

**Walworth County Board of Supervisors
Executive Committee Meeting Minutes
Monday, November 18, 2019
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 the following members were present: Chair David Weber, Vice Chair Charlene Staples, and Supervisors Dan Kilkenny, Susan Pruessing and Nancy Russell. A quorum was declared.

Others in Attendance

County Board Supervisors: County Board Vice Chair Jerry Grant and Supervisor Kathy Ingersoll
County staff: County Administrator David Bretl; Director-Public Works Richard Hough; Deputy Corporation Counsel/Director of LURM Michael Cotter; Human Resources Director Kate Bishop; County Clerk Kim Bushey; Finance Director Jessica Conley; Lead Investigator/Deputy Medical Examiner Gina Carver; Undersheriff Kevin Williams; Captain David Gerber; Deputy Director of Health & Human Services Carlo Nevicosi; Assistant Corporation Counsel Estee Scholtz; Veterans Services Officer Nathan Bond

Members of the public: Adam Borosch and D.J. Lindfors, Alpine Valley Music Theatre; Barb Fischer, Town of Lafayette Clerk/Treasurer

Supervisor Kilkenny made a motion, seconded by Vice Chair Staples, to move item 11.d) for consideration after the closed sessions, and to approve the agenda as amended. Motion carried 5-0.

Supervisor Kilkenny made a motion, seconded by Vice Chair Staples, to approve the October 14, October 16 and November 4, 2019 Executive Committee meeting minutes. Motion carried by voice vote.

Public Comment – There was none.

Public Hearing and Consideration of Alpine Valley Music Theatre 2020 Business and Sanitary License Application and Operations Plan and 2020 Camping Operations Plan

County Administrator Bretl said Health and Human Services, the Sheriff's Office and Land Use and Resource Management reviewed and endorsed issuing the business and sanitary license and approved the Alpine Valley operations plan for 2020. No public comment was received. Adam Borosch and D.J. Lindfors answered questions from the committee. There is no camping planned for 2020, and one show is scheduled for June 4, 2020. One citizen complaint was received about the sanitary conditions during Farm Aid. Staff had added 75 portable restrooms with electricity and flushing toilets, and they believe the complaint arose because the restroom was not serviced timely. It is a challenge to hook up the toilets in the remote parking lots, but they will be implemented in 2020 and the restrooms will be serviced frequently. Deputy Corporation Counsel/Director of LURM Michael Cotter reported he spoke with representatives of Live Nation and that was the only complaint received during the year. Cotter's staff will attend one of the shows in 2020 and perform an inspection of the facility. There were no other questions from the Committee or the public. **Supervisor Kilkenny made a motion, seconded by Vice Chair Staples, to close the public hearing. Motion carried 5-0. Supervisor Kilkenny made a motion, seconded by Vice Chair Staples, to approve the Alpine Valley Music Theatre 2020 Business and Sanitary License Application and Operations Plan and 2020 Camping Operations Plan. Motion carried 5-0.**

Consent Items – expense/mileage reimbursement claims submitted by:

- John Roth, citizen member on Board of Adjustment, in the amount of \$15.26
- Anna Seaver, citizen member on Board of Adjustment, in the amount of \$15.26

Supervisor Russell made a motion, seconded by Vice Chair Staples, to approve all of the expense/mileage claims. Motion carried 5-0.

Appointments. Recommendations regarding County Administrator’s nominations:

- Agriculture and Extension Education Committee – appointment of Jennifer Straus
- Lakeshores Library System Board – appointment of Susan Metzner
- Veterans Service Commission – appointment of Mark Gajewski

Supervisor Russell made a motion, seconded by Vice Chair Staples, to approve all of the recommended appointments. Motion carried 5-0.

Unfinished Business

- Correspondence from County Board Vice Chair Jerry Grant regarding County Board election years Chair Weber invited Vice Chair Grant to address the Committee. Grant proposed to change the election of County Board Supervisors from every two years to have the even numbered district members elected in one year, and the odd numbered district members in the next year. Grant said this is allowable under state statute. Because there are only 11 Board members, having all of them elected for the same terms could produce a significant turnover in supervisors and potentially put the stability of the Board and county operations at risk. Supervisor Russell said municipal governments stagger their elections, so there is precedent for that practice. Supervisor Kilkenny noted that odd-numbered district supervisors would have to run in consecutive years initially if the elections were changed. County Clerk Kim Bushey addressed timing issues with changing elections in 2020. The Type A notice stating that all County Board of Supervisors are up for election for a term of two years will run in the County’s paper this Thursday, November 21, and the notice is required by law to be published no later than November 26th. There are other races scheduled for April’s election. Supervisor Kilkenny noted the census will be conducted in 2020 and the districts may change. He advised waiting until after the census is complete to make a decision. Supervisor Russell and Vice Chair Staples concurred that staggered elections would generate more interest in the community and encourage others to run for public service. **Supervisor Kilkenny made a motion, seconded by Vice Chair Staples, to consider the County Board election years at the next Executive Committee meeting after the April 2020 election, and to direct the County Clerk to provide a timeline on how the process would be conducted to commence with the April 2022 election. Motion carried 5-0.**

- Correspondence from Assistant Corporation Counsel Estee Scholtz regarding County Sex Offender Residency/Child Safety Zone Ordinance

Bretl said the issue was introduced to the Committee by correspondence from Vice Chair Staples in September. Assistant Corporation Counsel Estee Scholtz has researched the issue thoroughly and outlined her findings in the November 7th memo to the Committee. Her research efforts included interviewing staff at Health and Human Services, Probation and Parole, Sheriff’s Office and the District Attorney’s Office, who all collaborate to effectively reduce the risk that sex offenders pose to children within the community. Compliance programs have mitigated the concern for sex offenders within Walworth County. She compared nationwide statistics on sex offender referral rates and state law and county efforts have proved successful. She compiled a list and explanation of tools used by local law enforcement and Probation and Parole. The State legislature has declined to pursue further measures for child safety zone residency restrictions, and the Minnesota Association for the Treatment of Sexual

Abusers has determined that 79% of those who reoffend victimize someone they know. She cautioned the Committee that passing an ordinance would limit housing options in most of the municipal areas and lead to the concentration of more sex offenders in rural areas of the County. Florence County, Wisconsin implemented a sex offender residency restriction and is now facing constitutional challenges to the ordinance. Health and Human Services and Sheriff's Office staff noted there has not been a case of victimization in the County that such an ordinance could have prevented. The Committee commended Ms. Scholtz on her extensive research and report. **Supervisor Kilkenny made a motion, seconded by Supervisor Russell, to place the information on file. Motion carried 5-0.**

New Business

- Resolution Designating Kristen Perry and Cindy Wrobel as Walworth County Humane Officers
Bretl said the contract with Lakeland Animal Welfare Society (LAWS) has been renegotiated to expand the contract through 2024. LAWS must assume statutory responsibilities under the contract. Ms. Wrobel lost her credentialing a year ago and is working to recertify. He suggested the Committee forward the resolution to the County Board, contingent upon Ms. Wrobel attaining recertification. **Vice Chair Staples made a motion, seconded by Supervisor Russell, to approve the designation of Walworth County Humane Officers, contingent upon their obtaining proper certification to serve in that capacity. Motion carried 5-0.**

- Resolution Establishing a Committee of the Whole meeting date relating to Human Resources Training Videos

Vice Chair Staples made a motion, seconded by Supervisor Pruessing, to support establishing a Committee of the Whole meeting on January 14, 2020 at 2:15 p.m. for Board members to watch the Human Resources training videos. Motion carried 5-0.

- Approving an Intergovernmental Agreement between Milwaukee County and Walworth County regarding the Provision of Autopsy Services

Bretl reminded the Committee that the County ended its relationship with Waukesha County for the provision of Medical Examiner Services. Gina Carver has been appointed the County's Medical Examiner, and Milwaukee County has the capacity to provide autopsy services to Walworth County. Pricing for the contract is locked in for the period of five years and will be considerably less costly than the former contract. Carver reported Milwaukee County is building a new facility near Froedtert and the Medical College of Wisconsin. She has worked with Milwaukee County's Medical Examiner's office, and all of their autopsies will be performed by board-certified, Wisconsin-licensed forensic pathologists. Carver said the new arrangement will improve customer service and enhance local interaction with the community. Calls will be answered by County staff, and dispatch of services will be more efficient. Bretl noted that without the dedication of Carver and her staff, the transition would not have gone as smoothly or quickly. **Vice Chair Staples made a motion, seconded by Supervisor Russell, to recommend approval of the Intergovernmental Agreement with Milwaukee County for the provision of Autopsy Services to Walworth County. Motion carried 5-0.**

- Outagamie County Resolution No. 64-2019-20 – Supporting legislation which addresses a non-partisan redistricting process that utilizes locally developed wards/districts to establish voting districts
Supervisor Kilkenny made a motion, seconded by Supervisor Pruessing, to place Outagamie County Resolution No. 64-2019-20 on file. Motion carried 5-0.

- Outagamie County Resolution No. 72-2019-20 Urging the Wisconsin Governor and Legislators to research and understand the reasons behind the out-migration of the millennial population as well as

why people are not moving to Wisconsin for available jobs and to make changes to encourage families to maintain Wisconsin as their residence as well as develop a plan to encourage families to move to Wisconsin

Supervisor Kilkenny made a motion, seconded by Supervisor Russell, to place Outagamie County Resolution No. 72-2019-20 on file. Motion carried 5-0.

- Outagamie County Resolution No. 84-2019-20 – Supporting legislation requiring the Department of Revenue (DOR) to annually publish information on its internet site and requiring the reporting of utility aid payment itemization to municipalities and counties

Bretl said the intent of this resolution is to create transparency regarding utility aid payments. Finance Director Jessica Conley said the utility aid is part of the County's shared taxes budget, and staff receives an estimate of the aid payments each year; however, it is uncertain how the aid is calculated and what parties are involved. She researched the State's website, and discovered there are seven separate components to the aid, but it does not specify how the County's portion is derived. **Supervisor Kilkenny made a motion, seconded by Vice Chair Staples, to postpone this item until the next regular Executive Committee meeting to allow staff to identify the specific information needed to accurately calculate the payments. Motion carried 5-0.**

- Correspondence from Rachel Scott, Rachael Glogovsky, Anne LaBuoy and Michelle Thomas regarding animal care and control

Committee consensus was that the letter is well-intended, but the concerns should be addressed to the Lakeland Animal Welfare Society. **Supervisor Kilkenny made a motion, seconded by Vice Chair Staples, to place the correspondence on file. Motion carried 5-0.**

- Wisconsin Department of Administration Final Estimate of January 1, 2019 Population for Walworth County

Vice Chair Staples made a motion, seconded by Supervisor Kilkenny, to place the final estimate on file. Motion carried 5-0.

Reports/announcements by Chairperson – There were none.

Confirmation of next meeting date and time: Monday, December 9, 2019 at 10:00 p.m.

Claims and Litigation

The Committee convened in closed session at approximately 11:03 a.m. on motion and second by Supervisor Kilkenny and Vice Chair Staples 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 David Bretl, Director-Public Works Richard Hough, Supervisor Kathy Ingersoll, Assistant Corporation Counsel Estee Scholtz, Deputy Corporation Counsel/Director of LURM Michael Cotter; and Human Resources Director Kate Bishop remained in closed session.

- a) Claim – Daniel Clifford
- b) Notice of Circumstances of Claim and Claim Against Walworth and the Walworth County Drainage District Board Pursuant to Wis. Stat. Sec. 893.80 – Kimberly and Kevin McCarter

The committee reconvened in open session at 11:16 a.m. on motion and second by Supervisor Kilkenny and Vice Chair Staples.

Supervisor Kilkenny made a motion, seconded by Vice Chair Staples, to proceed as discussed in closed session on item a) and to disallow the claim in item b), above herein. Motion carried 5-0.

Closed Session

The committee convened in closed session as approximately 11:17 a.m. on motion and second by Supervisor Kilkenny and Vice Chair Staples pursuant to the exemption contained in Section 19.85(1)(c) of the Wisconsin Statutes, “considering employment, promotion, compensation or performance evaluation data of any public employee over which the government body has jurisdiction or exercises responsibility,” relative to the item listed below. A roll call vote was conducted and all members present voted “aye.” County Administrator David Bretl, Human Resources Director Kate Bishop and Supervisor Kathy Ingersoll remained in closed session.

- a) County Administrator recruitment
- b) Extension of David Bretl’s contract to serve as County Administrator into 2020

The committee reconvened in open session at 12:15 p.m. on motion and second by Supervisor Kilkenny and Vice Chair Staples.

Supervisor Kilkenny made a motion, seconded by Vice Chair Staples, to direct staff to proceed as discussed in closed session on items a) and b), above. Motion carried 5-0.

- Correspondence from County Board Chair Nancy Russell regarding a proposed resolution entitled “Authorizing the Naming of the Walworth County Government Center as the David A. Bretl Government Center”

Supervisor Russell said she proposed the resolution to rename the Government Center for County Administrator/Corporation Counsel Bretl to honor his performance, commitment and achievements during his tenure as County Administrator. She asked the Committee to support the resolution, to become effective January 1, 2020. The Committee unanimously agreed that Mt. Bretl should be given recognition for his dedication; however, members expressed concern regarding: that there is no ordinance relating to naming facilities after individuals; whether other individuals who have contributed significantly to the County should also be recognized; and, if the renaming of the building is approved, that it should be implemented after Mr. Bretl’s retirement. Discussion ensued. **Supervisor Kilkenny made a motion, seconded by Supervisor Pruessing, to postpone discussion on the issue to allow time to consider an appropriate honor and timeframe for implementation. Motion carried 4-1, with Supervisor Russell opposed.**

Adjournment

On motion and second by Supervisor Kilkenny and Vice Chair Staples, Chair Weber adjourned the meeting at approximately 12:45 p.m.