

OCTOBER 13, 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 (inaudible), 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.

Brian Holt, Walworth County Board Supervisor, District #3, delivered the invocation.

Amendments, Withdrawals, and Approval of Agenda

County Administrator Mark W. Luberda briefly explained that Corporation Counsel is currently working with Administration relative to Public Works Committee, Item #1, Ord. No. 1225-10/20 and requested this ordinance be withdrawn from the Agenda.

Supervisor Kilkenny offered a motion, second by Supervisor Schaefer, to withdraw, Item #1, Ord. No. 1225-10/20 – Creating Section 16-27, “Utility Accommodation,” in Chapter 16 Article III of the Walworth County Code of Ordinances Relating to Highway Operations, under Public Works Committee. Motion was approved by voice vote.

On motion by Supervisor Ingersoll, second by Supervisor Weber, the agenda as amended was approved by voice vote.

Approval of the Minutes

On motion by Supervisor Pruessing, second by Supervisor Weber, the September 8, 2020 Committee of the Whole and the September 8, 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. Southeastern Wisconsin Regional Planning Commission (SEWRPC)
 - Brian Holt – Term to begin upon County Board confirmation and end on September 15, 2024 (Recommended by the Executive Committee 5-0)

On motion by Supervisor Pruessing, second by Supervisor Ingersoll, the appointment to the Southeastern Wisconsin Regional Planning Commission (SEWRPC) was 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) Summons and Complaint – John Neighbors v. Nicholas Sigmund (To be placed on file)
3. Correspondence from Melissa Bachhuber, Vice President – Associate General Counsel for Advanced Disposal in connection with the Mallard Ridge Landfill Southern Expansion Negotiated Agreement, dated as of March 2, 2005, with Advanced Disposal Services Mallard Ridge Landfill, Inc. (To be referred to the Public Works Committee)
4. Report of the County Clerk Regarding Communications Received by the Board and Recommended to be Placed on File
 - Brown County Resolution – Requesting that the State Senate convene to address 13 “Water Bills” passed by the State Assembly (to be placed on file)
5. Report of the County Clerk Regarding Communications Received by the Board After Agenda Mailing
 - CLAIM – Summons and Petition for Writ of Certiorari and Declaratory Relief – Delavan Lake Sanitary District, Plaintiff v. Walworth County Board of Adjustment and Walworth County, Defendant (To be referred to the Executive Committee)
6. Report of the County Clerk Regarding Zoning Petitions (To be referred to the County Zoning Agency)
 - Arthur W. Zabierek, Revocable Trust C/O Mark Traiforos, Trustee – Owner, Lyons Township. Amend the 2035 Land Use Plan with Update (2050) Map to change 11.8 acres of land from the AG1 Other Agricultural Rural Residential and Other Open Land (five to 34 acres per dwelling) land use category to the R Recreational land use category in order to allow a potential rezone of the M-3 Mineral Extractive zoned lands to the P-1 Recreational Park zone district.
 - Thomas Weber – Owner, LaFayette Township. Rezone approximately 6.68 acres of M-3 Mineral Extraction to A-4 Agricultural Related Manufacturing, Warehousing and Marketing District. The request also includes a rezone of 40 acres of M-3 to the A-2 Agricultural District.
 - Lauderdale Shores Condominium Association, Inc. – Owner, LaGrange Township. Rezone approximately .92 acres of R-1 Single Family Residential District to the B-5 Planned Commercial – Recreational District.
 - Klint Trust C/O Ryan Southwick Agent, Linn Township. Rezone of property zoned C-2 Upland Conservation District and C-4 Shoreland Wetland to the C-4 Shoreland Wetland District and C-2 Upland Conservation District.
 - Northern Cross Capital, LLC – Owner, Lyons Township. Rezone C-1 Lowland Resource Conservation District property to the C-2 Upland Resource Conservation District.

Unfinished Business

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

County Administrator Mark W. Luberda stated he continues to prepare the Friday Report and Update per the Supervisors request and reported the following:

- Luberda will not be preparing and distributing a Friday Report and Update this week.
- Yesterday a temporary injunction relative to the Governor’s face covering mandate was declined. The Governor’s mandate remains in place. Public Health will continue to respond to complaints they receive and address them appropriately, while focusing on compliance and education.
- Walworth County is working to finalize and establish a one day per week testing site that is to be centrally located.

- Walworth County is pursuing the request for the State of Wisconsin to allow utilization of the Coronavirus Aid, Relief, and Economic Security (CARES) funding through the end of the year, which has been federally approved. The Governor's Order ends during the month of November and there has been no action on behalf of the Governor's office at this time.
- The November committee meetings will be evaluating which aspects of the Emergency Declaration may need to continue into next year. It is anticipated that an adjustment to the previously approved ordinance will be presented in December for approval, so that it will be in place for January 1, 2021.

New Business

Reports of Standing Committees

County Zoning Agency Report of Proposed Zoning Amendments

1. There were NO Ordinance Amendments or Rezones considered or approved at the September 17, 2020 County Zoning Agency Meeting.

Executive Committee

1. Res. No. 31-10/20 – Denying the Claim of Natasha Zwijacz – *Vote Required: Majority* (Recommended by the Executive Committee 5-0)
2. Res. No. 32-10/20 – Denying the Notice of Claim of WSPR Enterprise, LLC – *Vote Required: Majority* (Recommended by the Executive Committee 5-0)

On motion by Supervisor Weber, second by Supervisor Holt, Item #1, **Res. No. 31-10/20**; and Item #2, **Res. No. 32-10/20** were approved by voice vote.

Finance Committee

1. Res. No. 34-10/20 – Allocating/Transferring Highway Fund Available Net Position – *Vote Required: Two-thirds* (Recommended by the Public Works Committee 5-0 and the Finance Committee 5-0)
2. Res. No. 35-10/20 – Authorizing the Closure of Highway Project CTH B (CTH B Gregory Drive to CTH-H-Genoa) 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 5-0)
3. Res. No. 36-10/20 – Authorizing Internal Allowances for Lakeland Health Care Center Available Net Position – *Vote Required: Two-thirds* (Recommended by the Lakeland Health Care Center Board of Trustees 5-0 and the Finance Committee 5-0)
4. Res. No. 37-10/20 – Committing General Fund Available Fund Balance – *Vote Required: Two-thirds* (Recommended by the Finance Committee 5-0)

Supervisor Kilkenny offered a motion, second by Supervisor Weber, to approve, Item #1, Res. No. 34-10/20 by unanimous consent. **Res. No. 34-10/20** was approved by unanimous consent.

Supervisor Kilkenny offered a motion, second by Supervisor Weber, to approve, Item #2, Res. No. 35-10/20 by unanimous consent. **Res. No. 35-10/20** was approved by unanimous consent.

Supervisor Kilkenny offered a motion, second by Supervisor Monroe, to approve, Item #3, Res. No. 36-10/20 by unanimous consent. **Res. No. 36-10/20** was approved by unanimous consent.

Supervisor Kilkenny offered a motion, second by Supervisor Weber, to approve, Item #4, Res. No. 37-10/20 by unanimous consent. **Res. No. 37-10/20** was approved by unanimous consent.

Human Resources Committee

1. Res. No. 38-10/20 – Adopting Insurance Premium Equivalents for 2021 – *Vote Required: Majority* (Recommended by the Human Resources Committee 5-0)
2. Res. No. 39-10/20 – Authorizing the Elimination of the Mobility Assistant Position, the Reclassification of the Office Supervisor/Mobility Manager Position to an Office Supervisor – Administration and Communication Coordinator Position and the Creation of a Program Manager – Mobility Position in Administration – *Vote Required: Two-thirds* (Recommended by the Human Resources Committee 5-0)

On motion by Supervisor Ingersoll, second by Supervisor Weber, Item #1, **Res. No. 38-10/20** was approved by voice vote.

Supervisor Kilkenny offered a motion, second by Supervisor Weber, to approve, Item #2, Res. No. 39-10/20 by unanimous consent. **Res. No. 39-10/20** was approved by unanimous consent.

Land Conservation Committee

1. Res. No. 33-10/20 – Supporting an Application for a Department of Natural Resources Surface Water Grant for the Lake Monitoring and Protection Network Program – *Vote Required: Two-thirds* (Recommended by the Land Conservation Committee 4-0)

Supervisor Kilkenny offered a motion, second by Supervisor Holt, to approve, Item #1, Res. No. 33-10/20 by unanimous consent. **Res. No. 33-10/20** was approved by unanimous consent.

Public Works Committee

1. Ord. No. 1225-10/20 – Creating Section 16-27, “Utility Accommodation,” in 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)

Item #1, Ord. No. 1225-10/20 was withdrawn from the Agenda earlier in the meeting.

Reports 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 announced there will be a Public Budget Hearing at 6:00 p.m. on October 29, 2020.

Chair Russell stated titles for the Tuesday, November 10, 2020 agenda are to be submitted on or before Wednesday, October 28, 2020.

Adjournment

On motion by Supervisor Monroe, second by Supervisor Weber, 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 October 13, 2020 meeting.