carried by voice vote. On motion by Supervisor Holt, second by Supervisor Ingersoll, the June 14, 2022 Committee of the Whole minutes, as amended, and the June 14, 2022 County Board Meeting minutes were approved by voice vote.

**Comment Period by Members of the Public Concerning Items on the Agenda**

This item was acted upon later in the meeting immediately following: New Business - Reports of Standing Committees - Children with Disabilities Education Board.

**Appointments/Elections**

1. Civil Service Board
  - John Marra – Five-year term to begin upon County Board confirmation and end on July 31, 2027 (Recommended by the Executive Committee 5-0)
2. County Zoning Agency
  - Richard Kuhnke, Sr. – Two-year term to begin upon County Board confirmation and end on June 30, 2024 (Recommended by the Executive Committee 5-0)

On motion by Vice-Chair Simons, second by Supervisor Karbowski, the appointments to the Civil Service Board and County Zoning Agency were approved by voice vote.

**Communications and Matters to Be Referred**

Chair Stacey 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) Vehicle Damage – Amanda Golson; b) Summons & Complaint – Joan Lunde Noback, Plaintiff vs. James Johnson, Jr., et al, Defendants (To be referred to the Executive Committee)
3. Correspondence from Southeastern Wisconsin Regional Planning Commission (SEWRPC) regarding the *2021 Annual Report* (To be placed on file) (The complete publication can be viewed in the County Clerk's Office)

4. Report of the County Clerk Regarding Communications Received by the Board and Recommended to be Placed on File
  - None.
5. Report of the County Clerk Regarding Communications Received by the Board After the Agenda Mailing
  - Claims: a) Summons & Complaint – Wisconsin Housing and Economic Development Authority, Plaintiff vs. James C. Sawyer & Connie L. Sawyer, Walworth County, & Aurora Medical Group, Inc., Defendants; b) Vehicle Damage – Jack Johnson; c) Summons and Civil Complaint and Petition for Certiorari Review – Abbey Provident Venture, LLC, Plaintiff vs. Walworth County and Walworth County Zoning Agency, Defendants (To be referred to the Executive Committee)
  - Correspondence from County Board Chairperson Rick Stacey relative to Renaming of the County Board Room in Memory of Nancy Russell (To be referred to the Executive Committee)
6. Report of the County Clerk Regarding Zoning Petitions (To be referred to the County Zoning Agency)
  - PL1987, LLC C/O Thomas R. Neshek – Owner, LaGrange Township. Rezone approximately 8 acres of C-4 Shoreland Wetland District zoned property to the C-2 Upland Resource Conservation District

### **Unfinished Business**

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

County Administrator Mark W. Luberda continues to prepare the Friday Report and Update per the Supervisors request. Luberda advised that as Walworth County moves into the recovery phase of the pandemic the special authorities the County has been operating under will be allowed to expire at the end of July. He stated that unless directed otherwise this will be the last report of COVID-19 Response, Update, and State & Federal Actions.

### **New Business**

#### **Reports of Standing Committees**

#### **Children with Disabilities Education Board**

1. Res. No. 49-07/22 – Recognizing Tracy L. Moate for Her Years of Service to Walworth County – *Vote Required: Majority* (Recommended by the Children with Disabilities Education Board 5-0)

On motion by Supervisor Holt, second by Supervisor Monroe, Item #1, **Res. No. 49-07/22** was approved by voice vote.

Luberda presented Tracy Moate with a copy of the resolution and read it aloud for the record.

#### **Comment Period by Members of the Public Concerning Items on the Agenda**

There was none.

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

1. Ord. No. 1280-07/22 – Amendment to Section(s) 74-165, 74-174, and 74-241 of the Walworth County Code of Ordinances - Shoreland Zoning to incorporate 2021 Wisconsin Act 105 language and complete amendments required by WDNR for compliance with Wisconsin Administrative code NR115 – *Vote Required: Majority* (Recommended by the County Zoning Agency 7-0)  
Walworth County – Amendment to Section(s) 74-165, 74-174, and 74-241 of the Walworth County Code of Ordinances - Shoreland Zoning to incorporate 2021 Wisconsin Act 105 language and complete amendments required by WDNR for compliance with Wisconsin Administrative code NR115 – Approved 7-0 (June 16, 2022 County Zoning Agency Public Hearing)
2. Justin and Christin Milbradt – Owners, NW & SW ¼ of Section 35, Spring Prairie Township. The rezone includes approximately 17.94 acres of C-1, 5.12 acres of C-4, 2.8 acres of A-1, and .12 acres of C-2; rezoned to 23.05 acres of A-1NC, .76 acres of C-1, and 2.17 acres of C-4 – Approved 7-0 (June 16, 2022 County Zoning Agency Public Hearing)

3. William Michael Landers – North by Northwest Storage, LLC C/O John Berget – Owners, SE ¼ of Section 25, Delavan Township. Rezone approximately .92 acres of A-5 to A-4 – Approved 7-0 (June 16, 2022 County Zoning Agency Public Hearing)
4. Access Real Estate, LLC C/O David & Zach Flitcroft – Owners, SE ¼ of Section 14, LaGrange Township. Rezone approximately 1.71 acres of A-2 to B-2 – Approved 7-0 (June 16, 2022 County Zoning Agency Public Hearing)
5. Jeff & Cindy Dutton – Owners, NE ¼ of Section 6, Sharon Township. Rezone approximately .5 acres of C-4 to A-1NC – Approved 7-0 (June 16, 2022 County Zoning Agency Public Hearing)
6. Alex Collins – Owner, SW ¼ of Section 7, Lyons Township. Rezone approximately 5.78 acres of R-4 to A-5 – Approved 7-0 (June 16, 2022 County Zoning Agency Public Hearing)
7. James L. and Deanna R. Finley – Owners, SE ¼ of Section 12, Richmond Township. Rezone approximately 6.6 acres of the A-2 portion of Tax Parcel C R 1200009A to C-2 – Approved 7-0 (June 16, 2022 County Zoning Agency Public Hearing)

Vice-Chair Simons offered a motion, second by Supervisor Ingersoll, to approve, Item #1, Ord. No. 1280-07/22. Supervisor Laufenberg voiced concerns relative to requiring property owners on the Geneva Lake Path to petition the Board of Adjustment for a variance approval in order to maintain and/or make changes to portions of the path included on their land. Corporation Counsel/Director-Land Use and Resource Management Michael Cotter briefly explained the history leading to the proposed ordinance amendment. Discussion ensued with Code Enforcement Officer Nicholas Sigmund clarifying that a property owner wanting to update an existing path would not need to apply for a variance. Sigmund stated only increases in size of an existing path, changes such as adding a stone path where it is currently grass, or moving where the path is located on the property would require a petition for variance. Cotter added that the ordinance, if approved, would waive the property owner's cost of applying for such a variance. Item #1, **Ord. No. 1280-07/22** was approved by voice vote. Supervisor Laufenberg requested her vote be recorded as "No."

On motion by Vice-Chair Simons, second by Supervisor Schaefer, Items #2 thru #7 of the County Zoning Agency Report of Proposed Zoning Amendments were approved as recommended by the County Zoning Agency by voice vote.

#### **Finance Committee**

1. Res. No. 40-07/22 – Amending the 2022 Transportation Vehicle Capital Project to Purchase up to Five Vehicles for the Transportation Programs and Authorize Funding – *Vote Required: Two-Thirds* (Recommended by the Transportation Coordinating Committee 6-0, the Public Works Committee 5-0, and the Finance Committee 5-0)
2. Res. No 43-07/22 – Authorizing a Budget Transfer of \$300,000 from the 2022 General Fund Contingency Account to Cover the Increase in Natural Gas Costs for County Facilities – *Vote Required: Two-Thirds* (Recommended by the Finance Committee 5-0)
3. Res. No. 44-07/22 – Authorizing the Public Works Two 2007 Mack Tandem Trucks with Attachments to be Declared Surplus and Authorizing Staff to Dispose of the Assets – *Vote Required: Majority* (Recommended by the Public Works Committee 5-0 and the Finance Committee 5-0)
4. Res. No. 45-07/22 – Authorizing Participation in WisCaregivers Careers Program and Establishing a Budget – *Vote Required: Two-Thirds* (Recommended by the Lakeland Health Care Center Board of Trustees 5-0 and the Finance Committee 5-0)
5. Res. No. 46-07/22 – Accepting Room and Board Costs for Medicaid Members with an Opioid Use Disorder in Medicaid-Approved Residential Substance Use Disorder Treatment Programs and Establishing a Budget – *Vote Required: Two-Thirds* (Recommended by the Finance Committee 5-0)
6. Res. No. 47-07/22 – Establishing a 2022 Budget Appropriation in the Health and Human Services Fund for the Children's Long-Term Support Program – *Vote Required: Two-Thirds* (Recommended by the Health and Human Services Board 9-0 and the Finance Committee 5-0)
7. Res. No. 48-07/22 – Approving the Creation and Establishment of a Joint Library, the Tri-Troy Community Library, by the Village of East Troy, the Town of Troy, and the Town of East Troy – *Vote Required: Majority* (Recommended by the Finance Committee 5-0)

Supervisor Karbowski offered a motion, second by Supervisor Stanek, to approve, Item #1, Res. No. 40-07/22. A roll call vote was conducted. Total votes: 11; Ayes: 11 - Holt, Ingersoll, Karbowski, Laufenberg, Monroe, Pruessing, Reiff, Schaefer, Simons, Stacey, and Stanek; Noes: 0; Absent: 0. **Res. No. 40-07/22** was approved by roll call vote.

Supervisor Stanek offered a motion, second by Supervisor Schaefer, to approve, Item #2, Res. No. 43-07/22. A roll call vote was conducted. Total votes: 11; Ayes: 11 - Holt, Ingersoll, Karbowski, Laufenberg, Monroe, Pruessing, Reiff, Schaefer, Simons, Stacey, and Stanek; Noes: 0; Absent: 0. **Res. No. 43-07/22** was approved by roll call vote.

On motion by Supervisor Monroe, second by Supervisor Reiff, Item #3, **Res. No. 44-07/22** was approved by voice vote.

Vice-Chair Simons offered a motion, second by Supervisor Holt, to approve, Item #4, Res. No. 45-07/22. A roll call vote was conducted. Total votes: 11; Ayes: 11 - Holt, Ingersoll, Karbowski, Laufenberg, Monroe, Pruessing, Reiff, Schaefer, Simons, Stacey, and Stanek; Noes: 0; Absent: 0. **Res. No. 45-07/22** was approved by roll call vote.

Supervisor Ingersoll offered a motion, second by Supervisor Holt, to approve, Item #5, Res. No. 46-07/22. A roll call vote was conducted. Total votes: 11; Ayes: 11 - Holt, Ingersoll, Karbowski, Laufenberg, Monroe, Pruessing, Reiff, Schaefer, Simons, Stacey, and Stanek; Noes: 0; Absent: 0. **Res. No. 46-07/22** was approved by roll call vote.

Supervisor Monroe offered a motion, second by Supervisor Schaefer, to approve, Item #6, Res. No. 47-07/22. A roll call vote was conducted. Total votes: 11; Ayes: 11 - Holt, Ingersoll, Karbowski, Laufenberg, Monroe, Pruessing, Reiff, Schaefer, Simons, Stacey, and Stanek; Noes: 0; Absent: 0. **Res. No. 47-07/22** was approved by roll call vote.

On motion by Supervisor Karbowski, second by Supervisor Stanek, Item #7, **Res. No. 48-07/22** was approved by voice vote.

### **Human Resources Committee**

1. Ord. No. 1279-07/22 – Amending Section 15-359 of the Walworth County Code of Ordinances Relating to Special Pay Premiums at Lakeland Health Care Center – *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. 41-07/22 – Authorizing the Increase of One Part-Time Administrative Clerk II Position to Full-Time and the Elimination of One Part-Time Administrative Clerk II Position in the Register of Deeds Office – *Vote Required: Majority* (Recommended by the Human Resources Committee 5-0)
3. Res. No. 42-07/22 – Revising 2022 Pay Ranges for Certain Casual Public Works Classifications – *Vote Required: Majority* (Recommended by the Human Resources Committee 5-0)

On motion by Vice-Chair Simons, second by Supervisor Laufenberg, Item #1, **Ord. No. 1279-07/22**; Item #2, **Res. No. 41-07/22**; and Item #3, **Res. No. 42-07/22** were approved by voice vote.

### **Park Committee**

1. Res. No. 38-07/22 – Honoring the Memory of Duane Clark and the Clark Trust for Walworth County’s Acquisition of Property for White River Park – *Vote Required: Majority* (Recommended by the Park Committee 5-0)
2. Res. No. 39-07/22 – Adopting the Park and Open Space Plan for Walworth County 2050 – *Vote Required: Majority* (Recommended by the Park Committee 4-1)

On motion by Supervisor Schaefer, second by Supervisor Reiff, Item #1, **Res. No. 38-07/22** was approved by voice vote.

Supervisor Laufenberg offered a motion to reject, Item #2, Res. No. 39-07/22. Motion failed for lack of a second. Supervisor Holt offered a motion, second by Supervisor Ingersoll, to approve, Item #2, Res. No. 39-07/22. Supervisor Laufenberg voiced concerns relative to the plan suggesting government purchase of prime real estate. Item #2, **Res. No. 39-07/22** was approved by voice vote. Supervisor Laufenberg requested her vote be recorded as “No.”

### **Public Works**

1. Ord. No. 1278-07/22 – Amending Chapter 66 of the Walworth County Code of Ordinances Relating to Specific Speed Limits and Bikeways – *Vote Required: Majority* (Recommended by the Public Works Committee 5-0)

On motion by Supervisor Monroe, second by Supervisor Reiff, Item #1, **Ord. No. 1278-07/22** was approved by voice vote.

