



**Walworth County Board Finance Committee  
MEETING MINUTES  
November 18, 2010**

Walworth County Government Center  
County Board Room 114  
100 West Walworth, Elkhorn, WI

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The meeting was called to order by Chair Russell at 9:30 a.m.

**Roll call** — Finance Committee members present included Supervisors Jerry Grant, Daniel Kilkenny, Nancy Russell, and Rick Stacey. Supervisor Schaefer was absent and excused. A quorum was declared.

**Board members present:** Kathy Ingersoll.

**County staff present:** David Bretl-County Administration/Corporation Counsel; Nicki Andersen, Jessica Lanser, Dale Wilson-Finance; Sheila Reiff-clerk of Courts; Linda Seemeyer-Health & Human Services; Bernie Janiszewski-Lakeland Health Care Center; Shane Crawford, Peggy Watson-Public Works; David Graves-Sheriff's Office; Kathy Du Bois-Treasurer's Office.

**Public in attendance:** Rae Anne Beaudry, The Horton Group; Kelly Hayden, Village of Fontana.

**Agenda withdrawals** — There were no agenda withdrawals. **Motion by Grant/Stacey to approve the agenda; carried 4-0.**

**Approval of minutes of last meeting(s)** — October 21, 2010 — **Stacey moved to approve the meeting minutes. Motion seconded by Grant; carried 4-0.**

**Public comment period** — There were no comments from members of the public.

**Unfinished business** — There was no unfinished business.

**Consent items** — Russell asked that agenda items 8B3 regarding a stop loss carrier for health insurance and 8B4 related to tax foreclosure properties be held for separate discussion. **Motion by Stacey/Kilkenny to approve the remainder of the consent items; carried 4-0.**

**Budget amendments**

Health & Human Services (HHS)

- HS017 — Redistribute budget to cover anticipated mental health inpatient costs through December 31, 2010
- HS018 — Transfer funds to cover volunteer mileage and a contracted driver position

Public Works

- PW011 — Reflect anticipated insurance settlement for damaged equipment at the Sheriff's Office and Lakeland Health Care Center
- PW012 — Establish budget to repair CTH G bridge

Sheriff's Office

- SH005 — Offset anticipated shortfall in Huber Fees revenue

**Bids/contracts**

- Award contract for dietary service workers for Lakeland Health Care Center (LHCC) to Adecco, Delavan.
- Award contract for prequalification of investment brokers/dealers in Finance Department to RBC Wealth Management, Lincoln, NE; and Great Pacific Securities, Costa Mesa, CA.
- Award contract for stop loss carrier for countywide health insurance — Andersen introduced Rae Anne Beaudry from The Horton Group. Beaudry said stop loss coverage was sent out to bid in mid-September. Carriers usually won't buy in to this type of coverage until November or the upcoming year because they want to base their bid on the latest claims experience. We received solid, competitive bids from 4 carriers. Horton narrowed that down to two, ING which is the incumbent and Sun Life Assurance of Canada. The county has used Sun Life in the past. The firm has been a good performer for the county and is one of the world's largest re-insurers. They are A+ rated, a requirement for most municipalities.

Walworth County currently carries stop loss insurance for 263 single plans and 606 family plans, for a total combined enrollment of 869 contracts. The specific stop loss level is \$125,000, i.e., for every individual insured on Walworth County's plan, the county pays the first \$125,000 in claims. Once that is reached level, stop loss coverage kicks in. If claims are very high but still under the \$125,000 level, we also carry aggregate insurance. Sun Life will cover both medical and prescription drugs. They are offering an 18/12 contract, which means the new contract period will cover claims incurred from July 1, 2010 through December 31, 2011. Our present rate for aggregate stop loss with ING is \$1.95 per employee per month, which is a \$20,000 charge. Within the last 5 years, the county has hit the aggregate once. The total premium for both of those packages is currently \$1.337 million based upon the current head count. The county's annualized expected claims, worst case scenario, would be \$22,338,303. If you follow that through, ING's initial renewal was at a 35.09% increase. They lowered that to 24%. Beaudry commented that stop loss insurance is considered a reimbursement coverage so this is pooled much like your auto insurance or workers' comp. Rate increases are typically in the 20 to 29% range. ING revised their rate to remain competitive. If the county adds the transplant rider, that would bring the rate increase down to 11.6%.

Sun Life came in with a competitive proposal containing all of the same terms and conditions except, as they take over, they are willing to go a whole year backwards. They would cover any claims paid in 2011 that were incurred both in 2010 and 2011. Sun Life originally came in at the 24.76% which is what prompted ING to reduce their premium to stay competitive and retain the county's business. Sun Life's final bid includes a 15.19% rate increase. The other feature this carrier is of-

fering is no new lasers at renewal. Carriers can laser specific individuals that have a known risk. As an example, Beaudry said if she were coming on to the county's plan and were to need a transplant or had cancer, they would pay for everyone else once they hit the \$125,000 level but the carrier might request a \$250,000 deductible for her. Sun Life is offering one laser at \$300,000 for one individual if a condition results in a specific type of need, they've said no new lasers at renewal, and a second-year rate cap. Although the second year rate cap of 50% may not sound like a great deal, if a bad year results in lots of new lasers, it is to the county's benefit to have the rate capped with a guaranteed renewal offer. They have also reduced our aggregate margin from the current 125% down to 120%. Beaudry recommends that the county strongly consider a move to Sun Life.

Horton staff also requested quotations for a transplant rider, which is a relatively new coverage option. They are recommending the county consider this coverage. The rider would cover transplants for an individual on a fully-insured basis for 365 days post release. All transplant expenses would be covered by the rider including medications, follow-up care and treatment. Transplants are becoming more heavily recommended and more easily obtained but the costs are not coming down. Beaudry feels it is in the county's best interests to insure some of these big ticket items. Individuals who need transplants have been heavily targeted for laser underwriting. As far as Beaudry knows, the county currently has no staff on a transplant list so there would be no pre-existing condition limitations. Everyone would be covered at 100%. The rider removes the risk from the stop loss carrier. Because they don't have the known big ticket items, our premium is then reduced. Beaudry recommends that we consider the unlimited lifetime maximum coverage. The cost would be \$7.83 for a single plan and \$18.03 for the family plan, at an approximate total cost to the county of \$155,000.

Russell expressed concern that a benefit such as the transplant rider could eventually become cost-prohibitive. Can the Plan include a statement that this coverage would be provided as long as we can afford it? Bretl agreed that this is a valid concern. If we were to proceed, we may want a clause included in the plan document as well as Memos of Understanding (MOUs) with the unions addressing our ability to withdraw if the county deems the coverage to no longer be affordable. Beaudry recommended a timely decision. We have a good, solid offer from Sun Life for stop loss. If we delay, they have the right to request updated claims information, which could affect our premium.

Wilson said we would be hedging our bet that someone will be lasered out in a following year's stop loss. At renewal, a carrier at renewal can say an individual is a likely transplant candidate, in which case they would underwrite a certain amount and the county would have to carry the remainder of the cost on the claim. Bretl commented that we should look at paying \$80,000 to insure against maybe a quarter million dollar loss that historically occurs every 2-3 years. Beaudry added that the county has had 5 transplants in 9 years. Those individuals were pretty

heavily lasered so exposure to the county was quite high. The transplant rider will save us the total cost of transplants. This type of coverage doesn't go to stop loss. Next year, when Sun Life looks at us to renew, they won't have to look at anyone on the transplant list when considering their exposure because we would have separate coverage for those procedures.

Wilson noted that the committee can consider stop loss coverage and the transplant rider separately. **Kilkenny/Stacey moved to award the contract for stop loss coverage to Sun Life Assurance; carried 4-0. Kilkenny then moved to approve awarding the transplant coverage rider to National Union Fire Insurance. Grant seconded the motion.** Russell asked if the MOUs should be included in the motion. Bretl and Andersen both said negotiations of that nature could take significant time. Wilson added that, as part of health care reform, the county has more mandates upon us which provide greater benefits than we have had in the past. In those sections, we are putting language into the Plan document stating that "As part of health care reform, we are required to provide you with this benefit level. Should that Act be repealed in any way, we will revert back to the benefit level that was in existence at that time." Wilson would recommend including that language in the transplant rider section of the Plan document as well. **Kilkenny/Grant amended their motion to include the recommended language in the Plan document with regard to the transplant rider; carried 4-0.**

- Award sale(s) of tax foreclosure property — Crawford reminded the committee that we are in the 3<sup>rd</sup> or 4<sup>th</sup> round of these sales and therefore allowed to make a decision based on what is in the best interests of the county.
  - MIR 00234 — The parcel is appraised at \$600.00. Only one bid was received. The qualified highest price bid of \$168.00 was submitted by Doug Liepins. The county would realize a small loss on the sale but staff recommend awarding the bid, according to Crawford. **Stacey/Schaefer moved to award the sale of parcel MIR 00234 to Doug Liepins; carried 4-0.**
  - MPL 00636 — The property is appraised at \$4,744.00. The qualified highest price bid of \$100.00 was submitted by Paul & Melissa Priester. Although we would realize a loss, Crawford said staff recommend the sale. **Kilkenny/Stacey moved to award the sale of parcel MPL 00636 to Paul & Melissa Priester; carried 4-0.**
  - MPL 01421 — The parcel is appraised at \$90,000.00. We would realize a small loss, according to Crawford, but staff recommend the high bidder. **Kilkenny/Stacey moved to award the sale of parcel MPL 01421 to Alexander J. Turlakes II.** When asked if the lot is buildable, Crawford replied that there is a one-story ranch house on the property. Kilkenny wondered if we might receive higher bids if the property were advertised again. **Kil-**

**kenny/Stacey withdrew their motion.** Stacey asked what liability the county could incur by rejecting the bid and retaining the parcel for another month. Is anyone living on the property now? If so, how do we evict them if that becomes necessary? Kilkenny asked what insurance coverage we have. Crawford responded that it appears someone lives on the property but we don't yet know for sure. Andersen said we are covered under the county's property insurance policy. The liability issue is separate and under our Wisconsin Municipal Mutual Insurance Company (WMMIC) policy. Bretl indicated the eviction process can be lengthy and time consuming. Kilkenny asked when we need to make a decision. Given the huge difference between the high bid and the appraised value, he would like to know if the dwelling is habitable and if someone is living there. Should we take no action instead of rejecting the bids and potentially re-bid? Watson observed that bidders are simply notified when bids will be opened and that they are awarded by the Finance Committee. Discussion ensued regarding the benefit of re-bidding. **Grant/Stacey moved to accept the qualified highest price bid and award sale of parcel MPL01421 to Alexander J. Tourlakes II; carried 3-1 with Kilkenny voting no.**

- MPLH 00008 — Crawford noted that this parcel is similar to the previous one. There was an individual living in the house when the property was appraised but we don't know if he is a renter. The highest bid of \$10,001.00 was received from Craig R. Schoultz, however, technically he did not pay the full earnest money required of a qualified bid. Russell asked Bretl his opinion as to how they should proceed. Her recollection is that the only time we contacted a bidder to indicate we would accept a bid if the correct amount of earnest money was submitted had been a situation where there were no other bids. Bretl noted there are reasons to follow the integrity of our process and not grieve bidders who have submitted correctly. **Stacey/Grant moved to accept the qualified highest price bid of \$10,000 and award sale of parcel MPLH 00008 to Doug & Jeff Liepins.** Given the difference between the appraised value and the bids, Kilkenny recommended rebidding the property. **Motion to accept the bid and award the sale carried 3-1 with Kilkenny voting no.** Kilkenny asked staff to research people's rights to remain in residence under bankruptcy. We should know that for future reference.
- MWE 00001 — This parcel is appraised at \$6,000.00. The qualified highest price bid of \$1,010.00 was from William Brennan. Crawford said staff recommend the sale. **Stacey/Kilkenny moved to accept the bid and award the sale of parcel MWE 00001 to William Brennan; carried 4-0.**
- FSS 00095 — The qualified highest price bid of \$400.00 was received from Michael J. Kloss. This was the only bid on the parcel, which is appraised at \$3,000.00. The county would realize a loss of approximately

\$1,225. **Grant/Stacey moved to accept the bid and award the sale of parcel FSS 00095 to Michael J. Kloss.** Kilkenny would like to know which parcels are in a sanitary district. It doesn't change the value but he is interested in how many of the foreclosures have special assessments. **Motion carried 4-0.**

- JLCB 02114 — The parcel is appraised at \$4,151.00. One bid was received which would result in an \$1800 loss. The qualified highest price bid of \$2,265.00 was submitted by Alexander J. Tourlakes II. **Stacey/Kilkenny moved to accept the bid and award the sale of parcel JLCB 02114 to Alexander J. Tourlakes II; carried 4-0.**
- CS 00165 — Crawford said we would realize a small loss of \$155 on this property. It was appraised at \$300.00. William Brennan submitted the qualified highest price bid of \$52.00. **Stacey/Kilkenny moved to accept the bid and award the sale of parcel JLCB 02114 to William Brennan. Motion carried 4-0.**
- CS 00167 — Sale of this property would also result in a small loss, according to Crawford. The property was appraised at \$300.00. The qualified highest price bid of \$52.00 was submitted by William Brennan. Staff recommend the sale. **Stacey/Grant moved to accept the bid and award the sale of parcel ; carried 4-0.**

Stacey wanted to know if public works uses a checklist with foreclosed properties. Crawford replied that when the appraisal is done, the county hasn't yet completed seizure of the property. Once that process is done, we can go knocking on doors but it requires a significant amount of his staff time, plus staff from the Sheriff's Office. Kilkenny asked if we secure properties in any way. Stacey would like this topic included on an upcoming agenda. Bretl agreed, based on comments at today's meeting with regard to parcels that have improvements. Kilkenny expressed concern about liability if we own such properties for a period of time. Stacey wondered if we should have a separate liability policy. Andersen replied that the county's general liability insurance is in effect, for which we have a \$200,000 deductible. Bretl agreed that potential liability is a legitimate question. There is also the public relations aspect which is why we try to get these properties out of county ownership as quickly as we can. As an intermediate step, he suggested finding out what existing structures are worth and if someone may be living on such properties. Kilkenny would like to know more about the issue of bankruptcy. What procedure would we follow if we have to evict and what notice are we required to provide? Du Bois commented that, while the county does hold title to foreclosed properties, by Statute the former owner has until 5 p.m. on the night prior to the committee meeting to pay taxes and redeem the property.

Russell would like the topic included on an upcoming agenda so we can establish a procedure. We have had issues regarding razing, existing structures, and so forth, all of which should be included in the procedure. Perhaps we might want to involve a real estate agent to try to recoup more money for improved properties. Crawford said he has spoken with Cotter with regard to a

procedure and they have begun drafting language regarding the eviction process. Stacey asked if we are required to post 24-hour notice on the structure's door. Bretl said we can find that out. If the county has already begun an eviction process, Kilkenny wondered if whomever buys the foreclosed parcel could tag on to that process or if they would need to begin their own.

### **New business**

**Discussion and possible action regarding replacement of quit claim deed** — Du Bois reported that the county took title to this parcel in the 1950's and sold it to George Morova. A copy of the County Board proceedings was included in the agenda packet. The Morovas want a copy of the Quit Claim Deed but nothing is recorded at the Register of Deeds office. To the best of her knowledge, years ago, the county prepared such deeds, sent them to the purchaser, and left the responsibility for recording the deed with the purchaser. For some reason, that wasn't done in this case. Du Bois has no idea how the property was transferred to Morova's name without a deed being recorded, but his name is on the tax bill and he has been paying the taxes. She discussed the situation with Michael Cotter, deputy corporation counsel. He didn't feel there would be a problem providing a replacement deed but requested Finance Committee approval before proceeding. **Kilkenny/Stacey moved to approve issuing a replacement Quit Claim Deed to George Morova for the parcel requested.** Du Bois added that Morova will pay the \$30 recording fee. After the deed is prepared, she will call Morova, he will pick up the deed from Du Bois, take it to the Register of Deeds office and pay the recording fee. **Motion carried 4-0.**

**Discussion and possible action regarding use of ignition interlock surcharge to offset treatment court** — Reiff indicated this request was initiated by Judge Reddy, who was unable to attend today's meeting. Offenders who have multiple drunk driving offenses are assessed a \$50 surcharge. Reddy would like that money put towards the alcohol court they just started. Reiff noted that, since July 2010, only one payment of \$50 has been assessed. Individuals with multiple drunk driving offenses must pay substantial fines which are governed by a hierarchy specified in the State Statutes. This surcharge is at the bottom of the list and collecting the fee will be difficult. Bretl was concerned that using these funds might short Reiff's general revenue budget. Reiff said she didn't include the surcharge in her budget due to the delay in collections. A fair amount of accounting would have to go along with this request, according to Bretl. He does support the request because we have a fledgling effort to get our criminal justice players interested in alternatives. Although not a lot of money would be generated from the surcharge for the alcohol court, he would rather try to encourage and foster the effort. **Kilkenny/Stacey moved to approve using ignition interlock surcharges to help offset the alcohol treatment court; carried 4-0.**

**Discussion and possible action regarding Village of Fontana TIF #1 appeal** — Kelly Hayden, the Village of Fontana Administrator and Treasurer, addressed the committee. The Village filed an appeal in October, 2010 when they were notified by the Wisconsin Department of Revenue (DOR) that they changed their method of calculating equalized value for TIFs. Fontana is not appealing the equalized value but instead the revised method of determining it. Hayden said, most likely, they will adopt a motion to withdraw the appeal. They will work through the League of Wisconsin Municipalities and their State Senator to address the issue. A couple of years ago, the DOR applied the overall economic factor of the community to the TID. If Fontana was growing at

a 20% level, then that 20% growth factor was applied to the TID. The DOR is no longer doing that. They are simply taking the assessor's value. This change didn't phase in any of the impact. Fontana has experienced a 25-30% economic decline which created a very negative impact in their TIF district. Other communities have yet to feel a similar impact because they are just wrapping up their budget process. Fontana started feeling the effects of the revised equalized value calculation in August and knew what the decline would do to their budget. Hayden said the Village is not requesting action from the Finance Committee. Bretl added that this item is informational. Andersen asked Hayden what she felt the outcome would be if their appeal is withdrawn and they go through the legislative process. Hayden said it won't do a thing but they do want to be heard. Kilkenny asked for clarification regarding equalized value. Hayden replied that the State values a TIF at "x" level and the municipal assessor at a different level. Rarely do they mesh, but the economic factor the State applied made a difference. Kilkenny asked that this topic be included on the Finance Committee's next agenda to see how the county could be affected. Hayden added that the Village has had conversations with the DOR about potentially extending the life of their TID. She believes the county would want to be part of that discussion.

**Discussion and possible action regarding City of Whitewater's proposed changes to TIF #4**

— Lanser reported that representatives from the City of Whitewater met recently with Andersen, Bretl and herself. They wanted to inform the county regarding some of the developer agreements they signed on behalf of the TIF district. The City has issues with two of them, one of which will affect us. They entered into an agreement with Elkhorn Road Ventures which required a guaranteed equalized value of \$7.4 million through 2017 but is actually valued at next to nothing. Development they thought would occur didn't happen. A special tax was placed on the property which will most likely become a delinquent charge on their tax bill. Bretl indicated there are multiple issues associated with this issue, including the fact that our special assessment effort needs to take on a new sense of urgency. He has started working on that. Whitewater is probably ahead of the curve. He explained that they guarantee themselves payment if the property owner hasn't met a certain level of valuation within a specified timeframe. The City has a payment in lieu of taxes provision which can become a special assessment against the parcel. If the property owner can't make that payment through taxes, which isn't a huge stretch, the county guarantees the funds to the City because we make municipalities whole by buying out specials. Russell asked how many similar situations there could be. Andersen replied that we don't know. It depends on what the municipalities have negotiated in their developer agreements. Bretl guessed that Whitewater may be ahead of other municipalities in terms of guaranteeing things through the special assessment process. There is no question that, if the State Legislature can't grant counties relief to only assume a certain dollar amount or certain types of specials, we have to discontinue making municipalities whole for specials. There is no incentive for municipalities to enter into normal, businesslike agreements because everything will be guaranteed by the rest of the tax base.

Lanser reported that Whitewater also has another issue. Their TIF district, in general, is not doing as well as it should be. The City wants the TIF declared distressed, which would give them an additional 10 years to finish the development. If it is not, the financial responsibility falls to the City of Whitewater. The county would be affected because the equalized value of the TIF district would continue to stay in the TIF for an additional 10 years instead of reverting back in

2017. We would lose approximately \$221,000 in our tax levy per year for those 10 years, if the value doesn't go up at all.

Kilkenny thinks we could see more situations like this. Stacey asked what happens to the land with the special assessment. Lanser replied that the city could re-negotiate with the developer, potentially reducing the amount of the special. Andersen indicated that certain parcels in the TIF, such as Fairhaven which is a residential facility, are tax exempt while others are not. Fairhaven is currently paying an amount in lieu of taxes but their expansion did not go as fast as they had hoped. The Fairhaven property is in Jefferson County and is not our problem, but the TIF itself lies within both Jefferson and Walworth Counties.

Russell asked what action is requested. Lanser said this agenda item is informational but she would like guidance regarding the distressed TIF issue. The joint review board (JRB) will be meeting in January and a decision will have to be made. Do we basically help the City of Whitewater by allowing them to request distressed status for the TIF and extend the timeframe for 10 years? Kilkenny feels it would be hard to justify to his constituents why the county is essentially giving the TIF \$220,000 a year because the property is not on the tax rolls. Bretl noted that the vote in the State Assembly regarding distressed TIFs passed overwhelmingly. Everyone is hungry for economic development but extending a TIF for many more years basically means the rest of the taxpayers subsidize the development. Kilkenny believes that if we approve this request for a distressed TIF, we will have more such requests. Lanser agreed that this could be the first of many. Stacey asked Lanser to explain the structure of a joint review board. She replied that there are 5 members, i.e., one each from the municipality, the county, Gateway Technical College and the local school district, as well as one citizen member. Even if the county votes against distressed status, it could still pass. Lanser added that the citizen member is recommended by the municipality. Generally, that one person is the only applicant to the joint review board. In the last case, however, the JRB voted no to the City's recommendation for the citizen member. They preferred to wait and interview more applicants.

Stacey wondered how the incoming governor will view TIFs. Bretl feels the message is clear: this is economic development at any cost. Kilkenny believes people think TIF districts are magic. If the proposed plan makes sense then, yes, it would create economic development that would not otherwise occur. That is not often the case because everyone just presumes TIFs must be a good thing. Andersen said new legislation just passed would allow TIFs to be extended if declared distressed. Bretl recommended that we determine what metrics we want to apply to such requests. If a 10-year extension can genuinely help a TIF to turn the corner, then that mitigates a certain way. The question, pure and simple, is whether the county should say "Enough is enough. The TIF is done and you have to pay it off." or if we tell the city we don't want things to go badly for them and essentially have other taxpayers in the county pay for them. Russell commented that the Legislature passed the bill regarding distressed districts so perhaps we either say we don't approve any of them or consider approving all. Grant asked if we can treat each one individually and ask the municipality to provide documentation that everything was done properly when the TIF was developed. Bretl feels we need to review them individually.

Stacey asked what action staff are recommending. Bretl feels Whitewater may be the first municipality to request that the State declare their TIF distressed. To a certain degree, the committee's action will set precedent, although they may consider each TIF individually. He would like some thought given to this issue. Also, we need to expedite our timetable regarding special assessments. We want to assist the municipalities but, by the same token, we would be solving problems with other people's money.

Kilkenny has no problem with the TIF law if the other taxing bodies do their job. He believes that municipalities are not being held to firm responsibilities, developers are getting extreme favors, and some joint review board representatives are not being aggressive enough. Grant said he would support requesting more information if that would help solve the problem. Bretl feels we have a fair amount of information from the City of Whitewater already. We can look at their expenditures but it is almost a conceptual issue at this point. Stacey asked how long TIFs are typically extended. Why doesn't the State lock them down? Andersen said TIFs were historically 15-17 years, which grew to 23 and then to 30. It seems that the State is continually expanding their ability for a longer life. As far as locking the timeframes, Kilkenny feels the State is passing the responsibility down to us. TIF laws have become convoluted and are confusing to many people.

The meeting recessed at 11:53 a.m., reconvening at 12:01 p.m.

**Resolution \*\*-12/10 Accepting the Donation from the Geneva National LEO Foundation of Three (3) TAP-it SMART Board Interactive Learning Centers for Use at Lakeland School — Motion by Kilkenny/Grant to approve the resolution and forward to the County Board; carried 3-0.**

Supervisor Stacey returned at 12:02 p.m.

**Discussion and possible action regarding grant application for Prescription Drug Clean Sweep — Crawford said Andersen recommended including this grant on the pre-approved list. Grant/Kilkenny moved to authorize staff to apply for the grant and to add the Prescription Drug Clean Sweep on the pre-approved grant list; carried 4-0.**

Discussion returned to Agenda Item 9D regarding the City of Whitewater's proposed changes to TIF #4. Kilkenny would like copies of all of the project plans, amendments, and joint review board minutes related to the City of Whitewater TIF #4. Grant asked how long it would take for the information to be provided to the committee. Lanser said the City should have all of it. Bretl added that it depends on how quickly the City can get it to us. **Kilkenny/Grant moved to request information from the City of Whitewater regarding their TIF #4 and table this agenda item to the December meeting; carried 4-0.**

**Resolution \*\*-12/10 Requesting Transfer of \$30,000 from the 2010 Contingency Fund to Provide Funding to Complete Underground Fuel Tank Remediation Plan — Crawford said we used to have a total of 3 tanks feeding fuel oil to the boiler house. The Wisconsin Department of Natural Resources (DNR) is now at the at the point of examining the sites. We have had a**

consultant help us with these types of remediation before. Funding may be available through the Petroleum Environmental Cleanup Fund Award (PECFA) which can offset about half the total cost. Staff are requesting approval to apply for PECFA funds. Stacey asked if more work would be needed at the sites. Crawford responded that it depends on whether the DNR finds contamination. Andersen's recollection was that all of the dirt was previously dug out around those sites. Crawford agreed. **Stacey moved to approve the resolution, authorize staff to apply for PECFA funding, and request an update from the department of public works. Motion seconded by Grant; carried 4-0.**

#### Reports

- **Update on tax incremental financing (TIF) district(s)** — This topic was covered during the earlier TIF discussion.

**Correspondence** — There was no correspondence.

#### Confirmation of next Finance Committee meeting:

- Tuesday, December 14, 2010 at 5:00 p.m. in County Board Room 114 at the Government Center [Rescheduled due to county holiday] — Andersen inquired whether the committee felt convening at 5 p.m. would be sufficient time. Russell requested that any agenda topics not requiring immediate action be pushed to January. The committee agreed to change the meeting time to **4:30 p.m.**

#### Adjournment of Finance Committee

**Upon motion and second by Stacey/Kilkenny, Chair Russell adjourned the meeting at approximately 12:11 p.m.; carried 4-0.**

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Submitted by Kate Willett, recording secretary. Minutes are not final until approved by the Finance Committee at its next regularly scheduled meeting.

NOTE: Items distributed at the Finance Committee meeting may be reviewed in the County Clerk's Office.

**Walworth County Health and Human Services Committee  
and  
Children with Disabilities Education Board  
MINUTES**

November 17, 2010 Meeting – 2:00 p.m.

Walworth County Board Room  
Government Center – Elkhorn, Wisconsin

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The meeting was called to order by Chairman Grant at 2:16 p.m.

Roll call – Health and Human Services Board members present included Supervisors Grant, Hawkins, Ingersoll and Redenius; and Citizen Members Pious and Seegers. Supervisor Schaefer and Citizen Member Troemel were excused. A quorum was declared. Children with Disabilities Education Board members present included Supervisors Weber, Ingersoll and Hawkins. Supervisor Kilkenny and Schaefer were excused. A quorum was declared.

Others present – Linda Seemeyer, Director of Health and Human Services/Lakeland Health Care Center Superintendent; Elizabeth Aldred, Deputy Director of Health and Human Services; David Thompson, Deputy Director of Health and Human Services; Ety Wilberding, Health and Human Services; Juliet Young, Health and Human Services; Tracy Moate, Lakeland School; Kathleen Kramer, Lakeland School; Joan Stradinger, Lakeland School; Nicole Andersen, Deputy Counsel Administrator – Finance; David Bretl, County Administrator, Nancy Russell, County Board Chairperson

Public in attendance – There were no members of the public in attendance.

There were no agenda withdrawals. **Motion and second made by Supervisor Hawkins and Citizen Representative Pious to approve the agenda. Motion carried 7–0.**

Public comment – County Board Chairperson Russell thinks this joint communication is a great idea.

New Business –

*Coordinated Client Care* – Ms. Moate handed out an updated version of the enclosure. Mr. Bretl concurred with Chairperson Russell that this show of unity and jointly determining what values are most important is a step in the right direction. Supervisor Weber stated that he hopes that working together will produce a road map for the future.

Dr. Thompson praised Walworth County for doing a great job with kids with the various different agencies. He is looking to both boards for direction for transitioning developmentally disabled clients to adulthood and the community. Dr. Thompson gave a brief history of the former waiver program and the waiting lists to the new Family Care program. He hopes the efforts of the joint committee will produce a proactive approach to the developmentally disabled clients' care.

Supervisor Weber asked if developmentally disabled clients are adjudicated at age sixteen. Dr. Thompson stated that most live at home and parents are not able to handle them because the children are physically out of control. Supervisor Weber asked if Health and Human Services is trying to reach these children. Dr. Thompson said that DHHS does try but due to a perceived bad reputation there is a lack of trust in the community. He also stated that there is a need to improve this reputation, educate families and to combine services with training.

Supervisor Weber stated that most families with children with special health care needs go through many phases and resources, trainings and assessments are important tools for these families. He mention the Waisman Center in Madison as an example. Dr. Thompson asked Supervisor Weber how he learned of this resource and Supervisor Weber stated it was a doctor referral.

Ms. Moate stated that something needs to be done for both the chronic and acute cases. The acute problems there is no early intervention because the families didn't anticipate the problem or the scope of the problem. The chronic situations would benefit from a liaison for services.

Supervisor Ingersoll suggested a joining of the two committees and other units that would be mandatory in processing placement. There is annual meeting regarding these placements. It is hard to determine because the number of children needing these services.

Ms. Seemeyer summarized that this is a difficult situation and there is a need for guidance from both boards to work on the solution. Supervisor Grant stated that part of the problem is protecting the privacy rights of the individuals. Mr. Bretl stated there are different points of views and opinions. He suggested that each department make a plan and it is up to the boards to determine the final determinations. Supervisor Ingersoll suggested that the word "family" be added to the coordinated client care statement. She also feels showing the unity will help give the families a more secure feeling to work with both departments.

Supervisor Grant suggested that both departments work on answering the questions on the handout and bring to the next schedule joint committee meeting.

Next Meeting Date – The next meeting is scheduled for tentatively scheduled for February 16, 2011 at 2:00 p.m. following the Health and Human Services meeting.

Adjournment – **On motion and second by Supervisors Hawkins/Redenius, Chair Grant adjourned the Health and Human Services meeting at approximately 2:09 p.m. Motion carried 7-0.**

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Submitted by Juliet Young, Recorder. Meeting minutes are not considered final until approved by the committee at the next regularly scheduled meeting.

**Walworth County Health and Human Services Committee**

**MINUTES**

November 17, 2010 Meeting – 1:00 p.m.

Walworth County Board Room  
Government Center – Elkhorn, Wisconsin

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The meeting was called to order by Chairman Grant at 1:29 p.m.

Roll call – Committee members present included Supervisors Grant, Hawkins, Ingersoll and Redenius; and Citizen Members Pious and Seegers. Supervisor Schaefer and Citizen Member Troemel were excused. A quorum was declared.

Others present – Linda Seemeyer, Director of Health and Human Services/Lakeland Health Care Center Superintendent; Elizabeth Aldred, Deputy Director of Health and Human Services; David Thompson, Deputy Director of Health and Human Services; ETTY Wilberding, Health and Human Services; Juliet Young, Health and Human Services; David Bretl, County Administrator, Nancy Russell, County Board Chairperson, Nicole Andersen, Deputy Counsel Administrator – Finance, Michael Cotter, Corporation Counsel

Public in attendance – There were no members of the public in attendance.

There were no agenda withdrawals. **Motion and second made by Citizen Representative Pious and Supervisor Hawkins to approve the agenda. Motion carried 6–0.**

The Health and Human Services minutes from the October 20, 2010 meeting were approved. **Motion and second made by Supervisors Hawkins/Ingersoll to approve the minutes. Motion carried 6-0.**

Public comment – There were no comments from the public.

Unfinished business –

*Updated on Echo/General Ledger Reconciliation* – Ms. Seemeyer stated due to a recent problem in the software she is unable to provide a detailed update on the reconciliation. Ms. Seemeyer estimated the difference between the general ledger and Echo is under \$5,000. This will be discussed with the auditors and an update will be on the January 2011 agenda. Ms. Andersen stated that a lot of progress has been made.

Supervisor Grant asked if Information Technologies is able to fix the problem. Ms. Seemeyer explained that staff from Finance, Information Technologies and Health and Human Services are working together to fix the problem in the software.

New Business –

*Citizen Representative Appointments* – Ms. Seemeyer mentioned that the statutes for this board are not clear on the residency requirements for citizen representation. Supervisor Hawkins stated he felt the citizen representatives on this board should be Walworth County residents. Supervisor Ingersoll agreed due the fact that this board sets policies.

Citizen Representative Pious asked if an exception would be made to an ideal candidate that was not a Walworth County resident. Supervisor Grant documented the history of the citizen representation and that exceptions have not been made in the past.

County Board Chairperson Russell also agrees that the citizen representatives should be Walworth County residents. Mr. Bretl suggested that the motion should be sent back to the Executive Committee for them to write the ordinance.

**Motion and second made by Supervisors Hawkins and Redenius to ask the Executive Committee to draft an ordinance stating that citizen representatives need to be Walworth County residents. Motion carried 6-0.**

*Ordinance Relating to Interjurisdictional Agreements for Out-of-County Residents* – Ms. Seemeyer gave a background on Family Care and introduced Dr. Thompson to discuss the proposed ordinance.

Supervisor Ingersoll asked if there are any laws or ordinances that require counties to take responsibility for these patients. Dr. Thompson explained the only law is that a county is responsible for the first seventy-two hours to stabilize a patient but there is not a law that their county of residence has to take fiscal responsibility for them after that time period.

Supervisor Ingersoll asked if Walworth County stays fiscally responsible after the seventy-two hour period. Dr. Thompson stated that because they are disenrolled from Family Care and if the county of their residence does not take responsibility for them then Walworth County is taking the fiscal responsibility.

Dr. Thompson introduced the proposed ordinance using a hypothetical situation to show how this ordinance would work. This is a groundbreaking ordinance will regulate signed inter-county agreements, will enforce penalties for noncompliance and give the option to use the court system to recoup money.

Supervisor Grant felt that due to that this ordinance will effect Community Based Residential Facilities (CBRFs) that they should be notify prior to this board making a motion on this ordinance. He suggested the possibility of a public hearing to invite comments from the public.

Mr. Bretl feels there are four issues the CBRFs will have with this proposed ordinance 1) the fines if counties are noncompliant 2) loosing money due to noncompliance 3) moving a resident who is placed and stable and 4) feeling they are being punished for something a county's noncompliance. Mr. Bretl feels this motion should be table until the January

meeting to give Health and Human Services a chance to notify providers. Supervisor Grant and County Board Chairperson Russell agreed that the providers and taxpayers should be given a chance to be heard on this issue since this ordinance will be setting a precedent. Discussion followed.

Mr. Cotter expects this ordinance to be litigated if passed with either another county suing Walworth County or a CBRF suing one or more counties. Supervisor Hawkins suggested that other counties should be invited to the public hearing.

County Board Chairperson Russell asked if the ordinance would include out-of-state situations. Dr. Thompson stated that the wording in the ordinance will include out-of-state situations.

**Motion and second made by Supervisors Hawkins and Redenius to have the ordinance on the on the January 2011 agenda as an action item to the County Board. Motion carried 6-0.**

Dr. Thompson asked for clarification that Health and Human Services contacts contract providers, other counties and Family Care about this proposed ordinance. Supervisor Grant said yes all should be contacted.

Reports – There were no reports.

Correspondence – There were no correspondences.

Announcements – Chairman Grant wishes everyone a Happy Thanksgiving.

Next Meeting Date – The next meeting is scheduled for January 19, 2011 at tentatively 1:15 p.m. following the Lakeland Health Care Board of Trustees meeting.

Adjournment – **On motion and second by Supervisors Hawkins/Redenius Schaefer, Chair Grant adjourned the Health and Human Services meeting at approximately 2:09 p.m. Motion carried 6-0.**

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Submitted by Juliet Young, Recorder. Meeting minutes are not considered final until approved by the committee at the next regularly scheduled meeting.

**Walworth County Lakeland Health Care Center Board of Trustees**

**MINUTES**

November 17, 2010 Meeting – 1:00 p.m.

Walworth County Meeting Room 111  
Government Center – Elkhorn, Wisconsin

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The meeting was called to order by Chairman Grant at 1:03 p.m.

Roll call – Committee members present included Chairman Grant, Supervisors Hawkins, Ingersoll and Redenius. Supervisor Schaefer was excused. A quorum was declared.

Others present – Linda Seemeyer, Director of Health and Human Services/Lakeland Health Care Center Superintendent; Elizabeth Aldred, Deputy Director of Health and Human Services; David Thompson, Deputy Director of Health and Human Services; Juliet Young, Health and Human Services; Bernadette Janiszewski, Lakeland Health Care Center Administrator, Ella Eva Pious, Citizen Representative Health and Human Services, David Bretl, County Administrator, Nancy Russell, County Board Chairperson, Nicole Andersen, Deputy Counsel Administrator – Finance, Michael Cotter, Corporation Counsel

Public in attendance – There two members of the public present.

There were no agenda withdrawals. **Supervisor(s) Hawkins/Ingersoll moved to approve the agenda. Motion carried 4–0.**

The Lakeland Health Care Center Board of Trustees committee minutes of the October 20, 2010 meeting were approved. **Motion and second made by Supervisor(s) Hawkins/Ingersoll to approve the minutes. Motion carried 4–0.**

Public Comment – There were no comments from the public.

Unfinished Business – There were no items of unfinished business.

New Business –

*Should Registered Sex Offenders be Denied Admission to LHCC* - Ms. Janiszewski is asking the board to decide whether convicted sex offenders should be denied admission to the Lakeland Health Care Center. In addition, should Walworth County conduct criminal background checks on each applicant for admission? There has not been an issue with a sex offender at LHCC. There was an issue where a hospital wanted to place a patient at LHCC who was a registered sex offender. That admission was denied due no open beds. Michael Cotter from Corporation Counsel advised the board that sex offenders are not a protected class and therefore can legally be denied admission. Mr. Cotter is concerned about liability issues with admitting sex offenders.

Supervisor Hawkins asked if an ordinance was needed to deny admission to sex offenders at Lakeland Health Care Center. Mr. Cotter stated it would be better to have the policy as an ordinance.

Supervisor Ingersoll asked about clarification on the liability issue. Mr. Cotter described a hypothetical situation where LHCC knowingly admitted a registered sex offender and something bad happened that there could be liability issues for the facility.

Supervisor Grant stated that registered sex offenders need to live with the decisions they have made and should not receive consideration for placement.

County Board Chairperson Russell asked if persons convicted of theft or assault could also be denied admission.

Ms. Janiszewski stated she would be concerned with staff making decisions regarding charges other than registered sex offenders.

Mr. Bretl stated it would be a slippery slope to go beyond sex offenders. He urged caution if moving beyond sex offenders.

Supervisor Grant asked if people convicted of crimes other than sex offenses are considered a protected class. Mr. Cotter would have to look into this issue.

**Motion and second made by Supervisors Hawkins and Ingersoll to move forward with an ordinance to deny admission to all registered sex offenders and proceed with background checks for all admittance. Motion carried 4-0.**

Ms. Janiszewski asked for clarification on whether the ten dollar charge for the criminal background checks would be paid by LHCC or the potential resident. Supervisor Hawkins stated that LHCC should pay the charge.

Supervisor Ingersoll ask if any background checks are done at this time. Ms. Janiszewski stated they were not done on residents, but were done on staff every four years per the state statute.

Ms. Seemeyer asked how long it takes to process a criminal background check. Ms. Janiszewski stated they are done electronically and it takes about 15 minutes.

Supervisor Grant presented a hypothetical situation involving theft of a resident's valuables and asked if room searches are prohibited. Ms. Janiszewski stated that the laws regarding investigating cases of alleged misappropriation of resident property became more strict in March and searches are allowed.

Supervisor Grant asked if law enforcement was called on thefts. Ms. Janiszewski stated they have called the authorities on a few occasions.

*Beauty Shop Services at LHCC* - Ms. Janiszewski stated there is one part-time beautician and they are not able to meet the needs of the residents.

Supervisor Grant asked if the family can make arrangements to have another beautician come to the facility. Ms. Janiszewski stated they would need a copy of the liability insurance coverage and that coverage should meet the county standards.

Supervisor Grant asked if the part time position can be bid out. Ms. Janiszewski stated it cannot because it is a union position. She is asking the board to consider Walworth County soliciting bids from outside vendors to provide additional beautician and barber services. Supervisor Grant also asked about the rates for beauty services. Ms. Janiszewski stated that the board decides the rates and the rates are lower than most places in the public. Ms. Janiszewski added that a contract provider would set their own rates.

Supervisor Grant asked if the motion is approved how notification would be sent out. Ms. Janiszewski stated this would go through the Purchasing department.

County Board Chairperson Russell asked if the residents pay for beauty services. Janiszewski stated that they do.

**Motion and second made by Supervisors Hawkins and Redenius to solicit bids for beautician and barber services and to allow outside vendors to provide beauty shop services in-house. Motion carried 4-0.**

Reports –

*LHCC Administrator's Report and Financial Update* – Ms. Janiszewski reported that the LHCC is on track with regard to budget. Ms. Janiszewski handed out the October income statement summary. All the finances are on target with the budget.

Supervisor Grant asked if minor work compensation injuries of staff are documented in case the injury becomes a major health issue. Ms. Janiszewski stated that this is encouraged.

Supervisor Grant asked if deaths are considered discharges. Ms. Janiszewski stated that they are. However, on the monthly reports provided to the Trustees, it is a separate statistic.

Correspondence – There were no correspondences.

Announcements – Chairman Grant wishes everyone a Happy Thanksgiving.

Next Meeting Date – The next meeting is tentatively scheduled for January 19, 2011 at 1:00 p.m.

Adjournment – **On motion and second by Supervisor(s) Hawkins/Redenius, Chair Grant adjourned the meeting at approximately 1:28PM. Motion carried 4-0.**

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Submitted by Juliet Young, Recorder. Meeting minutes are not considered final until approved by the committee at the next regularly scheduled meeting.

**County Zoning Agency**  
MINUTES  
November 18, 2010, - 4:00 p.m.  
100 West Walworth Street  
Elkhorn, Wisconsin

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Chairman Stacey called the meeting to order at 4:00 p.m.

Roll call – Committee members present were Chairman Rick Stacey, Vice Chairman Dave Weber, Supervisors Rich Brandl, Carl Redenius, and Russ Wardle and Citizen Members Richard Kuhnke, Sr. and Jim Van Dreser. A quorum was present.

County staff present - Land Use and Resource Management Department Director Michael P. Cotter, Planner Matt Weidensee, Senior Zoning Officer Deb Grube, Code Enforcement Officers Nancy Welch, Nick Sigmund, and Darrin Schwanke and County Board Chair Nancy Russell.

Public in attendance – Charity Rominger, Carol Doherty, Scott Hatchett, Brian Schuk, Anthony Coletti, Fred Coss, Mary Coss, John Maier, Gunnar Olsen, Carmella Olsen, Alvin Olsen, Steve Heth, Naomi Uhlenhake, Jeff Widner, Betty Heth, Don Ames, Steve Walter, J. McHugh, Matt Sautbine, Val Heth, Robin Culbertson, Edward Culbertson, Katherine Katzman, Russell J. DePietro, and James P. Howe

**A motion and second to APPROVE the agenda was made by Supervisor Rich Brandl and Richard Kuhnke. The motion carried 7 – 0.**

**A motion and second to APPROVE the minutes of the October 21, 2010 meeting was made by Supervisors Weber and Brandl. The motion carried 7 – 0.**

(Please note that the times indicated for each subject matter reflect the actual time on the recording system clock which was not turned back when Standard Time resumed earlier in the month.)

Zoning enforcement (5:04:04 – 5:06:59) No discussion was had regarding the zoning enforcement spreadsheet.

Subdivision Items There were no Subdivision Items listed on the agenda to discuss.

**Old Business**

Discussion/Possible Action – Review of Conditional Use for Camp Joy/Master Plan and continued discussion regarding band saw/saw mill use under C-2 zoning and maintenance facility noise, Town of Whitewater – (5:06:04 – 5:16:17) Mr. Weidensee said this item was on the agenda last month and again this month for continued discussion to see if outstanding concerns with regard to the conditional use could be resolved. The concerns expressed were that there was a band saw on site, there was wood splitting occurring that was causing a noise concern for the neighbors, there were issues about weeds being brought in from the lake

association and being composted on the site and questions with regards to horses on the site. Since last month's meeting the neighbors and the town have all met at the site and tried some alternative locations for the sawmill and wood splitter within the area of the maintenance facility and they have come to an agreement. The portable sawmill will be located where there was an existing residence that burned down years ago. Also, the wood splitting operation would be moved behind the shed so that the existing buildings on the site could buffer the noise. The Town has submitted a letter saying both neighbors and the town agree that this would be a good way of solving the noise issue on site. Staff has amended Condition #1 to allow for use of a portable sawmill and wood splitting on site. Also, a Condition #22 has been added which states as follows:

- 22. A portable sawmill (saw) and wood splitting shall be allowed on site as depicted on the revised site plan. The portable saw shall be used a maximum of 20 days per year between the hours of 8:00 a.m. and 4:00 p.m. The wood processed from the saw shall be for construction and repair of the Camp and for Camp Projects. No wood cut on site by use of the saw shall be allowed to be transported off site. All wood to be processed by use of the saw shall be from the site.**

Regarding composting, Mr. Weidensee said he received a letter from the Camp saying they did compost once and do not intend to make it a common practice. They will keep it under 20 cu. yds. per the zoning code. Regarding horses, the Camp has indicated that they contract to have someone bring horses out there during the summer and they keep them adjacent to the Camp compound on property that is to the east that is also zoned P-1. The horses are used for activities for the kids and the public is not allowed to ride them. Scott Hatchett, of Camp Joy, agreed and said the horses are kept in a shed that is well over 100 ft. from property lines. **Jim Van Dreser made a motion to APPROVE the application with the addition of a condition that limits use of horses to recreational use of the campers with a limit of 18 horses on the property. The motion was seconded by Supervisor Weber and carried 7 – 0.**

### **New Business**

**Discussion/Possible Action – Zoning Ordinance for the Town of Bloomfield (5:16:17 – 5:25:08)**  
Atty. Brian Schuk was present representing the Town of Bloomfield. Each committee member was provided a copy of the new Town of Bloomfield zoning ordinance. **A motion and second to forward this ordinance to the December 14, 2010 County Board meeting was made by Supervisors Weber and Brandl. The motion carried 7 – 0.**

**Discussion/Possible Action regarding Zoning/Shoreland Zoning Ordinance amendment to the A-4 zoning district for Farm Food Service (5:25:08 – 5:42)** Senior Zoning Officer Deb Grube described this proposed ordinance amendment as stemming from a request from the Town of Spring Prairie. The request is to add Farm Food Service to the A-4 District under Conditional Uses. Mr. Cotter said this proposal must be discussed by the Land Conservation Committee. This proposal has also been sent to DATCP for their comments before we go forward with it. Discussion took place. **A motion and second to not schedule this amendment for public hearing until input from DATCP was made by Supervisor Weber and Richard Kuhnke.**

**The motion carried 7 – 0.** Jim Van Dreser indicated he would like a future agenda item to amend the Wisconsin Statutes to allow townships veto authority over Conditional Uses.

On a motion and second by Supervisor Brandl and Mr. Kuhnke, the committee recessed until 5:30 p.m. The motion carried 7 – 0.

Chairman Stacey called the meeting to order at 5:33 p.m. All committee members were present. Mr. Cotter explained the public hearing procedure to the audience.

Steven S. Walter, Town of Darien, Rezone 2.49 acres from A-1 & A-4 to A-4 & A-1 and Conditional Use for expansion of an existing contractor storage yard with office on lands proposed to be zoned A-4 (6:36:34 – 6:43:06) Mr. Weidensee described the property as being in Section 21, Town of Darien. The Town has approved the requests. He indicated the rezone is accompanied by a conditional use petition for expansion of an existing contractor storage yard for an industrial wastewater hauling business. The property owner is requesting to rezone and reconfigure an A-1 and A-4 zoned area of the parcel in order to increase the size of an existing wastewater hauling and disposal business. The additional area is needed for parking of trucks and employee parking. The property owner will have to pay a Farmland Preservation Conversion fee for the land that is rezoned out of A-1 to A-4 if the rezone is approved. Steve Walter appeared before the committee and had questions regarding hours of operation. He would like to operate seven days a week from 6:00 a.m. – 9:00 p.m. He said he has been there almost 20 years and has had no complaints. There was no one to speak for or against these items. **After the appropriate findings were made as required by State Farmland Preservation Program s91.77(1) Wis. Stats., a motion and second to APPROVE with hours of operation from 6:00 a.m. – 9:00 p.m. seven days per week was made by Richard Kuhnke and Jim Van Dreser. The motion carried 7 – 0.** The conditional use is approved subject to the related rezone passing County Board and the following conditions:

1. Approved as per plan submitted as a contractor storage area for a wastewater hauling and disposal business with all additional conditions.
2. Storage limited to material and goods directly associated with business. Outside storage shall be limited and located as identified on the plan of operations. No outside storage areas shall be allowed in the required setback areas.
3. On site hours of operation shall be from 6:00 a.m. to 9:00 p.m. seven days a week.
4. Must meet all applicable Federal, State, County and local regulations.
5. Outside lighting shall be shielded and directed on site.
6. The applicant must obtain all required zoning permit approvals including a sign permit.
7. No fill, debris, branches or leaves may be brought back and disposed of on site. No burning of waste materials shall occur on site.

8. The applicant must obtain a County Land Disturbance Erosion Control and Stormwater Management Permit from the County Conservation Office. The applicant must submit and obtain approval of a landscaping plan from the County Conservation Office.
9. All parking and access to the site shall meet County requirements. All parking shall be installed according to County requirements within 60 days of this approval.
10. The project site must be kept neat, clean, and mowed.
11. If the Land Management Department determines that changes in either the character of the use or the intensity of the use are not consistent with this approval, then those changes must be brought before the County Zoning Agency for approval.
12. Failure to actively exercise this conditional use within three years of the approval date shall result in automatic dismissal without prejudice. The property owner may request a time extension for actively exercising the conditional use. A time extension for actively exercising the conditional use must be requested in writing during the original three year period. Any extension requested during the three year active exercise period greater than one year beyond the original three year period shall require additional Town and County committee approvals.

Specific:

13. No business activities other than specified in the plan of operations may be conducted from out of the contractor storage facilities.
14. No equipment storage may occur on the A-1 zoned property by the wastewater storage tank.

Findings: The A-4 District can be designated in an A-1 area without amendment of the County Land Use Plan.

Fredrick and Mary A. Coss, Town of Linn, Rezone 2.04 acres from R-1 to A-5 (6:43:06 – 6:45:19) Mr. Weidensee described the property as being located in Section 14, Town of Linn. The Town has approved the rezone. The property owner is seeking a rezone to the A-5 district in order to bring an existing roadside vegetable stand into compliance with the County Zoning Ordinance. Fredrick Coss appeared before the committee. There was no one to speak for or against the rezone. **A motion and second to APPROVE was made by Supervisors Weber and Brandl. The motion carried 7 – 0.**

Edward Culbertson as Trustee (Atty. John L. Maier, Jr., App.), Town of Linn, Rezone 7.44 acres from C-2 to C-3 (6:45:19 – 6:55:02) Matt Weidensee described the property as being in Section 8, Town of Linn. The Town has approved the request. There is a small lake access area on the property zoned R-1. The property owner is seeking the rezone to allow for a division of the property into two (2) lots which would allow for one residential structure on each lot. No access

to Geneva Lake would be provided to the off lake parcel. Atty. John Maier appeared with the owners Robin and Ed Culbertson. Atty. Maier said his clients sought the opinion of their neighbors. He said there will be only one additional building site and no additional access to Lake Geneva from the off-lake lot. The surrounding property owners like the plan. The properties to the north and south of the parcel are zoned C-3. Atty. Maier noted that John Stockham, a land use planner, said this rezone was a reasonable infill situation development. There was no one to speak in favor of the rezone. Joe McHugh, Executive Director of the Geneva Lake Conservancy, commented that he wants to caution on the land division issue. He said there are other properties like this and he does not want this rezone, if approved, to set a precedent. In her rebuttal, Robin Culbertson said they are the fifth generation on this property. She said they have three children and they would like each of their children to have a piece of this property when they are not here anymore. **A motion and second to APPROVE was made by Jim Van Dreser and Supervisor Weber. The motion carried 7 – 0.**

Walworth County Zoning Agency at the request of the Wisconsin DNR – designation of a 100-year floodplain amendment, due to a dam safety failure analysis, on the stream located below the outlet dam for Rice Lake in the Town of Whitewater (6:55:02 – 7:10:02) Mr. Weidensee began by stating the properties of concern are located adjacent to a stretch of Whitewater Creek between the down stream portion of the creek below the Rice Lake Dam and the City of Whitewater. The County is required to hold a hearing for expanding the floodplain boundary due to a DNR dam safety analysis. The change in the floodplain is a State mandate and affects only shoreland area so no Town recommendation is necessary. The result of the new floodplain designation would expand the shoreland area in all areas where the new floodplain extends greater than 300 ft. from the stream resulting in a rezone from C-1 non-shoreland wetland to C-4 shoreland wetland in the wetland floodplain expansion areas. The expansion of the floodplain shall result in limited areas of C-1 non-shoreland wetland becoming C-4 shoreland wetland. There was no one to speak for or against this item. **A motion and second to APPROVE was made by Jim Van Dreser and Supervisor Weber. The motion carried 7 – 0.**

Katzman Farms, Inc. (Wes and Chad Katzman, App.), Town of LaGrange, Conditional Use to increase the number of animal units on a farm from 987 to 1573 animal units on lands zoned A-1 (7:01:57 – 7:10:02) Matt Weidensee described the property as located in Section 20, Town of LaGrange. The Town has approved the request. He stated the property owner would like to expand an existing milk farm from 987 animal units to a total of 1544 animal units by construction of a new free-stall barn with bedded packed housing to hold an increase of 586 animal units. The new construction of the barn would be accompanied by solids separation facilities for manure and a storage building. An estimated 4.2 acres are planned to be disturbed. Once the expansion is completed the total production site is estimated to be 15 acres. Naomi Uhlenhake appeared before the committee. She said she is a professional engineer working with Katzman Farms, Inc. She said they are increasing the farm by 410 cows. The manure storage is the solids separation building. The floor will be water-tight. The area will be roofed so rainwater will not be getting into the additional manure solids. She said the farm will become more self-sustaining because they will not have to get sawdust for the bedding for the animals as they will be converting to manure solids bedding. Wes Katzman also appeared before the committee and said they are doing this because it is more efficient and for cow comfort. There was no one to speak in favor. Betty Heft said she is concerned about the water usage and what it

will do to the surrounding wells. She asked if there has been any environmental impact study done on this. Ms. Uhlenhake was allowed a rebuttal where she stated that when a farm expands over 1000 animal units they go through a WPDES permitting process, which is through the Wisconsin DNR. The farmer is also required to have a siting permit through the County, which they are applying for. **After the appropriate findings were made as required by State Farmland Preservation Program s91.75(5) a motion and second to APPROVE was made by Richard Kuhnke and Supervisor Brandl. Supervisor Brandl requested Condition #2 be changed to state hours of operation as 24/7. The motion, with the change to Condition #2, passed 7 – 0. Approval is subject to the following conditions:**

1. Approved as per plan submitted as a commercial feedlot with a limit of 987 animal units subject to all additional conditions.
2. Hours shall be 24 hours per day seven days per week.
3. The site must meet all applicable Federal, State, County and local regulations including any State well or water supply requirements.
4. The applicant must obtain the required zoning permit prior to construction.
5. Applicant must obtain approval of a nutrient management plan from the County Land Conservation Office. The plan must meet with all requirements of the County and the Wisconsin Dept. of Natural Resources. The applicant must comply with all recommendations of the approved nutrient management plan.
6. The applicant must install and maintain safety fencing around the manure storage facility if required by the manure storage ordinance.
7. The applicant must provide adequate manure storage. Storage shall be available for at least 4 months on site in order to allow storage during the winter months when manure will not be able to be incorporated to reduce odor. All manure from County approved storage facilities must be incorporated in the ground within 24 hours of spreading in order to limit odor from the farm operations. The storage facilities must be emptied within two weeks of any time that spreading begins. The applicant shall keep a record of the date that spreading begins and the date on which the storage facility has been emptied. If the applicant cannot empty the manure storage facility in the required time frame using existing equipment and farmland then the applicant may need to make arrangements with a commercial manure disposal company.
8. All outside lighting must be shielded and directed on site.
9. The applicant will be responsible for cleaning tracked soil or manure resulting from the farm operations off the Township or County Roadways on a daily basis.

10. If the Land Management Department determines that changes in either the character of the use or the intensity of the use are not consistent with this approval, then those changes must be brought before the County Zoning Agency for approval.
11. Failure to actively exercise this conditional use within three years of the approval date shall result in automatic dismissal without prejudice. The property owner may request a time extension for actively exercising the conditional use. A time extension for actively exercising the conditional use must be requested in writing during the original three year period. Any extension requested during the three year active exercise period greater than one year beyond the original three year period shall require additional Town and County committee approvals.

Specific:

12. An animal waste storage permit must be applied for and the manure structure must be designed and approved by a licensed engineer according to NRCS Technical standard 313.

Findings: A farm operation with greater than 500 animal units is consistent with the Farmland Preservation statutes.

Dan and Connie Young (Matt and Andrea Sautbine, App.), Town of Spring Prairie, Conditional Use for an indoor dog kennel on lands zoned C-2 (7:10:02 – 7:19:30) Mr. Weidensee described the property as being located in Section 6, Town of Spring Prairie. The Town has approved the request. He further stated the property owner is seeking approval of a dog kennel in a proposed 40 ft. x 64 ft. pole barn. The property owner does not intend to run a boarding kennel. The kennel would be used to house the home occupant's dogs. The dogs are malamutes that are entered in shows and weight pull competitions. The dogs would not be allowed outside without being supervised by the owners. There would be up to 10 dogs on the property. Matt Sautbine appeared before the committee and stated this is for their own personal dogs. We are not going to board anyone else's dogs. There was no one to speak in favor of this request. Speaking in opposition was Don Ames. He said he owns the property just north of where they want to put the kennel. He has owned the property since 1975 and this spring plans to build his retirement home there. He feels this kennel would be too close to his property and he has experienced other dogs barking and howling. Pete Wendt said his driveway is right across the road and he said he has heard these dogs and they make quite a racket. In his rebuttal, Mr. Sautbine said they are planning to build a barn as soon as the conditional use permit goes through. Once the building is up and the dogs are put in there, that should significantly cut down on the noise of them howling. Jim Simons, Spring Prairie Town Chairman, was present and said the Town Zoning Commission vote was 6 – 1 in favor and the Town Board vote was to approve unanimously. Supervisor Weber asked if Mr. Simons was aware of the concerns of the neighbors and he said he was not. He said if neighbors have a complaint, they should file a complaint as a nuisance and the Town would address it as a nuisance. **A motion and second to APPROVE was made by Supervisor Weber and Jim Van Dreser. The motion carried 7 – 0.** Supervisor Weber said he made the motion because the applicant is planning on constructing a building for the dogs and testimony

from the Town Chairman that they will address any nuisance complaints. Approval is subject to the following conditions:

1. Approved per plans submitted for an indoor kennel for the occupant's personal dogs with all additional conditions.
2. All cars shall be parked in the marked spaces as identified on the approved plan of operations. Use capacity of the site shall be restricted by the cars capable of being parked in the marked spaces as identified on the plan. Parking must meet with requirements of the county zoning ordinance. All parking must be setback 25 feet from the roadway. The off street parking area shall be graded and surfaced so as to be dust free and properly drained. All parking areas shall be clearly marked. All parking must be in compliance with County requirements within 60 days of this approval.
3. The kennel must meet all applicable Federal, State, County and local regulations.
4. The kennel is approved to board a maximum of 10 dogs indoors. No dogs will be housed/boarded outside. The dogs in the kennel would be located within 1000 feet of the neighboring residence. The dogs must be supervised when outside or the owner would need to obtain a variance from the County Board of Adjustment.
5. Hours of operation shall be 24 hours per day.
6. All outdoor lighting shall be shielded and directed on site.
7. The site must be kept neat, clean and mowed.
8. All animal waste must be disposed of on a daily basis in a sanitary fashion as to prevent occurrence of nuisance.
9. If the Land Management Department determines that changes in either the character of the use or the intensity of the use are not consistent with this approval, then those changes must be brought before the County Zoning Agency for approval.
10. Failure to actively exercise this conditional use within three years of the approval date shall result in automatic dismissal without prejudice. The property owner may request a time extension for actively exercising the conditional use. A time extension for actively exercising the conditional use must be requested in writing during the original three year period. Any extension requested during the three year active exercise period greater than one year beyond the original three year period shall require additional Town and County committee approvals.

Alvin A. Olsen (Gunnar Olsen, App.), Town of Walworth, Conditional Use for expansion of a contractor storage facility for a concrete business and landscaping to include a new storage building with a caretaker's residence on lands zoned A-4 (7:19:30 – 7:23:21) Mr. Weidensee described the property as located in Section 2, Town of Walworth. The Town has approved the

request. He further stated the property owner is requesting to expand an existing contractor storage yard by construction of a new 136 ft. by 54 ft. building containing a caretaker's residence and additional storage space for a landscaping and concrete business. Alvin Olsen appeared before the committee with his son Gunnar. Gunnar Olsen said they plan to park equipment inside for easier starting in cold weather. They will meet there in the mornings and will be gone the rest of the day. This would bring everything that is outside to the inside. There was no one to speak for or against this item. **A motion and second to APPROVE was made by Jim Van Dreser and Supervisor Weber. The motion carried 7 – 0.** Approval is subject to the following conditions:

1. Approved per plans submitted for a contractor storage yard with caretaker's residence for a landscaping and concrete business with all additional conditions.
2. All storage areas, materials and equipment shall be located as defined on the plan of operations.
3. The site shall meet all applicable Federal, State, County and local regulations.
4. The applicant must obtain all required zoning permit approvals including a sign permit.
5. No filling shall occur on site without proper permit approvals.
6. Access approval must be obtained from the County Highway Department.
7. The applicant must obtain a Land Disturbance, Erosion Control & Stormwater approval from Land Conservation Office prior to construction if required by Section 26 of the Walworth County Code of Ordinances. The construction activities of this development must comply with the Walworth County Land Disturbance, Erosion Control and Stormwater Management standards contained in Section 26 of the Walworth County Code of Ordinances.
8. Hours of operation shall be from 6:00 a.m. to 6:00 p.m. Monday – Friday and 6:00 a.m. to noon on Saturday with hours for return of equipment from off site until 9:00 p.m.
9. No burning shall be allowed on site without a State burning facility license and any required local approvals.
10. The applicant shall be required to obtain an approved Sanitary Permit from the County prior to construction of the caretaker's residence.
11. Use of the residence shall be limited to use by a caretaker's and shall be removed from premises at the time it is no longer needed in connection with the operation.
12. If the residence is no longer used for housing a caretaker, the applicant must notify the Walworth County Zoning Office.

13. If the Land Management Department determines that changes in either the character of the use or the intensity of the use are not consistent with this approval, then those changes must be brought before the County Zoning Agency for approval.
14. Failure to actively exercise this conditional use within three years of the approval date shall result in automatic dismissal without prejudice. The property owner may request a time extension for actively exercising the conditional use. A time extension for actively exercising the conditional use must be requested in writing during the original three year period. Any extension requested during the three year active exercise period greater than one year beyond the original three year period shall require additional Town and County committee approvals.

Specific:

15. The owner/applicant must obtain County Land Conservation Office approval of a spill prevention plan (SPP) and a stormwater pollution prevention plan for this site if require by ordinance.

JNT's Marina LLC, Town of Whitewater, Conditional Use for a Planned Unit Development to include a new restaurant on site with an existing marina on lands zoned B-3 (7:23:21 – 7:32)

Mr. Weidensee described the property as located in Section 34, Town of Whitewater. The Town has approved the request. He said property owner is requesting conditional use approval for two principle business structures on a parcel as a Planned Urban Development (PUD) for an existing marina and a proposed restaurant with outdoor food and beverage. Atty. Jim Howe appeared before the committee along with the owner Jeff Widner and architect Russ DePietro. Mr. Howe said this is a one-acre parcel on Whitewater Lake and it is just south of the DNR boat launch. He said they are looking to build a restaurant that would seat 160 patrons, 60 of which would be outdoors on the deck. He said because they moved the building down the hill a bit to accommodate some parking, they have decided to have a full basement under the building itself. This space would be used to store the outdoor furniture. They are looking to have a family restaurant. They are not seeking to have a bar. There will be no live music. There was no one to speak for this item. Speaking in opposition was Charity Rominger. She said there is an area that looks like it could become a bar and has concerns that if the Town becomes one where they allow liquor, that the restaurant might begin selling it and bringing it on to their boats and on to the lake. She also is concerned that next to the site to the south is a mobile home park and is concerned about the noise and the alcohol side of it. Scott Hatchett said he lives about one-half a mile from the site. He has no problem as long as there is a restriction that no alcohol is sold on the lake or in that area. In his rebuttal, Jeff Widner said he is not into the bar scene. He wants a restaurant. He has talked to the people next door and they are for it. It will cause more taxes for the County to collect and create jobs. **A motion and second to APPROVE was made by Supervisor Brandl and Jim Van Dreser. The motion carried 7 – 0. Approval is subject to the following conditions:**

1. Approved as per plan submitted for a two unit PUD for a marina and restaurant on the same parcel with outdoor food and beverage for the restaurant with all additional conditions.

2. The applicant must obtain a Land Disturbance, Erosion Control & Stormwater approval from Land Conservation Office prior to construction if required by Section 26 of the Walworth County Code of Ordinances. The construction activities of this development must comply with the Walworth County Land Disturbance, Erosion Control and Stormwater Management standards contained in Section 26 of the Walworth County Code of Ordinances. All grading must be conducted consistent with the approved Land Disturbance Erosion Control and Stormwater Management plan. All topsoil generated from the site must be evenly distributed back onto the site on the areas from which it was removed or in areas in need of the topsoil. The quantity of topsoil generated from one lot may not be located on another lot within the development at the expense of the lot from which the topsoil was generated. No materials may be removed from the site without County approval. An operation and maintenance plan for each stormwater best management practice must be prepared and included in the covenants and restrictions or other documents governing the homeowner association created for this development. The plat prepared for this subdivision must show the location and label each stormwater best management practice planned to serve the development.
3. The owner/applicant must obtain all required zoning and sanitary approvals prior to construction including a sign permit.
4. The owner must meet all Town, County and/or State highway access requirements.
5. No structures shall be placed in the open space without additional Committee approval.
6. The project must meet all Federal, State, County and local Ordinances.
7. The owner/applicant must provide a tree cutting and restoration plan meeting ordinance requirements for review and approval. Tree cutting shall be limited to that specified on the approved plan of operations.
8. No alteration of the shoreland/wetland area shall be allowed without County required approval.
9. The roads shall meet with County road standards as provided for in the County Land Division Ordinance.
10. This Planned Unit Development (PUD) is approved as an existing marina and a proposed restaurant with outdoor food and beverage. Any changes to the PUD that may affect County approval must obtain additional County conditional use review and approval.
11. The proper preservation, care and maintenance by the original and all subsequent owners of the design of the PUD and all common structures, facilities, essential services, access and open spaces including use of the open space shall be assured by deed restriction referencing the plat.

12. The plan shall identify the building envelope for each individual building.
13. The County reserves the right to rescind this conditional use upon any violation of County regulations.
14. The property owner shall be held solely responsible for addressing all restrictive covenants or association rules beyond those enforceable under County ordinance and regulations.
15. All cars shall be parked in the marked spaces as identified on the approved plan of operations. Use capacity of the site shall be restricted by the cars capable of being parked in the marked spaces as identified on the plan. Parking must meet with requirements of the county zoning ordinance. The off street parking area shall be graded and surfaced so as to be dust free and properly drained. All parking areas shall be clearly marked. All parking must be in compliance with County requirements within 60 days of this approval.
16. The Conditional Use for seasonal use of a deck/patio for outdoor food and beverage consumption is approved as per the plan submitted.
17. Use of the grounds shall be limited to the uses as stated in the plan of operations.
18. Sufficient adult supervision must be present at all times when facilities are in use.
19. The applicant is responsible for obtaining adequate liability insurance and keeping the insurance current during the life of this conditional use.
20. All lighting must be shielded and directed on to the property.
21. If the Land Management Department determines that changes in either the character of the use or the intensity of the use are not consistent with this approval, then those changes must be brought before the County Zoning Agency for approval.
22. Failure to actively exercise this conditional use within three years of the approval date shall result in automatic dismissal without prejudice. The property owner may request a time extension for actively exercising the conditional use. A time extension for actively exercising the conditional use must be requested in writing during the original three year period. Any extension requested during the three year active exercise period greater than one year beyond the original three year period shall require additional Town and County committee approvals.

**Adjournment – A motion and second to adjourn was made by Supervisors Brandl and Weber. The motion carried 7 – 0. The meeting was adjourned at 7:32 p.m.**

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Submitted by Marie Halvorson, Recording Secretary. Minutes are not final until approved by the committee at its next meeting.

# DRAFT

**Walworth County Board of Supervisors  
Public Works Committee  
MEETING MINUTES  
Monday, November 15, 2010  
Walworth County Government Center, County Board Room 114  
100 West Walworth Street, Elkhorn, Wisconsin**

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Committee Chair Nancy Russell called the meeting to order at 4:00 p.m.

Roll call was conducted with a quorum of the members present: Kathy Ingersoll, Nancy Russell and Russ Wardle. Supervisors Joe Schaefer and Rick Stacey were absent with excuse.

Others present:

County staff:

County Administrator David Bretl; Deputy County Administrator-Central Services Shane Crawford; Public Works Director of Operations Larry Price; Public Works Office/Purchasing Manager Peggy Watson; Assistant Public Works Superintendents John Miller, Jack Delaney, Don Kreft and Dave Woodhouse; Deputy County Administrator-Finance Nicki Andersen; District Attorney Phil Koss

Members of the public:

Paula Hocking, Coordinator of the Walworth County Child Advocacy Center

**Agenda withdrawals/approval**

**Upon motion by Supervisors Wardle and Ingersoll, the Agenda was amended to consider item 5 after item 6 is concluded, and to approve the Agenda as so amended. The motion carried 3-0.**

**Approval of meeting minutes**

**Supervisors Wardle and Ingersoll moved approval of the October 18, 2010 meeting minutes. The motion carried 3-0.**

**Supervisors Ingersoll and Wardle moved to approve the November 1, 2010 meeting minutes. The motion carried 3-0.**

**Public comment period.** No one from the public requested permission to speak.

**Ongoing/unfinished business**

**Proposal to lease Government Center space to Walworth County Child Advocacy Center**

District Attorney Phil Koss was present on behalf of the Walworth County Children's Alliance and Paula Hocking was representing the Children's Service Society of Wisconsin (Children's Hospital).

County Administrator David Bretl explained that only part of this item needs to be discussed in closed session, which would be terms of a counteroffer, if the committee wished. Any action, of course, would be taken in open session. He gave a brief background of the ongoing efforts of the Center to procure space for its operations. Originally, interested parties requested donation of county land on which to build a center, but as participants backed out, the building project was no longer feasible. The Center is now interested in leasing space in the south half of the west wing on the second floor of the Government Center. District Attorney Koss gave a brief overview of the November 10 proposal, which was included in the committee agenda packets. Koss said the committee is aware of the terms of the request, and said he would answer any questions or clarify any terms set forth in the proposal. He emphasized that if/when the Center ever left the Government Center, any improvements made by them would belong to the county, with no remuneration. He added that there was a slight snafu with the architect fees, but there should be room to include their fees in the not to exceed cost of \$275,000 set by Children's Service Society. Koss asked if anyone had questions, and Supervisor Ingersoll asked what their goals were as far

as building their own facility. Paula Hocking thought it would probably be 10 years before they were ready to build. She added that their service needs are expanding. Koss thanked everyone for their patience and input as the process for the Center progressed.

### **Regular Business**

#### **Correspondence from Betty Sanders concerning 2010 Clean Sweep program**

Crawford said the lady expressed her appreciation for our service, particularly the pharmaceutical collection. Crawford distributed a summary of this year's Clean Sweep before the meeting so members could appreciate the number of people participating and the amount of waste and pharmaceuticals that were collected.

#### **Bid award for shoulder spreader/road widener**

Crawford commented that we only received one bid, which was anticipated. Public Works has \$200,000 budgeted for the shoulder spreader. **Supervisors Wardle and Ingersoll moved to approve the bid award to FABCO Equipment, Inc., in the amount of \$178,600. The motion carried 3-0.**

#### **Public Works Department 2010-2011 winter operations plan**

Bretl said he requested that this item be brought to committee. The Public Works department staffing reductions have been discussed recently as a result of the reorganization plan, and Bretl said that with the cutbacks in manpower and spending, the committee as the policy making body need to understand how the plan will be carried out. He said he is amazed, gratified and appreciative of the job the Public Works crews do with winter road maintenance. He encouraged the committee to ask questions on any aspect of the plan. Crawford said that the department has increased the labor pool in the most affordable way by using supplemental snow plow drivers from Mann Brothers and by establishing a qualified list of Limited Term Employees (LTE). He reported that no other county in the state is doing what we are doing - proactively using outside labor, which he predicts is the wave of the future. Larry Price, Operations Director, said he takes great pride in his department, and that the assistant superintendents are the heart and soul of operations. Larry and every Assistant Superintendent have plowed every mile of roadway in the county, and their expertise and dedication is invaluable. Price gave a Power Point presentation with salient facts, photographs of winter equipment, the crews, and a description of how, by whom, and when forces are mobilized during a winter storm event. County crews maintain 698.71 state lane miles, 451.3 county lane miles, 23.6 acres of parking lots, and 19,221 square feet (or 3.5 linear miles) of sidewalk. The department's available manpower consists of 31 patrolmen and operators, 4 mechanics, 8 LTEs and 8 contracted labor. Winter equipment consists of 10 single axle snow plows, 24 tandems, 1 triaxle, 2 six wheel drive trucks with v plows and benching wings, 2 graders with v plows and benching wings and 4 wheel loaders. Price thanked the committee for the excellent equipment which enables crews to move snow quickly and enhance safety. Price explained the sophisticated equipment in the truck cabs. Walworth County makes its own salt brine at only 5-10 cents per gallon, and was one of the pioneer counties in the state in using salt brine. Response to a winter event involves the Meridian weather forecast site, which gives the on-call superintendents a two hour notice when precipitation is expected. The superintendents on call go out on the roads immediately to keep current with conditions and assess when the crews will be called. A "one-call" system is used to contact the entire crew at the same time, who replies "yes" or "no" whether they can come in. The responses are received within minutes and superintendents can then determine if our LTEs or outside labor need to be called in. Price briefly explained new technology being tested by the state which would be financed by them and potentially save a lot of money. Price entertained questions from the committee. Bretl asked about department training for the LTEs and contracted labor, and Price said that last year they brought in the contracted labor for the first four storms and had them ride along with our most experienced drivers, and allowed them to drive with supervision. All of the outside labor have CDLs and substantial heavy equipment experience. As for the LTEs, all of them have plowing experience and most have township or county experience as well. They will be brought into the department early in December for training films, and then put on the "one-call" system. They will not be allowed to drive solo until they receive an endorsement from the experienced crew member they train with. A question was asked about the salt supply, and Price said we

have 39,000 tons of salt – the extra dome is a huge security blanket. The department also has another 6 tons in reserve. Chair Russell thanked Price for his informative presentation, and Bretl said he would distribute it with his next Report and Update.

#### **Change order requests**

**Government Center – Center and East Wing Roof Replacement project – owner direct purchases**  
The change order is for owner direct purchases to save approximately \$4,816 in taxes. **Supervisors Ingersoll and Wardle moved approval of Change Order EC-NR-001, in the amount of \$(92,384). The motion carried 3-0.**

#### **Final pay request**

##### **Government Center Thermal Curtain Wall project**

Crawford gave credit to Assistant Superintendent John Miller for the outstanding job he did in supervising the window project. He also said the committee did a good job in picking the colors for the panels on the exterior of the building – he has received many compliments on the façade.

**Supervisors Wardle and Ingersoll moved to approve the final payment to Simmons Building Products in the amount of \$2,935. The motion carried 3-0.**

**Next regularly scheduled Public Works Committee meeting date and time: Monday, December 20, 2010 - 4:00 p.m.** Crawford reported that it would be necessary to have a December meeting, although perhaps the Agenda may be short enough for the meeting to be held before the Board meeting.

**Closed session to discuss negotiation of lease terms for Walworth County Child Advocacy Center**  
Administrator Bretl read the exemption contained in section 19.85(1)(e), Wis. Stats., for convening in closed session.

**Supervisors Wardle and Ingersoll moved to convene in closed session. Upon roll call vote of 3-0, the meeting continued in closed session at 5:12 p.m.**

**Supervisors Ingersoll and Wardle moved to convene in open session. The motion carried 3-0, and the meeting continued in open session at 6:18 p.m.**

**Supervisors Ingersoll and Wardle moved to direct staff to proceed as discussed in closed session. The motion carried 3-0.**

#### **Adjournment**

**Supervisors Wardle and Ingersoll moved to adjourn the meeting. The motion carried 3-0 and the meeting adjourned at 6:20 p.m.**

Minutes recorded by Becky Bechtel, Public Works Department

***Note: meeting minutes are not considered final until approved by the committee at the next regularly scheduled meeting.***

**Walworth County Land Conservation Committee**  
MINUTES

DRAFT

Monday, November 15, 2010 at 1:30 p.m.

Walworth County Board Room 114  
Elkhorn, WI 53121

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The meeting was called to order by LCC Chair Kilkenny at 1:30 p.m.

Roll call - Committee members present included: Supervisors Hawkins, Kilkenny, Grant, Citizen Member Burwell, and USDA/FSA Representative Henningfeld. A quorum was declared.

County staff present – David Bretl, County Administrator; Michael Cotter, Director of Land Use & Resource Management (LURM); Louise Olson, Deputy Director, LURM; Fay Amerson, Urban Manager, LURM; Neal Frauenfelder, Sr. Planner, LURM; Matt Weidensee, Associate Planner, LURM; Deb Grube, Sr. Zoning Officer; and Joeann Douglas, Recording Secretary.

Also in attendance – Nancy Russell, Walworth County Board Chair; Greg Igl, USDA./NRCS; and Shirley Grant

Approval of the Agenda – **Supervisors Hawkins and Grant moved and seconded approval of the agenda. Motion carried 5-0.**

Approval of the Minutes – **Citizen Member Burwell and Supervisor Grant moved and seconded approval of the October 18, 2010 LCC meeting minutes as presented. Motion carried 5-0.**

Public Comment – None

Substandard A-1 Policy Review For Farmland Preservation Plan (FPP) – Fay Amerson reminded the committee members the Farmland Preservation Plan's pertinent information is now on the county website including the draft, all meeting minutes pertaining to FPP, fact sheets and a link to DATCP. Ms. Amerson said during the discussion of the Farmland Preservation Plan there would be decisions the LCC would need to make based on the new FPP law, Ch. 91, and reviewing/reaffirming what has been done thus far on FPP and documented in the Smart Growth Plan.

Discussion followed of Ag resource policies and programs, and some of the exceptions of uses allowed in a FPP zoning district. Neal Frauenfelder provided insight of the FPP requirement for conversion fees and ways to minimize the number of A-1 rezones. Many rezones are on existing substandard parcels of A-1 land. For example, a 30 acre parcel is made up of 5 acres zoned C-2 and 25 acres zoned A-1. The 25 acres A-1 is already substandard. To divide the 5 acres of C-2 off would require a rezone of the A-1 substandard parcel to A-2 before dividing off the 5 acres of C-2 since they are considered one parcel. Even though the C-2 is standard, a rezone is still required. Supervisor Kilkenny said there was concern at the town level about getting rid of small A-1 parcels just because they are small. Supervisor Grant asked if this is policy, county ordinance, or state law? It is a county ordinance. Creation of substandard lots is not exclusive to A-1 zoning. Matt Weidensee continued with discussion of other parcels to help the committee understand the ramifications of the zoning policy. Previously the county allowed people to split off A-1 and call it a legal substandard parcel even though it wasn't of record. However, the ordinance says you should not create a new lot. When the Zoning agency discovered these splits were being allowed, approximately 5 years ago, it was stopped. Deb Grube added the ordinance recognizes existing substandard parcels of record in the Register of Deeds Office on the effective date of the ordinance. The state defines parcels, but the county defines land use. Chair Kilkenny agreed that the

state definition should not drive our land use policy. Mr. Weidensee suggested perhaps the smaller substandard parcels could be split off with some type of a conditional use with conditions attached. Chair Kilkenny said there could be a stipulation that all A-1 land must stay together as one parcel when removing other zoning delineations like the C-2 in the example. Previously, there was nothing in the zoning code that allowed the zoning office to review parcel splits that were greater than 15 acres in size. Since then, the zoning code was amended to review all parcel splits. The subdivision control ordinance at the time said only parcels of 15 acres or less were reviewed. The question is, how to differentiate between legal and illegal substandard parcels. Deb Grube said this parcel split occurred in the mid 1990's before thorough reviews were being done and prior to amending the zoning code. Mr. Weidensee added that if changed policies allow someone to create a legal substandard parcel, other people may buy these illegal substandard parcels with the assumption they are buildable. Neal Frauenfelder added that this situation probably cannot be fixed with an ordinance change. When the county was zoned and mapped in the early 1970's, resource lines were followed to define zoning parcels rather than parcel lines. Example, woods got C-2 zoning, farm fields got A-1 or A-2, etc. That is the reason many parcels today have several zoning categories. Chair Kilkenny suggested using a type of farm separation that would separate out the non-farm zoning and combining and restricting all A-1 to remain intact and used or sold off for farming. Mr. Weidensee said the other concern with changing policy is that 15 townships are now comfortable with the comprehensive zoning amendment, all signed on, and are in agreement with the language of the zoning codes. If the county were to try to reinterpret the policy at this time, we would have to pass it by the townships first. Chair Kilkenny agreed with the ordinance change, but if it would allow the landowner more flexibility the townships would be in favor of the change. Fay Amerson said, this policy for substandard could be a recommendation in the farmland preservation plan. The FPP update should be an appendix to the Comp Plan. All the decisions about what is done with the final policy and ordinance changes come at a date when those changes are recommended. The FPP should just have the changes that are in Ch 91. The decision as whether or not that policy is adopted comes at a later date when you are doing the Comp Plan revisions. What needs to be decided for the FPP is: is this a policy that you recommend. Mr. Weidensee added that the one good thing about the policy is that it supports the land resource base that caused the A-1 to be A-1 in the first place and does not go away from the criteria of greater than 50% Class I, II, and III soils and is not being done because of the conversion fee, but rather the land use policy. **Chair Kilkenny entertained a motion to recommend language in the Farmland Preservation Plan that would permit the separation of legal substandard A-1 portions of lots subject to conditional use and deed restrictions. Seconded by Supervisor Hawkins. Motion carried 5-0.**

Criteria for Rezoning Land From A-1 – Neal Frauenfelder made the committee aware of the criteria used for rezones from A-1 land to another zoning district and any changes that may be needed to the Comp. Plan or the zoning ordinance because of SS Ch 91. The County standard already dealt with was using the criteria of greater than 50% Class I, II, and III soils for A-1 soils and has been placed in the Smart Growth Plan. The new state standards in Ch 91 that require action are as follows: In accordance with the Wisconsin Farmland Preservation Law, the proposed rezone out of a farmland preservation district may be approved by the County and Town only after findings are made based upon consideration of the following: a.) The land is better suited for a use not allowed in the farmland preservation zoning district; b.) The rezoning is consistent with the County certified comprehensive plan; c.) the rezoning is substantially consistent with the county certified farmland preservation plan; and d.) the rezoning will not substantially impair or limit current or future agricultural use of surrounding parcels of land that are zoned for or legally restricted to agricultural use. Discussion followed regarding item d.) and the word “substantial”. Mr. Frauenfelder said, as a county, we could be more strict, and wording in the County standard that states “the proposed land use should be compatible with the remaining prime agricultural land in the vicinity” could have a more restrictive statement added to it. **Supervisor Hawkins and**

**USDA/FSA Representative Henningfeld moved and seconded to have the criteria for rezoning land from the A-1 Prime Agricultural Land Zoning District modified to reflect Farmland Preservation Law sec. 91.48. Motion carried 5-0.**

Non Metallic Mining Extraction – Conditional Use/A-1 Zoning Designation – Fay Amerson said they are responding to County Board Chair Russell’s suggestion and revisiting if non metallic mining in an agricultural preservation zoning district with a conditional use permit is allowed. Mr. Frauenfelder said that when this issue was previously brought up before the Smart Growth committee, which is made up primarily of town representatives, the towns were not in favor of using a conditional use permit as the method. They felt the towns would lose their veto authority. Nancy Russell asked if the Towns could be given conditional use veto authority on mineral extraction. Mr. Cotter stated that current state statutes would not allow that. Mr. Frauenfelder suggested contacting the towns to see if they changed their minds because of the conversion fee. He volunteered to discuss this issue at the Walworth County Towns Association Meeting. The Committee did not authorize Mr. Frauenfelder to attend the Towns Unit meeting. In the Farmland Preservation Plan, the LCC should identify uses that they would recommend in A-1 lands and conditions of approval. Discussion followed. **Citizen Member Burwell and Supervisor Grant moved and seconded having staff send a letter to DATCP asking the questions they deem appropriate related to dealing with nonmetallic mining and the Walworth County Farmland Preservation zoning ordinance. Motion carried 5-0.**

WLWCA 2010 Auction Donations – Louise Olson said Dorothy Burwell will be attending the WLWCA conference. Ms Olson reminded the LCC silent auction items are still needed if they know of any person or business who would like to donate. Ms Olson has forms to use for donating an auction item. They should contact Dorothy Burwell if they do have any items.

Next Meeting Date – Monday, December 20, 2010 at 1:30 p.m.

Adjournment – **On motion and second by Supervisor Hawkins and Grant, Chair Kilkenny adjourned the meeting at 2:55 p.m. Motion carried 5-0.**

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Submitted by Joann Douglas, Recording Secretary. Minutes are not considered final until approved by the committee at the next regularly scheduled meeting.

**Walworth County Board of Adjustment**

**MINUTES**

November 10, 2010 - Hearing – 9:00 AM

November 11, 2010 – Meeting – 9:00 AM

County Board Room

Government Center – Elkhorn, Wisconsin

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A hearing and decision meeting of the Walworth County Board of Adjustment was held on November 10 & 11, 2010, in the County Board Room of the Government Center in Elkhorn, Wisconsin. Those present on November 10, 2010, were Chair John Roth, Vice-Chair Mark Bromley and Secretary Ann Seaver. Deb Grube, Senior Zoning Officer, and Wendy Boettcher, recording secretary of the Land Use & Resource Management Department were in attendance. Those present on November 11, 2010, were Chair John Roth, Vice-Chair Mark Bromley and Secretary Ann Seaver. Deb Grube, Senior Zoning Officer, and Wendy Boettcher, recording secretary of the Land Use & Resource Management Department were in attendance.

The November 10, 2010, hearing was called to order by Chair John Roth at 9:00 A.M. Wendy Boettcher conducted roll call and verified that there was a quorum. Those present were same as listed above. **Mark Bromley motioned to approve the agenda as amended to postpone Hearing #1 / Dominic M. & Joann M. Serge Trust / La Grange Township to the December 8 & 9, 2010, Board of Adjustment agenda at the applicant's request. Seconded by Ann Seaver. Motion carried. 3-favor, 0-oppose. Ann Seaver motioned to approve the October 13 & 14, 2010, Minutes and dispense with the reading. Seconded by Mark Bromley. Motion carried. 3-favor, 0-oppose. After testimony of all cases, Ann Seaver motioned to recess until 9:00 A.M. on Thursday, November 11, 2010, in order to view the properties in question. Seconded by Mark Bromley. Motion carried. 3-favor, 0-oppose.** The November 10, 2010, hearing went into recess at approximately 10:06 A.M.

On November 11, 2010, at 9:00 A.M., Chair John Roth called the decision meeting to order. Wendy Boettcher conducted roll call and verified that there was a quorum. Those present were same as listed above. **Mark Bromley motioned to approve the agenda as amended with #6A) Discussion / possible action regarding B O A procedure for inclement weather being added to the agenda and Hearing #1 / Dominic M. & Joann M. Serge Trust / La Grange Township being postponed to the December 8 & 9, 2010, Board of Adjustment agenda at the applicant's request. Seconded by Ann Seaver. Motion carried. 3-favor, 0-oppose. After the decisions were completed, Mark Bromley motioned to adjourn until the December 8, 2010, hearing at 9:00 A.M. Seconded by Ann Seaver. Motion carried. 3-favor, 0-oppose.** The November 11, 2010, decision meeting adjourned at approximately 9:44 A.M.

Five variance hearings were scheduled and details of the November 10, 2010, hearings and the November 11, 2010, decisions are on a recorded disc which is on file and available to the public upon request.

**New Business – Variance Petitions**

Disc #1 Hearing - Count #N/A – N/A / Disc #2 Decision – Count #N/A – N/A

The First Hearing was Dominic M. & Joann M. Serge Trust, owner / Dominic Sergi, applicant – Section(s) 26 – La Grange Township

Applicants are requesting a variance from Section(s) 74-167 / 74-181 / 74-221 of Walworth County's Code of Ordinances – Shoreland Zoning to permit the location of a retaining wall, fire pit, patio, second access and walkway parallel to the shore within the shore yard.

**REQUIRED BY ORDINANCE:** The Ordinance prohibits all structures within 75' of the shore except one walkway necessary for access to shore and limits retaining walls and terracing to where there is an erosion problem that cannot be remedied by resloping.

**VARIANCE REQUEST:** The applicants are requesting a fire pit, retaining wall, patio, second access and a walkway parallel to the shore in the 75' shore yard setback. The request is a variance from Section(s) 74-167 / 74-181 / 74-221 of Walworth County's Code of Ordinances – Shoreland Zoning to permit the location of a retaining wall, fire pit, patio, second access and walkway parallel to the shore within the shore yard.

**BOARD OF ADJUSTMENT DECISION:** The Walworth County Board of Adjustment, during the meeting on November 10 & 11, 2010, did not vote on the petition of Dominic M. & Joann M. Serge Trust, owner / Dominic Sergi, applicant.

**BOARD OF ADJUSTMENT FINDINGS:** This petition has been moved to the December 8 & 9, 2010, meeting at the applicant's request.

Disc #1 Hearing – Count #9:04:08 - 9:21:53 / Disc #2 Decisions – Count #9:05:20 – 9:08:19

The Second Hearing was Gerald A. & Maria Novak, owners – Section(s) 21 – Delavan Township

Applicants are requesting a variance from Section(s) 74-181 / 74-219 of Walworth County's Code of Ordinances – Shoreland Zoning to construct an addition (roof alteration) to an existing substandard single-family residence.

**REQUIRED BY ORDINANCE:** The Ordinance requires a 5' rear yard setback (existing substandard).

**VARIANCE REQUEST:** The applicants are requesting a 2.4' rear yard setback. The request is a variance from Section(s) 74-181 / 74-219 of Walworth County's Code of Ordinances – Shoreland Zoning to construct an addition (roof alteration) to an existing substandard single-family residence.

**BOARD OF ADJUSTMENT DECISION:** The Walworth County Board of Adjustment, during the meeting on November 10 & 11, 2010, for the petition of Gerald A. & Maria Novak, owners, voted to **APPROVE** the request for a 2.4' rear yard setback.

**A motion was made by Ann Seaver to approve the variance request. Seconded by Mark Bromley. Motion carried. 3-favor 0-oppose**

**BOARD OF ADJUSTMENT FINDINGS:** The Board found the owner did prove unique circumstances in the very small lot size. The Board found to permit the change from a flat roof to a pitched roof would allow drainage of roof runoff to flow toward the road and away from neighboring property. The Board found to approve the request to open the envelope to accommodate the roof alteration needed to prevent ice buildup on the existing flat roof is a small increment of relief. The Board found the change from a flat roof to a pitched roof will not go outside the footprint of the structure. There was one letter of support from the Town of Delavan. A neighboring property owner spoke in opposition.

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Disc #1 Hearing – Count #9:21:54 – 9:33:55 / Disc #2 Decisions – Count #9:08:20 – 9:23:04  
The Third Hearing was Jan P. & Kimberly A. Christianson, owners / Penelope J. Wagner, applicant – Section(s) 10 – Delavan Township

Applicants are requesting a variance from Section(s) 74-61 of Walworth County's Code of Ordinances – Zoning for the location of a dog kennel / rescue shelter (subject to rezone and conditional use approvals).

**REQUIRED BY ORDINANCE:** The Ordinance requires a minimum parcel size of 5 acres for a dog kennel / shelter.

**VARIANCE REQUEST:** The applicants are requesting a dog kennel / shelter to be located on a parcel approximately 3 acres in size. The request is a variance from Section(s) 74-61 of Walworth County's Code of Ordinances – Zoning for the location of a dog kennel / rescue shelter (subject to rezone and conditional use approvals).

**BOARD OF ADJUSTMENT DECISION:** The Walworth County Board of Adjustment, during the meeting on November 10 & 11, 2010, for the petition of Jan P. & Kimberly A. Christianson, owners / Penelope J. Wagner, applicant, voted to **APPROVE** the request for a dog kennel / shelter to be located on a parcel approximately 3 acres in size, subject to rezone and conditional use approvals.

**A motion was made by Mark Bromley to approve the variance request subject to rezoning. Seconded by Ann Seaver. Motion carried. 3-favor 0-oppose**

**An amended motion was made by Mark Bromley to approve the variance request with the condition no more than 25 dogs maximum allowed. There was no second.**

**Mark Bromley withdrew his motion. Ann Seaver withdrew her second.**

**A motion was made by Mark Bromley to approve the variance with a request to the Staff to include in the recommendations for approval of the conditional use the applicant is**

requesting, that the conditional use be limited to a maximum of twenty-five dogs not exceeding fifty pounds in weight and that the applicant be required to exercise the dogs only under proper restraint, meaning a leash, that the dogs not be allowed to run free on the premises and that the dogs not be kenneled outside more than six hours per day, subject to the rezoned and conditional use approval. Seconded by Ann Seaver. Motion carried. 3-favor 0-oppose

**BOARD OF ADJUSTMENT FINDINGS:** The Board found to approve the variance request, subject to rezoned and conditional use approvals, was consistent with the purpose and intent of the zoning ordinance.

The Board found unique circumstances in the very large building with limited use potential. The Board found the proposed use, subject to the approved rezoned from M-1 to A-4, would be compatible with uses on surrounding property. The Board found to approve the variance request as presented would not set a precedent. There was no support. There was no opposition.

\*The Board of Adjustment recommended the County Zoning Agency consider and include the following in the conditional use approval, as this information was important to the decision of the Board of Adjustment:

- 1) limit to a maximum of twenty-five dogs, each dog not exceeding fifty pounds in weight,
- 2) the applicant be required to exercise the dogs only under proper restraint, meaning a leash,
- 3) dogs not be allowed to run free on the premises,
- 4) dogs not be outside more than six hours per day.

Disc #1 Hearing – Count #9:33:56 – 9:49:20 / Disc #2 Decisions – Count #9:23:05 – 9:31:05  
The Fourth Hearing was Terry S. & Susan M. Nosal, owners – Section(s) 35 – La Grange Township

Applicants are requesting a variance from Section(s) 74-163 / 74-181 / 74-221 / 74-263 of Walworth County's Code of Ordinances – Shoreland Zoning to construct an accessory structure garage.

**REQUIRED BY ORDINANCE:** The Ordinance requires an accessory structure that is located in the side yard to be at least 25' from the right-of-way and 15' from a side property line.

**VARIANCE REQUEST:** The applicants are requesting a 10' street yard setback and a 3' side yard setback. The request is a variance from Section(s) 74-163 / 74-181 / 74-221 / 74-263 of Walworth County's Code of Ordinances – Shoreland Zoning to construct an accessory structure garage.

**BOARD OF ADJUSTMENT DECISION:** The Walworth County Board of Adjustment, during the meeting on November 10 & 11, 2010, for the petition of Terry S. & Susan M. Nosal, owners, voted to **APPROVE** the request for a 10' street yard setback and a 3' side yard setback

(2 – 1 vote).

**A motion was made by Ann Seaver to approve the variance request. Seconded by Mark Bromley. Motion carried. 2-favor 1-oppose (John Roth)**

**BOARD OF ADJUSTMENT FINDINGS:** The Board found the owner did prove exceptional circumstances to the property. The Board found the odd configuration of the property which limits the owner from constructing a garage elsewhere on the parcel and the unique location of the roadway within the right-of-way were exceptional circumstances. The Board found the designation of a side yard rather than a street yard for this property creates the need for a variance. The Board found to move the location of the well to allow the accessory structure to meet the ordinance setback requirements would be unnecessarily burdensome. The Board found the request to be a small increment of relief. The Board found a garage to be a reasonable use on this property. There was one letter of comment from the Town of La Grange. There was no opposition.

Disc #1 Hearing – Count #9:49:21 – 10:05:24 / Disc #2 Decisions – Count #9:31:06 – 9:35:00  
The Fifth Hearing was Daniel W. & Pauline M. Bishop, owners / Attorney Richard W. Torhorst, applicant – Section(s) 32 – Geneva Township

Applicants are requesting a variance from Section(s) 74-163 / 74-181 / 74-263 of Walworth County's Code of Ordinances – Shoreland Zoning to construct an accessory structure (garage).

**REQUIRED BY ORDINANCE:** The Ordinance requires a 25' street yard setback and a 13.6' setback to southeast property line.

**VARIANCE REQUEST:** The applicants are requesting a 16' street yard setback and a 5.6' setback to southeast property line. The request is a variance from Section(s) 74-163 / 74-181 / 74-263 of Walworth County's Code of Ordinances – Shoreland Zoning to construct an accessory structure (garage).

**BOARD OF ADJUSTMENT DECISION:** The Walworth County Board of Adjustment, during the meeting on November 10 & 11, 2010, for the petition of Daniel W. & Pauline M. Bishop, owners / Attorney Richard W. Torhorst, applicant, voted to **APPROVE** the request for a 16' street yard setback and a 5.6' setback to southeast property line.

**A motion was made by Ann Seaver to approve the variance request. Seconded by Mark Bromley. Motion carried. 3-favor 0-oppose**

**BOARD OF ADJUSTMENT FINDINGS:** The Board found the abandoned railroad right-of-way and the existing gravel roadway to be unique circumstances to the property that do not allow for code compliant placement of a proposed accessory structure garage. The Board found similar variance requests in the area had been granted because of restrictive lot dimensions and

the abandoned railroad right-of-way. The Board found to grant the variance request will benefit the neighborhood. There were letters of support from a neighboring property owner and the Town of Geneva. There was no opposition.

**Other**

A. Discussion / possible action regarding procedure for inclement weather  
Board of Adjustment members were given a copy of the current procedure re: Inclement Weather. As of the January 2011 meeting of the Board of Adjustment, with the hearing / meeting start time changing from 9 A.M. to 8 A.M., the time needed for notice of cancellation on the day of the hearing / meeting will be adjusted accordingly, from 8 A.M. to 7 A.M. In the absence of the chairperson, the vice-chair will be contacted regarding cancellation of a meeting.

**A motion was made by Mark Bromley to change the time for cancellation of Board of Adjustment meetings from 8:00 a.m. to 7:00 a.m. on the day of the meeting. Second by Ann Seaver. Motion carried. 3-favor 0-oppose**

**Staff Reports**

- A. Court cases update
  - 1. None
- B. Distribution of reports, handouts and correspondence
  - 1. Board members received a letter of concern from the Town of Lyons regarding Mary Jane Chaney / Lyons Township / September 2010 BOA agenda
  - 2. Board members received the 2011 Walworth County Board of Adjustment Schedule

**Proposed discussion for next agenda**

The following items were requested to be put on the December 2010 agenda:

- A. Court cases update
- B. Discussion / possible action regarding filling the Board of Adjustment vacancy created by the resignation of Vice-Chair Mark Bromley
- C. Distribution of reports, handouts and correspondence

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ANN SEAVER  
WALWORTH COUNTY BOARD OF ADJUSTMENT

These minutes are not final until approved by the Board of Adjustment at the next scheduled hearing date.





Lake Benedict/Tombeau District

P.O. Box 668

Genoa City, WI 53128

## **LAKES MANAGEMENT DISTRICT MEETING**

**Call to Order:** by Tom Dattalo at 1030 A.M. August 21, 2010 3<sup>rd</sup>. quarter meeting

**Present:** Lake Benedict Commissioners; Tom Dattalo, Larry Belenke and Robert Meyer, additional members Reosemary Badame, John Ryan.

Pledge of Allegiance.

**Reading of the Minutes:** Minutes from the 2<sup>nd</sup> quarter meeting were read and approved.

### **The Agenda:**

1. Election of officers: Robert Meyer was elected to position of secretary for the term 2010 to 2013.
2. Rosemary Badme was appointed as the Walworth County representative to the Lake District.
3. Motion to adjourn 11:00 August 21 2010 approved and seconded,

13,531.50

Bills Paid

Dam Note

**COMMITTEE MEETING REPORT & PAYMENT CLAIM**

Committee Name:  
 Lake District  
 Benedict / Tombeau

Date & Time:  
 SAT. 8/21/10 9-11AM

Submitted By:  
 R. Padame  
 da Olson

**SUMMARY of Major Accomplishments**

(The secretary must submit detailed minutes of this meeting.)

Copy of Minutes  
 on file with LURM & County Clerk

**CERTIFICATION:** Each member present must sign this sheet.

Date of Approval: 11/23/10

Members Present (sign below)	Miles 10	Per Diem 50.00	Mileage [0.50]	Total
<i>R. Padame</i>			\$ 5.00	\$ 55.00
			\$ -	\$ -
			\$ -	\$ -
			\$ -	\$ -
			\$ -	\$ -
			\$ -	\$ -
			\$ -	\$ -

# HONEY LAKE

Protection and  
Rehabilitation District

P.O. Box 565

Burlington, WI 53105



*17 miles*

## COMMISSIONER'S MEETING

### ROCHESTER PUBLIC LIBRARY

*Present* November 16, 2010 -- 7:00 P.M.

#### AGENDA

Call the Meeting to Order

Secretary's Report: October 19, 2010

Treasurer's Report: October 2010

#### OLD BUSINESS

1. Reports

2. Lake Project

#### NEW BUSINESS

1. Monthly Bills

#### ADJOURN

7:40 P.M.

*B. McIndoo, Gerald Schwaninger, John Fuchs, Judith Parnell, Deputy, C. Keller, Arlene Anderson, 7:00 P.M.*

*B. McIndoo - A. P. - carried*

*B. McIndoo - Judy - carried*

*45 265, 23 had to fix roads Spring Prairie Township*

*Draw down the lake, now. M and S only, both carried.*

*Contact cutting edge to cleanup the packets.*

*McIndoo - John Fuchs - carried*

*Mrs. D. D. and D. D. Schwaninger*

# **HONEY LAKE**

**Protection and  
Rehabilitation District**

**P.O. Box 565**

**Burlington, WI 53105**



Commissioner's Meeting

October 19, 2010

Chairman Lutz called the meeting to order at 7 P. M. at the Rochester Public Library. Commissioners present were John Lutz, Judith Correll, Gerald Schwarten, Roy Lightfield and Robert McIndoe.

The minutes of the September 2010 meeting were read. A motion to approve the minutes was made by Robert McIndoe, seconded by Roy Lightfield and carried.

The treasurer's report was read, copy attached. A motion to approve the report was made by Roy Lightfield, seconded by Robert McIndoe and carried.

## **OLD BUSINESS**

Bienemann Tree Service has had the tree stump by DelMonte Drive removed.

Chairman Lutz will contact WE Energies regarding the trees by the north beach.

The lakes are in good shape. Derek is keeping the drains clear of debris. All areas were mowed one more time.

Have not contacted the Rochester Fire Chief regarding the emergency evacuation plan.

The grate on Shervin Dr. will be replaced by a manhole cover. The first cover was broken so the blacktop company replaced it with a grate until a new cover is received.

There has been no more contact with Mr. Hinds. Commissioner Correll will check back in the old minutes for information regarding the property owned by the district.

Chairman Lutz met with Craig Webster, the head of the field service for the DNR, and discussed the various aspects of the rebuilding of the bridge on County Road DD over Sugar Creek.

NEW BUSINESS

We received two bids for snowplowing. The bid from Augie's Excavating is \$600.00 per snowfall of three inches. Robert Hoffman and Robert Nowak bid \$18,000.00 for the 2010-2011 season.

Discussion took place. A motion was made by Roy Lightfield to accept the bid of \$18,000.00 from Robert Hoffman and Robert Nowak, seconded by Robert McIndoe and carried.

BILLS SUBMITTED AS FOLLOWS:

Comm. Comp.	John Lutz	\$ 175.00
“ “	Judith Correll	\$ 150.00
“ “	Gerald Schwarten	\$ 150.00
“ “	Roy Lightfield	\$ 25.00
“ “	Robert McIndoe	\$ 25.00
W E Energies	Del Rio Light	\$ 18.97
Cutting Edge Lawn Care	Mowing & trimming 9-07 & 9-21	\$ 250.00

A motion to approve the bills was made by Robert McIndoe, seconded by Roy Lightfield and carried.

A motion to adjourn, subject to recall, was made Robert McIndoe, seconded by Gerald Schwarten and carried at 7:45 P. M.

Respectfully submitted,

  
Judith Correll,

Secretary, HLPRD

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**DRAFT**

**Walworth County Board of Supervisors  
Public Works Committee  
MEETING MINUTES  
Monday, November 1, 2010  
Walworth County Government Center, County Board Room 114  
100 West Walworth Street, Elkhorn, Wisconsin**

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Chair Russell called the meeting to order at 5:26 p.m.

Roll call was conducted with all members present: Kathy Ingersoll, Nancy Russell, Joe Schaefer, Rick Stacey and Russ Wardle

Others present:

County Board Supervisors: Rich Brandl; Jerry Grant; David Weber

County staff: Shane Crawford, Deputy County Administrator-Central Services; County Administrator David Bretl; Deputy County Administrator-Finance Nicki Andersen; Public Works Superintendent Larry Price; Assistant Public Works Superintendent Don Krefl; Purchasing Manager Peggy Watson; Budget Analyst Stacie Johnson

Members of the public: Shirley Grant

**Supervisors Schaefer and Stacey moved to approve the Agenda as presented. The motion carried 5-0.**

**Public comment period.** No one asked for recognition from the Chair to speak.

**Regular Business**

**Resolution approving Jurisdictional Transfer Agreements between Walworth County and Spring Prairie Township**

Deputy County Administrator-Central Services Shane Crawford said that the transfer of the roadway involves three separate road segments, as listed on the Agreements attached to Resolution No. 55-11/10, thus there are three Jurisdictional Transfer Agreements. Crawford recommended approving the transfers as requested by Spring Prairie. It may result in the county losing a very small amount of general transportation funding, but Spring Prairie will permanently maintain and repair the roadway segments. **Supervisors Schaefer and Stacey moved to recommend Resolution No. 55-11/10 accepting the jurisdictional transfer of segments of Walworth County roadway to the Town of Spring Prairie. The motion carried 5-0.**

**Bid award for repairs to bridge on CTH G**

Crawford reported that no bids were received the first time the project was advertised. When bids were submitted this time, Mann Brothers provided the lowest price. Except for the county deductible, the cost of repairs will be covered by insurance. **Supervisors Stacey and Wardle moved to approve the bid award for the repairs to the CTH G bridge to Mann Brothers, in**

**the amount of \$39,875. The motion carried 5-0.** Public Works Superintendent Larry Price said the bridge will be open to traffic during the repairs, and the project should be completed by the end of the first week in December.

**Next regularly scheduled Public Works Committee meeting date and time: Monday, November 15, 2010 - 4:00 p.m.**

**Adjournment**

**Supervisors Schaefer and Stacey moved to adjourn. The motion carried 5-0, and the meeting adjourned at 5:30 p.m.**

Minutes recorded by Becky Bechtel, Public Works Department

*Note: Meeting minutes are not considered final until approved by the Committee at the next regularly scheduled meeting.*

PLEASANT LAKE PROTECTION AND REHABILITATION DISTRICT MEETING  
THURSDAY, OCTOBER 28, 2010, 9:00 AM  
LAGRANGE TOWN HALL

MINUTES

Present: Dave Stamm (2012), Doug Behrens (2013), Ozzie Mohr (2011),  
Rick Callaway (Town), Bob Arnold (County)

Motion to approve Agenda (Doug/Rick). Carried.

Pier Ordinance review: Discussion of proposed pier ordinance and its relationship with the Environmentally Sensitive Area Ordinance and its comparison with the DNR Stats 30.131. Items in the proposed pier ordinance that are not already in the Environmentally Sensitive Area Ordinance can be incorporated into that existing Environmentally Sensitive Area Ordinance to further protect those areas of Pleasant Lake. The rest of the proposed ordinance is comparable to the DNR statutes. If we are satisfied with the statutes we can rely on them and do not need to create another ordinance. The drawbacks to not having a specific Town ordinance for Pleasant Lake are that the items won't be enforced by the Town and that the DNR would have to be relied on as the enforcing agent as it is now. The most problematic areas in the future could be where the lots are close together and the existence of shore stations on those lots.

Motion to table the proposed Pier Ordinance (Rick/Doug). Carried.

Special Meeting of 11-13-10 review: If the District votes to expand the Board of Commissioners from 3 to 5 elected commissioners, we need to be specific about the term expiration dates of the newly elected commissioners at the time of election. One commissioner's term would expire at the annual meeting in 2012 and the other's term would expire at the annual meeting in 2013. This will be specified on the ballots at the time of election.

Motion to adjourn (Doug, Bob). Carried

Respectfully submitted,

Doug Behrens, Secretary

**Walworth County Human Resources Committee**

MINUTES

October 20, 2010 – 3:00 p.m.

County Board Room 114 – Government Center

Elkhorn, Wisconsin

*Draft*

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The meeting was called to order at approximately 3:00 p.m. by Chairperson Ingersoll.

Roll call – In attendance were Chairperson Ingersoll, Vice Chairperson Grant, Supervisors Redenius, Brandl and Wardle. A quorum was declared.

Others present – Supervisor Nancy Russell; David Bretl, County Administrator; Suzi Hagstrom, Labor/Employee Relations Director; Nicki Andersen, Deputy County Administrator – Finance; Dale Wilson, Payroll/Benefits Manager; Kurt Picknell, Undersheriff; Linda Seemeyer, LHCC Superintendent/HHS Director; Liz Aldred, Deputy HHS Director; Stacie Johnson, Budget Analyst; John Orr, Information Technology Director; Shane Crawford, Deputy County Administrator – Central Services; Jessica Lanser, Comptroller.

Approval of the agenda was moved and seconded by rich, jerry, with no withdrawals, and carried 5 – 0.

Approval of the September 22, 2010 Human Resources committee minutes was moved and seconded by Vice Chairperson Grant and Supervisor Wardle. The motion carried 5 – 0.

Public comment period – There was no public comment.

Discussion and possible action regarding employment contracts. Hagstrom explained that the concept of employment contracts in the County first began with department heads in 2002. Employment contracts provide the employee with severance if they are let go; however, they can be let go for any legal reason. Any department head that was hired after a certain date in 2002 is now under an employment contract. In 2007, the list of employees under contract was expanded. This allows the County to be more flexible when recruiting. For example, an employee under contract can get a stipend for waiving health insurance. Bretl pointed out that 10 years ago, even the administrative coordinator and HR Director, etc. could be discharged only for cause. It can be very difficult to prove “for cause.” Bretl was the first employee to be under an employment contract. After the creation of the county administrator position, all department heads, by law, serve at will, under employment contracts, as well. This meant that it would no longer take an

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extraordinary vote by the board to terminate someone's employment. The controversy, at that time, was whether the County could make everyone work under employment contracts or whether incumbents would be "grandfathered." The County resolved this issue by only requiring that new department heads sign employment contracts. Bretl then suggested making direct reports to department heads serve under contracts too. That list was then expanded to a new tier of workers. With reorganizations and new job titles, the question then comes up as to whether or not these employees should be required to work under contract or if they should be grandfathered in. Bretl recommends that under certain circumstances, incumbents should be allowed to serve without employment contracts. Say, for example, Suzi is the employee relations director, and she is not under contract. Bretl decides to make her the HR director and change her title but keep her in the same pay range. By making a relatively minor change (title), he would be taking away a right for the employee (discharge for cause). With the public works reorganization, Peggy Watson would get a title change but not a pay change; Larry Price would get a title change and a pay change. Bretl explained that in a reorganization like this, the county administrator first takes a look at the overall plan, and if he agrees with the plan, he will approve of the reorganization in concept. The plan then goes to the HR director who decides if the reorganization requires a position to be posted to the public or filled by the incumbent. The HR Director looks at the incumbent's job performance to date as well as whether or not the person has the job skills required for the new title. If the answer is yes, the person can be moved into the new position without an employment contract. Vice Chairperson Grant understood that this reorganization involved a reassignment of duties and possibly a title change too. He does not view this person as a new employee. He felt that when the County adopted the employment contract ordinance, it was meant for new employees, and those employees would know that they don't have for cause protection. Vice Chairperson Grant's understanding was that moving an employee, such as is the case with the reorganization, would not subject the person to an employment contract. Bretl explained that they wanted to make sure there was a clear delineation when there was a job opening versus a promotion or transfer. Vice Chairperson Grant pointed out that if a person's current title is being eliminated, they do not have much choice whether or not to move. Hagstrom explained that in Price's case, his position is being reallocated. His current title will be changed. If Price's position was not being eliminated, and he decided to apply for the new director position, he would then be under contract. Bretl feels that both of the positions, the Office/Purchasing Manager and the Director of Operations, should be added to the list of positions that are under contract. This means that a new employee coming in to the position or an employee posting into the position would have to serve under contract. Hagstrom stated that we haven't had a situation like this since we created the list in the ordinance. For example, with the recent IT change, an employee was terminated but told that they could apply for the new position that was being created, but that new position required a different skillset. (Hagstrom distributed a possible amendment to the at-will ordinance). Hagstrom directed

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the committee's attention to page four, and explained that the department head would go to the County Administrator first, then to the HR Director, and then they would look at the criteria to determine if the incumbent should be reallocated or reclassified. Changes to the ordinance include: adding "reallocated" in Section 15-316, adding and updating titles in the table in Section 15-6 and defining competitive means. Hagstrom stated that staff would put these changes in ordinance format, with the goal of having it go to the Board in November.

**Vice Chairperson Grant and Supervisor Wardle moved and seconded approving the concept of the amendment to Chapter 15 relating to at-will employment and forwarding the amendment to the full Board in November.**

Supervisor Brandl asked if these changes would affect Price and Watson. Hagstrom said no; the changes are very minor. Bretl clarified that their positions would be added to the list of positions subject to employment contracts, so that when those positions became vacant and were refilled, the new employee would serve under contract.

**The motion carried 5 – 0.**

Amendment to Section 15-17 of the Walworth County Code of Ordinances Relating to a Reorganization in Public Works. Crawford explained that Sandy Kulik, the Public Works Office Manager, was responsible for day-to-day bookkeeping as well as the department's budget. She recently took a position with Brookfield. Crawford asked Peggy Watson, the Purchasing Manager, to take on the day-to-day responsibilities. Crawford has been impressed with Watson and thinks she is capable of taking on these responsibilities. This will save the department approximately \$72,000 annually. Don Kreft, the Assistant Superintendent of Roads, recently announced his retirement. Crawford would like to fill his position, which is partially funded by DOT. Crawford would like to put up a list for interested applicants. The new employee would be subject to an employment contract. There is a special skillset necessary for this position. Crawford's plan would be to fill this in-house and then eliminate a patrolman position. Price's position, Superintendent, would become Director of Operations. The Assistant Superintendents would report to Price, and Price would report to Crawford. Crawford would then merge the Purchasing Manager and Business Office Manager positions. The new Office/Purchasing Manager will be taking on more accounting responsibility, so they will need to elevate someone in purchasing to take on the tasks that the manager will no longer be doing. Crawford would like to have two senior buyers who report to the Office/Purchasing Manager. They would divide up the county. Crawford felt that the Office/Purchasing Manager would need a backup, plus some assistance with the budget, so Crawford would like to upgrade the Account Clerk IV to an Accounting Assistant. This position would go from being a Union position to being on non-represented position.

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This would save the county \$138,000. Crawford would like the HR Committee to sponsor an amendment to the 2011 budget to put \$100,000 toward the bonding for road construction. \$38,000 would go toward purchased services for contracting out plowing, etc. Crawford would like the person who will take over for the Assistant Superintendent – Roads to be able to work with the incumbent before he retires to help with the transition. Crawford is requesting to overfill the position briefly. Bretl reiterated that the Committee will need to sponsor an amendment to the 2011 budget, as staff recommended lowering the amount of bond the county borrows instead of putting the funds toward lowering the tax levy. This will allow the county to save approximately \$15,000 in interest on the bond. Vice Chairperson Grant asked who would be serving under employment contract. Crawford stated that only the employee who posts into the assistant superintendent position would serve under contract. That position is on the list already, so it doesn't matter if a current employee or an employee hired from the outside fills the position. Chairperson Ingersoll asked if there is a way to let the public know about the additional savings. Andersen stated that language could be added to the budget amendment.

**Vice Chairperson Grant and Supervisor Brandl moved and seconded approving the ordinance amendment, as presented, relating to the public works reorganization. The motion carried 5 – 0.**

Amendment C to 2011 budget relating to Public Works position reorganization resulting in decreased bonding for road construction. Crawford stated that the committee could sponsor this budget amendment if they want to go with the staff recommendation to decrease bonding for road construction. Chairperson Ingersoll asked about adding the language about savings on the amendment. Andersen stated that Finance will take care of adding the language.

**Vice Chairperson Grant and Supervisor Wardle moved and seconded approving the budget amendment with the added language. The motion carried 5 – 0.**

Discussion and possible action regarding 2011 wages for non-represented employees. Hagstrom stated that wages for non-represented hourly employees are set by resolution, so at some point, the Board will need to pass a resolution relating to non-rep increases. Hagstrom was not sure if the committee was comfortable setting wages for non-reps. This is not time-sensitive, and it can wait until November. Hagstrom stated that the committee could, however, decide on this now and give the non-reps the same percent increase that is being offered to the Unions. It is up to the committee. Chairperson Ingersoll asked Hagstrom to explain the history of the process. Hagstrom explained that in the past, the County has typically given non-reps the same increase that they give the

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Unions. Chairperson Ingersoll asked if we have set the non-rep increase before settling with the Unions in the past. Hagstrom explained that we have set it after some Unions have settled. Bretl reiterated that the committee can ponder this for a month if they'd like. However, it is important to keep the increase on track for non-reps. Hagstrom explained that she had also included the pay for performance matrix in the packet for informational purposes, so that the committee could see the percent that management is slated to get based on their performance. Because of where the County is at with negotiations, staff wanted to make sure that the committee was fully informed. Bretl pointed out that the County Board has already set the percentage for the average second quartile, and the committee had set the rest of the percentages. Supervisor Wardle questioned what a red-circled employee is. Hagstrom explained that someone who is red-circled is paid more than the highest amount in their range, so they are kept at that rate. Vice Chairperson Grant asked if Hagstrom anticipated that negotiations will be settled before next month. Hagstrom was fairly optimistic with a couple of the units, but she was not sure about the others. Bretl pointed out that there was a consensus among the Board with respect to how to proceed in negotiations. Wilson stated that waiting until November to make a decision would create additional time pressures for payroll to process any raise. Bretl suggested setting the non-rep increase at 1%. Hagstrom stated that AS and MT in the resolution should be H and Q.

**Vice Chairperson Grant and Chairperson Ingersoll moved and seconded approving a 1% increase for non-reps.**

Supervisor Wardle wanted to hold off until November. Vice Chairperson Grant did not want to create problems for payroll by waiting until November to make a decision.

**The motion failed 2 – 3 (Supervisors Wardle, Brandl and Redenius opposed). Vice Chairperson Grant and Supervisor Wardle moved and seconded bringing the item back to the November committee meeting. The motion carried 5 – 0.**

Supervisor Wardle asked for an explanation of quartiles. Hagstrom explained that is where the employee falls in the pay range. Hagstrom wanted the committee to be aware that managers could get a 2.5% increase. Supervisor Wardle was concerned that Unions and non-reps might be getting 1% while managers get 2.5%. Hagstrom pointed out that non-reps and Unions still get step increases, whereas management does not. Bretl reiterated that a union employee who is an average performer gets a raise and, potentially, a step increase. The pay for performance plan tries to encourage better performance by giving employees something to work for. Bretl appreciates the ability to be able to give a raise to someone with better performance. Hagstrom pointed out that while the County Board sets the average second quartile percentage, the committee fills in the rest of the

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matrix. The Committee is only bound by the percentage for the average performer in the second quartile. Hagstrom stated that 60% of employees are in the fourth quartile, very few are in the first quartile, and the rest are split between the second and third. This plan has been in existence since 2005, so people have moved within their range. The ranges haven't changed. There are two employees who are red-circled. In a Union pay scale, there may be anywhere from four to seven steps, and the steps are strictly based on longevity. Bretl added that department heads used to receive "across the board" pay increases as well as step increases. The pay for performance plan administered the steps, and therefore, was not particularly popular with management. The hope was, at the time, that the HR Committee would establish enough of a differential so the plan would reward outstanding performance. Supervisor Wardle asked who determines an employee's performance. Hagstrom explained that the department head evaluates the managers, it then comes to the Labor/Employee Relations Director, and then the County Administrator must approve it. Bretl evaluates the department heads. Supervisor Russell asked how many employees are covered by the pay for performance plan. Hagstrom stated that 120 employees are on the plan out of the approximately 1200 employees total. Supervisor Russell feels that there is typically a great deal of compression in government, and management is often underpaid. Supervisor Russell does not want to compound the compression. Supervisor Brandl thinks the matrix should be left as is since the committee had previously decided on it.

Interactive Health Solutions (IHS) Aggregate Report. Wilson explained that as part of the County's health insurance, employees can participate in a health screening to reduce their portion of the premium. The County has wrapped up the 2010 screenings, which affects the 2011 premiums. IHS puts together a summary of all of the data it gathered. The participants who responded to the survey done by IHS gave the company good reviews. IHS compares the County's results to their entire book of business. Some of the highlights of the results were: only 8.3% of the County reported using tobacco products, compared of other entities in their book of business; 53% of participants were referred to their physician, as compared to the average of 58.3%. Wilson explained the IHS website is a very good tool. If, for example, a participant tested high for cholesterol, IHS can email them articles about that. Wilson clarified that the results of the screenings are a snapshot in time, so just because someone had high blood pressure when the screening was performed, does not necessarily mean they have a problem with high blood pressure. IHS would like to link the health screenings to the person's personal physician so as to work together to improve the person's overall health. Walworth County was named one of the "Healthiest Companies" in the IHS book of business. Wilson feels that this is important to recognize. IHS would like to present the County with the award, and Wilson asked how the Committee would like this recognition to happen. Wilson suggested perhaps having IHS present the award to the County Board. Vice Chairperson questioned whether this might be comparable to when the Board passes a resolution

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recognizing the Finance Department for something. Bretl cautioned that some people might think this award should be presented at an employee function rather than at a County Board meeting. Wilson pointed out that there would not be any sort of all-encompassing employee gathering to present the award at. They could put something in the wellness newsletter about the award. Bretl suggested inviting the Walkers of Walworth to a County Board meeting for a presentation by IHS. Andersen suggested inviting the wellness council as well. Wilson stated that the presentation would not be until sometime in 2011. Supervisor Russell suggested making a certificate for each department and putting the actual award in the trophy case. Wilson stated that the Committee does not need to take any action on the item. Bretl suggested that if the Committee was comfortable with the County being recognized by IHS in the future, they could approve this now and schedule it for sometime in 2011.

**Vice Chairperson Grant and Supervisor Wardle moved and seconded approving of recognition by the County Board in the future. The motion carried 5 – 0.**

Life insurance policy comparison. Wilson explained that the HR Committee had discussed life insurance at the June meeting. At the meeting, Vice Chairperson Grant had commented on state offered life insurance plan and wondered how our plan compared. Wilson had provided the Committee with a relatively lengthy comparison chart. Wilson explained that the ETF plan is mostly employee funded; the employer pays a relatively small portion. If the County went to that model, it would be a change from what is currently in the collective bargaining agreement. The person who gathered the comparable information also does the RFP process for the County. When it comes time to renew the policy, the RFP would go out, and the County would get to see the comparisons. The award would be based on price.

**The Committee did not take any action on this item.**

Amendment to Section 15-321 of the Walworth County Code of Ordinances Relating to Overtime Pay for Sworn Officers. Bretl explained that this item deals with sworn management staff receiving overtime pay for Alpine duty. Bretl had remembered a similar discussion from several years ago. This amendment is to codify current practice. Management staff doesn't typically get overtime. With Alpine, however, there are a couple of reasons why it is advantageous to offer overtime pay to management staff who works there. For one, there is a need for management staff at Alpine. Secondly, Alpine will pay the overtime associated with it. Bretl pointed out that if a captain, for example, works a concert for 12 hours on Sunday, chances are the captain will flex some time to have the time off. This can almost be equated to giving Alpine a subsidy. By making

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Alpine pay for the cost of the overtime, the County is being fully reimbursed for this expense.

**Supervisors Brandl and Wardle moved and seconded approving the amendment relating to overtime pay for sworn officers. The motion carried 5 – 0.**

Amendment to Section 15-63 of the Walworth County Code of Ordinances Relating to Probationary Periods for Sworn Officers. Hagstrom explained that this item came up when a lieutenant was promoted to captain. Sworn officers are protected under Chapter 59 of the State Statutes. That Chapter sets forth how the County would terminate a sworn officer. The ordinance amendment states that sworn management staff are not subject to a probationary period.

**Supervisors Wardle and Brandl moved and seconded approving the amendment relating to probationary periods for sworn officers. The motion carried 5 – 0.**

Amendment to 15-17 of the Walworth County Code of Ordinances Relating to Authorized Positions by Department Based on the 2011 Budget. Bretl explained that there are a couple of ordinances and resolutions that the Board must pass that are associated with the budget. For example, the Board passes a resolution approving the tax levy and one approving the budget. The Board also passes an ordinance approving all of the position changes associated with the budget, which is what the Committee is being asked to approve today. Bretl stated that any changes made on the Board floor would be included in the ordinance.

**Supervisors Brandl and Redenius moved and seconded approving the amendment relating authorized positions by department based on the 2011 budget. The motion carried 5 – 0.**

Discussion and possible action regarding releasing one or more positions “frozen” pursuant to Section 15-3 (b) of the Code in the following departments:

- Public Works – Unfreezing and Overfilling of Assistant DPW Superintendent – Roads. Bretl explained that although this item was discussed earlier in the meeting, it needs a separate motion. Bretl stated that he appreciates the reduction of FTEs; however, we always want to make sure we can get the road done. Crawford is requesting to overfill the Assistant DPW Superintendent. He explained that the work in the field needs to get done regardless of who does it. Even the contracted out work needs to be managed. The State provides some

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funding for the three supervisors to supervise what happens on the state roads. Crawford is suggesting that they overfill the assistant superintendent position, so as to give the employees (the new employee and the incumbent) time to work through the holiday season together. The position would be overfilled until January 5<sup>th</sup>. Crawford pointed out that in other counties, these assistant superintendent positions would actually be superintendents. Hagstrom stated that the earliest the position would be overfilled would be December 5<sup>th</sup>.

**Supervisors Brandl and Wardle moved and seconded unfreezing and overfilling the Assistant Superintendent position. The motion carried 5 – 0.**

- HHS – Unfreezing of LTE – Energy Assistance – Seemeyer explained that energy assistance is a program that HHS runs. It provides low income families with heating assistance. This is a seasonal position. The County gets a federal grant from this. Seemeyer is requesting to use part of the grant to fund the LTE position. There would be no benefits associated with the position. The position is for three days a week from October through May. If the Department doesn't spend the \$22,000 in grant money, it goes away. There is no long-term commitment for this position. Currently, there is one 0.75 FTE in energy assistance. They had eliminated a 0.58 FTE and contracted that work out. If the grant was eliminated, the County would have to do this with a 0.75 FTE. The grant has been expanded in recent years. Some of the grant funding would go toward this position, but the rest goes to offset the salary of the 0.75 FTE, the promotional materials, and the person hired through the employment agency. Seemeyer stated that they could go back to the agency to contract out this LTE as well, but she is concerned that the department may not get the grant funding next year, and it would end up costing the County more money.

**Vice Chairperson Grant and Supervisor Redenius moved and seconded approving the unfreezing of the LTE energy assistance position. The motion carried 5 – 0.**

The next meeting of the human resources committee was confirmed for November 17, 2010 at 3:00 p.m.

Adjournment. On motion and second by Supervisors Wardle and Brandl, Chairperson Ingersoll adjourned the meeting at approximately 4:31 p.m.

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Respectfully submitted by Tammy Werblow, assistant to the county administrator.  
These minutes are subject to approval by the committee.

**County Board Executive Committee**  
**Monday, October 18, 2010 - 8:30 AM**  
**County Board Room 114**  
**Walworth County Government Center**  
**100 W. Walworth St., Elkhorn, Wisconsin**  
***DRAFT MINUTES***

The meeting was called to order by Chairman Weber at 8:30 AM.

A quorum of members was in attendance, including Chairman Weber, Vice Chairman Kilkenny and Supervisors Brandl, Hawkins and Russell.

Others in attendance included Mary Burns of Delavan; Nicole Andersen, Deputy County Administrator – Finance; Phil Koss, District Attorney; County Board Supervisor Russ Wardle; Diane Boyd, Sugar Creek Town Clerk; Steve Koch, Attorney for Sugar Creek Township; David Bretl, County Administrator/Corporation Counsel; Linda Seemeyer, Director of Health and Human Services; Kurt Picknell, Undersheriff; Kathy Loveless of the Jail Administration Office; Mike Schmitz, Jail Administrator; John Delaney, Assistant Jail Administrator; Capt. Kevin Williams, Emergency Management Director; Dave Shaw, General Manager, Alpine Valley Music Theatre; Dave Graves, Sheriff; Nancy Jacobson; County Board Supervisors Kathy Ingersoll and Rick Stacey

Agenda approval, without any withdrawals, was moved and seconded by Supervisors Hawkins and Brandl, and carried 5 – 0.

Approval of September 20, 2010 and September 22, 2010 executive committee minutes was moved and seconded by Supervisors Hawkins and Russell. The motion carried 5 – 0.

Public comment period. There was no comment.

**Ongoing/unfinished business**

**Jail study.** The committee discussed and received input from Walworth County District Attorney Phil Koss. Mr. Koss indicated he had read the minutes of the September 20 Executive committee meeting when the committee discussed the jail study with and received input from Judge Robert Kennedy. The Criminal Justice Coordinating Committee (CJCC) has done some things to try to slow the jail population, said Koss. He indicated there continue to be more offenses as the County [population] continues to grow. Mr. Koss commented about matrix sentencing for OWI offenses, stating that OWI arrests in Walworth County may be the highest in the state. Participation on the Victim Witness panel allows a defendant to reduce their sentence time from the high end to the low end of about 15 months under the sentencing matrix, lower than the state average. OAR (Operating After Revocation) arrests comprise a major part of the court's misdemeanor calendar. Social Security cards are required to obtain a valid driver's license, and a large percentage of the population living here cannot legally get Social Security cards. It is protocol that Walworth County prosecutes all OAR cases. Mr. Koss said that because of an increase in volume, more drunk driving arrests (first offense) are referred back to municipal court as simple misdemeanors. Concerning day reporting, Koss asked the

committee how the county measures public safety. With regard to pre-trial detention, there are defendants who violate bonds. Making reference to the Pretrial Justice Institute (PJI), Koss stressed the importance of a cost-benefit analysis that ensures public safety. He advised that if the county is considering a pre-trial analysis program, care be taken in approaching and making any recommendation based on the cost-benefit analysis in a way that ensures public safety. The judges and district attorney work cooperatively together, said Koss. If the judges decide they want to utilize a matrix like the type suggested by the PJI, it should be at the judges' discretion, said Koss. Some offenders repeat over and over, he said. Chairman Weber indicated the committee has received a lot of input during its jail study over the last several months. The CJCC is open to all possible incarceration alternatives, Mr. Koss said. There is no definite timetable for training for OWI court utilizing grant funding, said Koss. He stated that the jail does not have much control over reducing prison sentences or the jail population comprised of those awaiting prison. Vice Chairman Kilkenny stated that those in pre-trial detention who are a danger to society will at some point end up in prison. Supervisor Kilkenny asked Mr. Koss if there are measures to assist in moving those destined for prison through the system more quickly to trial and sentencing. From a defense point of view, delay results in a benefit to the defendant, said Kilkenny. Bigger cases tend to require delays because of discovery and motion practices, said Koss. He indicated that a victim impact questionnaire and statement is sent to all crime victims, permitting the option to state a preference concerning sentencing, i.e., for prison, alternatives or nothing. The question is posed in a very open-ended way, said Koss. The committee posed the question to Mr. Koss as to whether sentencing guidelines could be modified to help reduce jail days. For example, is there a way to measure whether a 66-day sentence achieves a greater benefit or result than a 62-day sentence, that is, could jail time be reduced by incremental improvements? Koss said the victim impact panel has reduced jail time by approximately 25%. Sentencing guidelines should, theoretically, be fair to all. An hour's worth of time spent by a defendant attending classes at Gateway Technical College, for example, while being supervised by a Sheriff's Deputy, can and has effectively reduced more expensive jail time, stated District Attorney Koss. The only bracelet program the county has thus far implemented and utilized is the C.A.T.E. program. The jail holds primarily those who are serving short-term sentences. Supervisor Kilkenny stated that those he has spoken with in the community are most concerned with the cost to taxpayers of incarceration and, for the most part, they seem o.k. with the idea of inmates being released after shorter incarcerations. Supervisor Russell asked Mr. Koss his opinion about the recent significant reduction in jail population. Koss said the crime rate is down statewide. The county has been trying to avoid mass incarcerations related to Alpine Valley concerts. The Walworth County jail population was up to 184 on October 18, 2010, typical for a Monday, said Mike Schmitz, Jail Administrator. County Administrator Bretl asked Mr. Koss, with respect to speedy trials, what impact the number of prosecutors has on the trial calendar, if any, or whether it is more a case of a tactical issue on the defense side. Koss said three more prosecutors would never happen although there is no doubt it would help [to move cases through the system more quickly]. There has not been a prosecutor added to the District Attorney's staff since 1989, said Koss. Preparation for trials is very involved, and sometimes includes having to re-set trial dates when prosecutors are double-booked, i.e., when two trials are calendared and neither ends up settling. Koss was asked what the most frequent cause of bond revocation is in criminal cases. He

answered that arrests of individuals on repeat OAR offenses is a big one. Consuming alcohol in violation of bond is probably number two, he said, and violating a “no contact” order of a bond and not appearing for court dates ranks third and fourth in frequency. A significant part of OAR violations are those who drive without a valid license in order to get to their court appearance, said Koss. Chairman Weber thanked Mr. Koss and encouraged continuing to make incremental changes and requested another opportunity to talk with Koss in the future and keep communication open with the committee.

Mr. Bretl asked Sheriff’s staff about the PJI study. Mike Schmitz stated that data was sent to PJI in Washington over a week ago. PJI found the data acceptable and has begun analysis. Schmitz said he would follow up with PJI staff by week’s end (October 22, 2010). PJI is conducting an analysis for the years 2005 – 2009, said Schmitz, which will include inmate length of sentence, number of days in jail, crimes and type, average population (daily) and admissions (not including Huber). PJI will try to identify any trends. Given that the jail population goes up and down, a five-year analysis should help to identify trends. Committee members questioned Schmitz about the jail population. Schmitz stated the last time he took a “snapshot,” the pretrial population was running at 55 – 57%. The CJCC will review PJI’s analysis and meet with the judges, district attorney and then the Executive committee. The study should help to identify public safety concerns. Following that, there could be a recommendation concerning where the county should commit its money, whether toward implementing an incarceration alternatives program or constructing new jail space. The committee asked Schmitz what percentage of the 55 – 57% pretrial population was sentenced for OAR offenses. Schmitz said he did not have that number available, but stated that of 104 inmates, about 54 were being held on \$10,000 + bond. Usually bonds for OAR offenses are set high. Supervisor Kilkenny said the number of OARs would be an interesting statistic to know. It is widely known there is a problem in Walworth County with people driving without a valid driver’s license, there being no public transportation here. The county’s Health and Human Services (HHS) department provides transportation to the elderly population without their own transportation and to those who must get to doctor appointments, etc. Linda Seemeyer stated that HHS currently has more business than they can handle, transporting County residents who are without their own means of transportation. Supervisors commented that perhaps the pretrial services organization will be the way to proceed. Supervisor Russell asked Schmitz if he could conduct an analysis of inmates being held on large bonds. Schmitz said he could do a snapshot perspective. Ms. Seemeyer stated there is general agreement that the lack of public transportation in Walworth County is an issue. HHS staff has met with staff of the Southeastern Wisconsin Regional Planning Commission (SEWRPC) and is conducting a study and analysis of County transportation. HHS utilizes transportation provided by VIP Services in some instances, since there has been attrition in the HHS department. Getting a valid driver’s license is a big issue. Those who violate and are sometimes observed parking in the hospital parking lot when they drive to court to appear for a hearing. Chairman Weber stated that the issue of no public transportation keeps surfacing as a major issue. Supervisor Russell observed that it seemed paying for public transportation might be cheaper for people, in the long run, than being incarcerated for violating bond conditions. In Milwaukee and Waukesha County, the pretrial services program arranges transportation for inmates as a component of interfacing with public

transportation in the counties. It was suggested that perhaps at the time of bond setting, the court (in Walworth County) could provide information about transportation options to defendants. Mr. Bretl indicated the committee may want to take a break with regard to the jail study unless there was a commitment from someone planning to attend the next meeting to provide a different perspective to the committee in its jail study. Committee members expressed interest in having Dave invite the public defender's office.

**Community Development Block Grant (CDBG) emergency relief funding – 2008 flood damage in Walworth County.** Captain Williams explained that there is a request from the town of Sugar Creek for \$26,314 funding. The CDBG grant supplies 12.5% of the grant funding applied for through FEMA. The state was able to reassign money from another fund and provide some assistance to the township (75%). The county currently has an agreement with the Town, executed in February 2010, to provide 12.5% of the funding for hazard mitigation on qualified homes and properties. The town is responsible for 12.5% of the funding. About \$90,000 has been paid to the town thus far to assist with properties. There is an additional homeowner, who applied late in the process for assistance. The FEMA long-term recovery committee has assisted the family with rental assistance. This family has spoken with their representative County Board Supervisor about long-term prospects for their living circumstances and requested assistance from the county. The family qualifies as low-to-moderate income and meets CDBG requirements. Captain Williams explained that if the county provides funding to Sugar Creek as specified in the agreement, there will not be enough money in the CDBG fund to also assist the family. He indicated that their home is completely uninhabitable. He also said the Town is not requesting anything outside the scope of its agreement with the county. The town's plan is to purchase a different home that is uninhabitable; however, the home is the owner's second residence. The question was posed as to whether the committee would want to request that the Town not require the county to be obligated for funding which is intended for purchase of the secondary residence so that the county can provide funding assistance for the family whose primary residence is uninhabitable. The family is employed and has continued to pay the mortgage on the uninhabitable residence. When the Town applied for the grant the request was determined upon the fair market value using the tax bill. When appraisals were conducted, it turned out that the town's estimate was too low and there was a shortfall. Diane Boyd, Town Clerk, said the town has requested approximately \$116,000 in funding from the county. The agreement specifies the county provide the Town with up to \$134,000 for their 12.5% match required by the Hazard Mitigation Grant Program for low-to-moderate income households. Steve Koch, attorney for the Town, requested that the county abide by the agreement. Under the FEMA grant, Sugar Creek cannot sell the properties. Boyd asked whether the county had explored the possibility of selling the property that is uninhabitable. The Town is interested in seeing both of the property owners assisted. Supervisor Russell asked whether the property that is not in Sugar Creek was buildable. She asked Mr. Bretl whether there is any mechanism by which the county could take title to the property and then sell it. Mr. Bretl indicated that the county could obtain the property, but it would have to comply with eminent domain laws and it is unlikely that the county would recover its costs. Capt. Williams requested specific direction from the committee. The family that requested help has already appealed to their County Board Supervisor, he said.

The Town's request for \$26,314 is not in any way inappropriate; however, it could be perceived as insensitive if the county provided funding for the purchase of a property which is a secondary residence while not providing assistance to a family without a primary residence, stated Williams. He clarified that he stated this to ensure that everyone was clear that questions might arise. Supervisor Weber asked Russ Wardle his perspective as a County Board Supervisor representing the district where the properties are located. Wardle said he had just learned on October 15 about the owner of the secondary residence. It appears that the family is short the demolition money. He asked what it would cost to do a demolition of the house. The house is in the middle of residential property in Whitewater. Supervisor Wardle asked if the county might demolish the house and then sell the property. Any money from the sale of the property would have to be returned to the State and CDBG fund. Additionally, there has been no asbestos identification conducted at the residence. Williams stated he contacted Karen Stone at the State office and requested additional funding to assist in this situation. The county is obliged to abide by its contractual agreement with the town of Sugar Creek, said Mr. Bretl. Alternatively, the committee could request of the Town whether it is willing to waive the county's obligation. Concern was expressed about what options are available to the Whitewater family whose primary residence is uninhabitable. **Supervisor Hawkins moved support of honoring the county's contract with the town of Sugar Creek and asking Captain Williams and staff to return to the committee in November with other options. The motion was seconded by Supervisors Russell and carried 5 – 0.**

**Ordinance amending Chapter 10 of the Walworth County Code of Ordinances pertaining to massage licensing.** This item was held over. Mr. Bretl stated it has turned into a larger project than originally anticipated. Supervisors Russell and Hawkins moved to postpone any review until November. The motion carried 5 – 0.

#### **Appointments**

- a) *Citizen member vacancy on the Health and Human Services (HHS) Board.* Supervisor Hawkins is aware of a citizen who has the background to serve but who is not a Walworth County resident. The Wisconsin Statutes do not present any clear prohibition to appointing someone that is not a County resident. The HHS Board has not reviewed this matter yet. Supervisor Hawkins said he received a call from Supervisor Grant, who chairs the HHS Board, indicating that he might include discussion about this appointment on the HHS Board agenda. Mr. Bretl indicated that Supervisor Grant had subsequently said he was not planning on including the appointment on the agenda. Supervisor Russell commented that she does not have an issue with non-residents serving on the Community Partner Advisory Group (CPAG) because they do not set policy; however, because the HHS Board does establish policy, she said she felt that the Board should weigh in on the issue and provide policy direction concerning filling the vacancy. **Supervisor Russell moved asking the HHS Board to provide policy direction regarding filling the citizen appointment on that board. Supervisor Brandl seconded the motion, which carried 5 – 0.**

- b) Discussion regarding filling a vacancy on the Board of Adjustment. Mr. Bretl indicated he would come back to the committee with a recommendation for a candidate. He had asked former County Board Supervisor Allen Morrison if he was interested, but he declined. The appointee needs to be a town resident. Supervisor Russell suggested Supervisors be given the opportunity to submit any recommendations they may have to County Administrator Bretl. **Vice Chairman Kilkenny moved support of Mr. Bretl writing a memo to County Board Supervisors providing guidance concerning filling the position. Supervisor Hawkins seconded the motion, which carried 5 – 0.**

### **New business**

**Alpine Valley Music Theatre 2011 business plan and license application.** Mr. Bretl introduced Dave Shaw, Alpine Valley Theatre General Manager and indicated there will be an opportunity for public input and comment at the public hearing, which the committee will set the date for at today's meeting. Supervisor Kilkenny asked whether there were any material changes to the business proposal. Staff indicated there were none. The fund reserve from Alpine ticket sales is currently at \$95,000. Undersheriff Picknell recommended the current fee, which was raised last year, remain the same for 2011. It was noted that Alpine has requested a conditional use permit (CUP) for limited camping at the venue; this is a separate matter from the business operations plan and license application. Supervisor Russell suggested the CUP be mentioned at the public hearing on the 2011 business plan. The CUP request is on the Lafayette Town agenda for November 3 and the County Zoning Agency (CZA) agenda in January 2011. Mr. Bretl indicated that Chapter 10 of the County Code regulates licenses; conditional uses are regulated under chapter 74 of the County Code. Supervisor Kilkenny suggested the business plan could incorporate whatever is approved by the CZA with regard to camping. Mr. Bretl concurred and suggested the business plan and license issued by the Executive committee include a specific statement concerning the conditional use permit. Sheriff Graves asked where his staff would fit into this scenario with regard to limited camping. Mr. Bretl stated the CZA is authorized to establish conditions relative to any conditional use permit it approves and issues.

- a) *Alpine Valley Theatre 2011 Business plan review.* Rick Stacey asked Mr. Shaw whether Live Nation and Alpine Theatre had suffered with the economic situation. Shaw indicated that Alpine sales are down. The \$95,000 reserve funds do not lapse into the county's general fund. The question over the years has been what is reasonable for a reserve and the per-ticket charge. Mr. Bretl stated that at the public hearing, we may want to let people know and the committee can include in the license approval that Alpine must be compliant with any zoning regulations established by the CZA, including additional costs related to camping, which is proposed only during concerts. Corporation Counsel will research the issue as to how the business license under Chapter 10 and camping permit/restrictions under Chapter 74 inter-mesh. Camping will be limited to 450 people (75 sites; no more than 6 people at each camping site), stated Shaw, in an area near the green lot, the overflow parking. Camping is being proposed only for certain shows and the proposal for overall capacity of the venue will be reduced for the concerts at which camping would be permitted—if camping is approved by the CZA.

There would be two tickets required of concert goers: one for the concert itself and one for parking, stated Shaw. Supervisor Russell suggested an amendment to Alpine's business plan, to include stipulations approved by the CZA as well as the provision of law enforcement at the concerts allowing camping. The space for each camping site is 4,000 feet, said Shaw, and each site would be limited to two vehicles.

- b) *Set date and time for public hearing on plan and license application.* If the CUP for limited camping is approved by the CZA, there will need to be security for the campground area, which would be above and beyond the cost of what is collected in ticket sales. Alpine has indicated to County staff that the county would be reimbursed in full for camping-related costs if the county provides invoices [for its costs].

**Supervisors Kilkenny and Russell moved and seconded to set the public hearing on Alpine's 2011 business operations plan and license application for Monday, November 15, 2010 at 10 AM. The motion carried 5 – 0.**

**Ordinance amending Chapter 2 of the County Code relating to records retention.** Mr. Bretl recommended County Board adoption of the ordinance incorporating the changes reviewed and recommended by the Wisconsin Public Records Board. **Supervisors Kilkenny and Brandl moved support of adoption. The motion carried 5 – 0.**

**Ordinance amending chapter 2 of the County Code of Ordinances pertaining to membership of the UW-Extension Community Partner Advisory Group (CPAG).** Supervisor Hawkins and Russell moved and seconded recommending County Board adoption of the ordinance, which would require that members of the CPAG either live or work in Walworth County. The motion carried 5 – 0.

**Resolution Establishing 2011 Committee of the Whole Meeting Dates.** A meeting in January could be included for a legislative roundtable; however, it has not historically been a meeting well attended by the legislators when they were invited. December is also not necessarily a good date. Wisconsin Municipal Mutual Insurance Company (WMMIC) had proposed a 45-minute slot to make a presentation to the Board concerning its risk management and liability services. Mr. Bretl stated that the committee had also discussed in the past whether committee of the whole presentations are worthwhile. Supervisor Russell expressed that she felt the budget workshop (September) should be retained. In election years, a May meeting is good to orient new Supervisors, she said. Supervisor Kilkenny suggested setting September for the budget workshop and May, in election years only, and establishing other committee of the whole dates as necessary. It was agreed that December is not the best month for presenters to attend and neither is January. Supervisor Hawkins suggested the possibility of March, May and September. Quarterly dates had been adopted when the Board was still a 25-member board. The meetings were intended to provide the opportunity for more interactive discussion among members of the larger board, on timely topics of mutual interest. Supervisor Ingersoll suggested that State legislators might be more inclined to attend if they could be better prepared by receiving proposed questions from the Board prior to the meeting date. The Intergovernmental

Cooperation Council (ICC) typically invites the legislators to one of its meetings each year. Vice Chairman Kilkenny stated he preferred to establish two firm dates. **Supervisor Russell moved to establish May and September dates for committee of the whole meetings in 2011. The motion was seconded by Supervisor Kilkenny and carried 5 – 0.**

**Reports/announcements by Chairperson.** Supervisor Weber said he had no reports or announcements.

The next Executive committee meeting date was confirmed for Monday, November 15, 2010 at 8:30 AM.

**Claims and litigation.** The committee convened in closed session on motion and second by Supervisors Brandl and Russell, at 10:40 AM, 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) Notice of Circumstances of the claim of Keith Miller.
- b) Summons and Complaint (Foreclosure of Mortgage – 30404), LLP Mortgage Ltd. vs. Pedro Garcia, Walworth County et al.

On motion and second by Supervisors Kilkenny and Brandl, the committee reconvened in open session and took the following action relative to the above-referenced agenda items:

- **Supervisors Brandl and Kilkenny moved and seconded staff proceeding as discussed in closed session with regard to the Summons and Complaint of LLP Mortgage Ltd. vs. Pedro Garcia, Walworth County et al. The motion carried 5 – 0.**
- There was no committee action relative to the Notice of Circumstances of Keith Miller.

**Adjournment.** Chairman Weber adjourned the meeting at 10:47 AM on motion and second by Supervisors Brandl and Russell.

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Respectfully submitted by Suzanne Harrington, administrative assistant to the Walworth County Administrator. These minutes are subject to approval of the committee.

**County Board Executive Committee**  
**Tuesday, October 12, 2010 – 5:30 PM**  
**County Board Room 114**  
**Walworth County Government Center**  
**100 W. Walworth St., Elkhorn, WI**  
*Draft Minutes*

Chairman Weber called the meeting to order at 5:30 PM.

Committee members in attendance included Chairman Weber, Vice Chairman Kilkenny and Supervisors Russell, Brandl and Hawkins. A quorum was declared.

The agenda was approved by a vote of 5 – 0 on motion and second by Supervisors Hawkins and Kilkenny.

**Appointments.** On motion and second by Supervisors Brandl and Russell, the committee voted 5 – 0 to recommend County Board appointment of Mr. Bretl's nominee, Pamela Knorr, to serve as school representative on the county's Agriculture and Extension Education committee.

**New business**

*EPA Brownfield Assessment Grant.* County Administrator Bretl explained that the county had not received any funding for the EPA Brownfield Assessment Grant for which we applied and then re-applied in 2009. The county has an opportunity to again apply, at no additional cost for the grant preparation by Foth Environmental firm. WCEDA has obtained letters of support for the grant from towns, cities and villages in the county as well as environmental agencies, such as the Geneva Lake Environmental Agency, which are interested in having the county apply one more time to try to procure grant funding that would assist in identifying Brownfield properties throughout the county. **On motion and second by Supervisors Kilkenny and Russell, the committee voted 5 – 0 to approve an Executive committee resolution endorsing the EPA Brownfield Assessment Grant.**

Chairman Weber had no reports or announcements.

The next Executive committee meeting date was confirmed for Monday, October 18, 2010 at 8:30 AM.

Chairman Weber adjourned the meeting at 5:34 PM on motion and second by Supervisors Brandl and Kilkenny.

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Respectfully submitted by Suzanne Harrington, administrative assistant to the Walworth County Administrator. These minutes are subject to approval of the committee.

# Wisconsin River Rail Transit Commission

X-Commission Mtg – Friday, 08 Oct 2010 @ 10am • Dane Co. Hwy, 2302 Fish Hatchery Rd, Madison, WI

1. Karl Nilson, Chair, called the meeting to order at 10:00 a.m.

2. Commissioners present for all or part of the meeting:

Crawford	Tom Cornford	X- Committee	X
	Rocky Rocksvold		X
	Vacant		
Dane	Gene Gray	Treasurer	X
	Jim Haefs-Fleming		X
	Forrest Van Schwartz	Advocate	X
Grant	Ivan Farness		
	Margaret Ruf	Secretary	X
	Robert Scallon	2nd Vice Chair	X
Iowa	Charles Anderson	X- Committee	
	Gerald Dorscheid	Vice Treasurer	X
	Robert Zinick		

Rock	Ben Coopman	Alternate	
	Wayne Gustina		X
	Alan Sweeney	Vice Chair	X
	Terry Thomas		X
Sauk	Joel Gaalswijk		
	Rob Sinclair	Assistant Secretary	X
	Scott Alexander		X
Walworth	Marty Krueger	Alternate	
	Jerry Grant		
	Richard Kuhnke	X- Committee	
Waukesha	Allan Polyock		
	Karl Nilson	Chair	X
	Richard Manke		
	Fritz Ruf		

Others present for all or part of the meeting:

Amy Seeboth (SWWRPC / WRRTC Administrator); Frank Huntington & Ron Adams (WisDOT); Ken Lucht & Bill Gardner (WSOR); Virgil Kasper (Pink Lady RTC)

3. Motion accepting Seeboth's certification of Public Notice. *Sweeney / Cornford- passed unanimously.*
4. Motion accepting the Agenda, prepared by Seeboth. *F. Ruf / Gustina - passed unanimously.*
5. Motion approving the draft Sept. Minutes. *Dorscheide / Van Schwartz – passed unanimously.*
6. Public Comment – None
7. Correspondence & Communications – Seeboth passed around two articles on railroads sent to her from Van Schwartz. Thomas said that a past Rock County Commissioner, Bill Agnew, passed away recently and the Commission asked that Seeboth send a card to his family.

## REPORTS & COMMISSION BUSINESS

8. **WRRTC Financial Report**– Jim Matzinger, Dane County CPA / WRRTC Accountant was not present at this meeting. He left copies of the financial report and checks.
  - Motion accepting payment of bills and acknowledging receipt of treasurers report- *Sinclair / Van Schwartz – passed unanimously*
9. **Wisconsin & Southern Railroad's Report on Operations** – Ken Lucht, WSOR, reported on the following:
  - *Monthly Maintenance Activities* – The recent flooding in central and western WI did affect WSOR – they had some service outages in the area for about a week. Fortunately the crest of the flood was very short. They are working on some debris issues at this time.
  - *Update on 2009 & 2010 Capital Rehab Projects* - 2009 capital projects are underway. WSOR has been installing welded rail between Milton Junction and Edgerton. They have ordered a second rail trail to get them to Stoughton. The WSOR invited the Rock County Board of Supervisors out to the site to see the installation. They are also working on a tie installation project on the Monroe Subdivision. Lucht said that he hoped everyone had received their Making Tracks publication, and if not, please let Ken know and he will be sure to get them one. They are working on a 30<sup>th</sup> anniversary publication right now and will be sending that to Commissioners as well when it is ready.

- *Update on TIGER II Funding Request* – WSOR expects announcements on this funding opportunity by the end of the month.

**10. Approval of Wisconsin & Southern Railroad’s 2010 Capital Project and Funding Strategy.** Lucht reported that most WSOR capital projects are funded through the WDOT, and since the DOT has not yet announced rail funding awards this year, they do not know yet what projects they may be working on. WSOR, however, is moving ahead to develop a budget. Lucht reminded the Commission that they have a unique public/private partnership made of the Transit Commissions, WDOT, and WSOR. WSOR has attracted 24 new industries in the last decade and 1,100 new jobs. Specifically, in 2011, they hope to complete the following improvement in the WRRTC area: Milton Junction to Madison (phase 2) rail replacement – with an estimated cost of \$2,746,700. WSOR is asking WDOT to fund 80% (\$2,200,000) and asking each county to contribute \$25,5000 for a total of \$229,160 (or 8% of total project cost). WSOR will pay \$320,200.

- **Motion to approve the WSOR 2010 Capital Project and Funding Strategy as proposed - Sweeney / Gustina – passed unanimously**

**11. WRRTC Administrator’s Report** – Seeboth had no report.

**12. WDOT Update** – Huntington reported that WDOT has about \$30 million to spend on acquisition and rehabilitation of freight rail line- which is a lot more funds than in the past. Despite this, WDOT received applications for \$60-100 million, so funding decisions will not be easy. Additionally, WDOT was recently presented with the opportunity to purchase the Union Pacific line through Madison and up to Reedsburg, which is a priority for WDOT as it will connect all the other Wisconsin lines in Madison. WDOT does not yet know what this acquisition might cost and the cost will affect WDOT’s decisions on what other projects to fund this year. Huntington said that this decision will need to be made sooner than later. The WSOR lease on these lines expires next year.

WDOT is making good progress on the high speed rail project. WDOT and WSOR have been working around the clock some days, trying to get some contracts finalized and set to go. Some contracts have been let already and work will begin in the next several weeks. Ron Adams added that there will be a couple of meetings in the Madison area soon where the team will make recommendations to the City about at-grade crossings and fencing issues, etc. WDOT staff spent most of this week speaking with FRA talking about the funding, there is a lot of oversight from FRA. Out of the \$810 million federal funds Wisconsin has for this project, Wisconsin has been awarded just under \$50 million so far.

Van Schwartz added that Dane County Commissioners have set up a regular meeting with their elected officials to discuss rail issues with them.

**13. Update on Sauk County Rails to Trails Stakeholder Group** – Virgil Kasper (Pink Lady) reminded the Commission that at the last Sauk County meeting it was decided that WSOR, United Cooperative, and other officials to meet to discuss their own needs prior to further moving forward with more group meetings. Huntington added that WDOT has acquired the easement through Badger Ammunition- if not used within a certain period of time for its intended purposes, it can revert to another type of easement (WSOR hasn’t used it for about a year and they have about one more year before they have to use it (rails to trails is likely an allowable use for maintain the easement, but not concurrent use or both)).

*The Commission recessed for a 10 minute break at 11:04*

**14. Report discussion and possible action regarding passenger rail agreements-** Huntington passed around a copy of the existing agreement between WSOR, WDOT and Amtrack. Another agreement, a construction agreement between WDOT and WSOR, covers construction issues along this line. In the Amtrack agreement- page 3, item 5 talks about modifications to the Amtrack-host agreement. WRRTC signed an agreement with WSOR in 2000 to provide passenger rail service into Janesville. That agreement is still in place and applicable to this situation, however, some modifications and amendments will be needed to cover the new service along the Watertown Line. Huntington said that amendments to this and possibly other agreements will be needed throughout the high speed rail negotiations and it may be difficult for the Commission to convene and participate in these updates in a timely fashion. Huntington offered the Commission a few options- one option is to give the chairman/staff (with attorney review) the power to sign off on any changes if they feel that there is nothing controversial in the changes, the other option is to bring any amendments back in Nov. but he is not sure if things will be ready for that meeting.

- **Motion approving amendments to WSOR-Amtrack host agreement adopted in April 2000, (intercity passenger rail operating agreement by and between and Wisconsin river rail transit commission and the Wisconsin & Southern railroad company dated april 17, 2000) allowing Chairman Nilson with attorney review to sign off on changes and bring it to Commission for approval in November or as needed – M. Ruf / Scallon - Passed Unanimously**

**15. Discussion, update and possible action on potential track acquisition from UP between Madison and Reedsburg, and local match requirements** –Huntington said that, as mentioned earlier, WDOT is considering acquiring trackage from Fitchburg to Reedsburg. This came up as a way to resolve an issue in Madison for the High Speed Rail project but this track is also a key hub for their entire system. UP would sell the track as a package, which would include the Merrimac Bridge. WDOT is in preliminary discussions with the UP and are hoping it will move quickly compared to other transactions- perhaps have it completed by mid-next year. A lot of information is still needed, however, before they have a price. Some money might come from high speed rail for the Madison track and the rest would come from the WDOT grant program which would directly cut into other projects. There will likely be no local match needed for the Madison track, but will need one for the Reedsburg line, typically the real estate is 100% funded by the state while track and improvements are funded 80% by state, 20% by local match. They do not have a guess yet as to how much that is at this point. WSOR's lease runs out in October 2011, WDOT believes that they will have a firm number by then and hopefully sooner.

**16. Discussion, update and possible action on potential track acquisition from CP between Madison and Windsor-** Huntington explained that this has also come up because of the High Speed Rail Project. CP said they would sell their track all the way up to Windsor, which is also corridor that is part of WDOT's long-range plan. CP, however, unlike the UP track, would still maintain and operate this track. WDOT has no idea what the price is on this track. WDOT has spoken with CP about a lease and this trackage (approximately seven miles) would likely be added onto the commission's trackage. WDOT has indicated to the CP that there would be some sort of lease fee for the Commission (\$5,000 to the commission) would this occur. This would be the first time that a Wisconsin RTC would have two operating agreements at once, and the first time that an RTC would have an operating agreement with the class 1 railroad. Huntington asked the Commission whether a \$5,000 annual flat lease between CP and the Commission is a fair lease amount to be discussing with the CP.

- **Motion to start lease discussions with CP at \$5,000 and recommend that Commissioner Van Schwartz attend pertinent meetings with CP/WDOT on behalf of the Commission and in the interest of the Commission , subject to negotiation and other pending agreements– Gray / Sweeney – passed unanimously**

**17. Motion adjourning the meeting at 11:54 p.m. - Cornford / M. Ruf - passed unanimously.**

# Walworth County Land Information Advisory Council

## MINUTES

September 2, 2010 – 2:00 p.m.

County Board Room 114 – Government Center  
Elkhorn, Wisconsin

### *Draft*

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The meeting was called to order at approximately 2:07 p.m. by Connie Woolever, Register of Deeds.

Roll Call – Committee members present included Nancy Russell, Connie Woolever, Donna Pruess, Rich Colbert, Michael Cotter, John Orr, Kevin Williams, Jerry Kroupa, Dr. Kurt Bauer, and Craig Workman. A quorum was declared. Kathy Du Bois was absent.

Others present – David Bretl and Dale Drayna.

Approval of the agenda was moved and seconded by Williams and Cotter with no withdrawals, and carried 10-0.

Welcome and Introduction of Members. Woolever welcomed everyone to the first Land Information Advisory Council meeting for Walworth County. Woolever added she is appreciative of everyone willing to serve on the council and taking time out of their busy schedules. She thinks the land information program is a really good program and it has done a lot to modernize the records of Walworth County, and there are more good things to come. Woolever asked everyone to introduce themselves. Craig Workman is the Public Works Director for the Village of Fontana. His association to Land Information Advisory Council is the GIS system. He added it is an important tool in getting information out there. Nancy Russell is the County Board Chair and has been on the Zoning Agency for a number of years. She has seen the accomplishments of the GIS which are really great, and the tax records being on the internet is also really helpful for people who live in the county and people interested in buying property. Kevin Williams is the Captain of Communications. He was recently promoted and was doing Emergency Management. He has been with the Sheriff's Department for over 20 years. He added he has seen a lot of progress with internet-based applications especially those that help with emergency situations. Dale Drayna is a GIS analyst. He added that he is here to help, advise, and provide any insight that he can. John Orr is the Information Technology Director. He added he is excited for putting this council together. He also added that they have worked over a number of years in providing systems to provide better information like land information. He added it is mandatory for this council to oversee the use of funds and projects. He feels there is a broader need in the county and the general public to utilize technology. Donna Pruess is the Real Property Lister. She is responsible for keeping up-to-date ownership information and assessments for taxes. David Bretl is the County Administrator. He added he is not a member of this council, but is here for the inaugural meeting. Rich Colbert is the Supervisor of Programming & GIS Departments. Michael Cotter is the Land Use & Resource Management Director and Deputy Corporation Counsel. He stated it is fun for him to be a part of this council. He added he has been here since 1999. He gave a couple of examples of how technology has progressed within the county, especially with the GIS system. He stated that we have gone from when there would be a 911 dispatch at the Sheriff's Department and they would have to send out two different groups of fire departments because there was a call at W1234 Hwy ES, and at the time there were two W1234 Hwy ES addresses. He also added that before the GIS system was in place, the Zoning Department would have to direct customers to submit their zoning requests in writing along with the \$30 fee, and it would take them a week to fulfill these requests. Now customers can be directed to the GIS system where they can obtain the zoning information on a

property. Dr. Kurt Bauer is the County surveyor and has been previously associated with the Regional Planning Commission. He has done a lot of work with the county and feels it is a good relationship. He added that the government and the county saw fit to carry out a program that placed the foundational elements for a parcel-based land information program upon which we will continue to build. He said that he is pleased to continue to evolve this program. Jerry Kroupa is from Keefe Real Estate, Elkhorn office. He has been selling real estate for 21 years. He said when he first got into business, offices didn't even have fax machines let alone cell phones and computers. He added he is a big user of this system as it saves him a ton of time, and the information it provides is vital to his business. He knows other realtors are overjoyed with what has been done. Connie Woolever is the Register of Deeds for Walworth County. She has been Register of Deeds since July 1998, and has been with the Register of Deeds office since April 1974. She also worked at a title company before that. She added that she has seen great improvements in land records and the modernization of them, and looks forward for more to come.

Election of Chair and Vice-Chair. Woolever began by asking for nominations for Chairperson. Supervisor Russell and Michael Cotter moved and seconded nominating Woolever as Chairperson. Woolever called for any more nominations. Cotter and Supervisor Russell moved and seconded to close nominations. The committee unanimously approved Woolever as chair.

Woolever asked for nominations for Vice-Chairperson. Cotter and Orr moved and seconded nominating Kroupa as Vice-Chairperson. Woolever called for any more nominations. Cotter and Workman moved and seconded to close nominations. The committee unanimously approved Kroupa as vice-chair.

Brief description of council duties; rules to conduct business by County Administrator. Bretl thanked everyone for coming today and taking part in this committee and process. He added he is not a big proponent of forming committees as what often happens is when the legislature has a problem or has a sum of money they don't know what to do with, they decide to form a committee. He added that many committees are not that vibrant or effective, and they take a lot of time and money. Bretl thinks this committee is a good idea as it will get a broad range of people together regarding this system.

Bretl added that the ordinance was created as required by state legislature to have this group. The ordinance creates a local spin on it which applies to himself and future county administrators. Under state law, the county administrator provides the first draft of the budget to the county board. The ordinance states the recommendations of this council will go to the county administrator then go to the county board and will ideally be included in the budget. He is not bound to put them in the budget but it has to be noted and the board has to be aware of the committee's recommendations.

Bretl also added for those not familiar with public meetings, it is important to stay on agenda and not deviate from it, and anything you want to discuss should be included on the agenda. The agenda has to be posted 24 hours prior to meeting. Meetings are held in open session, doors will be open, and the public is welcome to attend. Bretl added these are some of the legal requirements of meetings. He also encouraged everyone to share their thoughts if they feel that the meetings are not a productive use of time, or if they have suggestions of more productive

ways of meeting. There is a lot of money that this committee is going to have a say over. He added that he hopes members' recommendations are visionary and are the kind that will incorporate the whole county and not just a particular segment of it. He also added that this council needs to follow ground rules to try and help as many folks in the county as you can, think of useful ways to use the money, and need to figure out what the best priorities are. He added he truly appreciates everyone taking the time to serve on this committee and looks forward to hearing recommendations not only now but in the future.

Description of Land Information accounts and current totals. Handouts were provided by Colbert on the land information accounts. Colbert stated there are two accounts: Land Modernization Fees and Public Access Fees. Both are collected by the Register of Deeds. Recent legislation changes made it a \$25 flat fee for recording a document. We previously received \$4 for land modernization and \$1 for public access. With the increase in the recording fee, we now receive \$6 for land modernization and \$2 for public access. There is quite a sum of money in these accounts. The state dictates what can be done with these accounts. The land modernization fund is more for internal and foundational things as Bauer had mentioned, such as infrastructure, servers as well as consulting.

Second handout provided by Colbert is the Land Records Modernization Plan, which is due every five years. This plan is due in October, but it was extended due to the formation of this council. Colbert added that we can amend this plan at any time, but the plan must still be submitted in October. They have gone over it and think it is a pretty comprehensive plan, but throughout this council we can amend it if we come up with some new ideas. We are dealing in generalities in this plan so we are not pigeonholed for every project. Colbert added that we will find some vague specificity in plan.

The GIS system is covered by the Public Access fund as well as the server that houses the GIS system. No real layers come out of the public access fund. Any layers that are developed and maintained come out of the land modernization fund. Colbert also added any servers that house internal data come out of the land modernization fund.

Colbert added that this is the initial meeting of the council and everyone is getting hit with information never seen before. Woolever added that the plan is for the council to meet quarterly for the first year, and then we will meet a couple of times per year. Orr added that they are in a catch 22 because they have to have the plan submitted by October, and then the state wanted the council formed. He also added that this plan can be amended at any time. Bauer asked if it is their intent to have the council formally approve this plan. Orr answered yes, but not today. Bauer added that he knows of another county's council having one week to review and approve their plan. He believes this would warrant a major agenda item. Specific date the plan must be submitted is October 1st. Orr added that we can make this a major agenda item at next meeting, make any changes and resubmit the plan. Woolever added that it makes sense to her to submit the plan as is, then review it at next meeting. Williams asked if we can submit plan without council's approval. Colbert answered yes as they have been doing that for years. Orr stated we can go ahead and submit it, then go over it and talk about it at the next meeting. Williams stated that since it has historically been approved without the council, it should become an agenda item at next meeting. This is acceptable to everyone and will proceed. Colbert stated that he can be contacted at any time with questions and he will document any correspondence.

Brief description of past projects. Handout provided by Colbert, which outlines past projects, current projects, and future projects. Colbert added that they wanted to show what they have been doing with the funds over the last couple of years, such as new servers in 2008 for the new GIS software. He asked if he should go through each item in handout. Woolever added that she didn't think it was necessary as they are clearly outlined in the handout.

Cotter asked when the old GIS system will be taken offline. Colbert stated that what they are experiencing is that people are still using the old system. It was supposed to be shut down August 31<sup>st</sup>; however, they are finding that it is not a smart thing to do right now. He also added that he has been working with Drayna on putting something on the land information page telling people that there is a new system out there. They need to find a strategy to get people to use the new system. Colbert adds that the old GIS system will be out there for awhile. Orr added that they have had a number of training sessions and that it may be better to offer more. Drayna stated he has had between 150-170 people at these training sessions, however, there are still people out there using old system as he still gets phone calls from people stating they can do certain things on the old system but unable to do them on the new GIS system. He also added that it is not negatively affecting us by having both systems out there as it is the same data and they are on the same server. He said he still has to maintain both systems, but the old system is pretty solid and doesn't usually go down.

Cotter asked if the funding from the public access fund can be used for training. Colbert stated the IT department does not charge for training sessions. Cotter added that there are still costs involved with training. Colbert added that outside training comes out of the land modernization fund. Drayna added that there is a new thing on the server to track how many people are using the system. It averages 600-650 people per day going to the website. He has trained mostly realtors and municipalities. He also created a bulk email from the information collected from training participants, which he is hoping will spread the word that there is this application out there and training is available. He has also put this information on the website. Drayna added that not everyone goes through the county homepage as they already know where they need to go on the county website. He said that he has done his best to get the word out there and to reach out to a broader spectrum of people. Colbert added that Drayna has gone to Keefe to train their staff on the new system, which Keefe requested. Drayna added there were between 30-35 people at this training. He added that he had done training sessions last year on the old GIS system for the Kiwanis Club and Lakes Area Realtors Association. He did contact the Lakes Area Realtors Association about doing training sessions for the new system, but he did not receive a response. Colbert asked Cotter if he means to use the funds to help get the word out about the new system and training sessions. Cotter added that he was thinking more of covering Drayna's costs of doing the trainings as he feels it is a great service. Colbert added that the funds could be used to cover Drayna's mileage but it is his job to do the trainings. Orr added that he thinks that Cotter is making a good point. He also added that Drayna could be doing expense reports for mileage since currently these costs come out of the I.T. Department budget and doing these reports could eliminate that. Colbert added that right now mileage comes out of the land modernization fund. Cotter suggested using the funds to cover Drayna's salary. Colbert stated that they are trying to stay away from salary, and avoid bumping anything into the fund since the SEWRPC surveyor fee is in there and it's quite a chunk of change. Williams added that he doesn't know where this money is supposed to be going but one of the issues he has run into is that time and salary are already budgeted, therefore, cannot use grant dollars for them. He suggested to Orr and Colbert

that we need to determine what the bracket rights and restrictions are for this. Colbert asked if anyone has any questions on the project list. Woolever asked if the 2011 projects are included in this handout. Colbert stated that the 2011 projects are on the back of the handout.

2011 Projects. Colbert stated the only thing slated for 2011 is taking the historical aerial photography back to 1947 and adding those as layers into the GIS system under the orthophotography category. Cotter added that Chris from LURM was working on that and it will be great to get those maps scanned in as the maps are getting really brittle. Colbert added that once this is done, we wouldn't need the hard copies of the maps anymore. Cotter asked when the over flight is. Colbert stated that the flight already happened and photo will be available in December.

Colbert added that for the 2011 budget before the council was formed, it was decided to put \$50,000 in consulting budget. Therefore, if we come up with ideas during 2011 and want to pursue those, we have some money to do it. The idea for the council for the 2012 budget, which happens throughout 2011, is to decide what we want to do and submit those as budget proposals with the actual dollars associated with those projects. Orr added that one of the ideas we had was quarterly meetings for the first year. We will meet again in December and share ideas as to what we ought to do to progress this technology and decide on what those projects will be. Then, we have two to three months to go and find out what the costs will be for these types of projects. The council will then meet again in March to discuss the costs associated with these projects, and decide if it's the direction we want to go in. This is what can be done for the 2012 budget. For the 2011 budget, we put some money in the budget for this year to take care of any items or ideas that may arise.

Future Project Ideas. Woolever stated that if anyone has any ideas to share them as they can be worked on and also get some figures together. Colbert stated he has a couple of ideas as there are major systems that need replacing. The tax system has been around since the mid 1980's. We plan on replacing this in 2012, as well as converting tax parcel IDs at the same time. Also, the LURM system needs to be replaced and analyzed. Colbert added that they are trying to get away from the AS/400 system. We would not be replacing the LURM system in 2012, but sometime in the future. Also, in 2012, DPW is supposed to have a sign inventory system in place so this is something else the council is going to have to look at. He said that these will be purchased systems; therefore, we do not know the costs at this time. He also added that a topographic update needs to be done. He added that all of these systems are going to be expensive.

Spending Plan. Colbert added that as Bretl was saying, we do not want to use all of the money at once on one item. Council needs to decide how we are going to go about establishing a yearly percentage of what's going to be spent and how we are going to allocate those dollars over one or more projects and supplement that with tax money. Colbert asked the council what are some ideas they have in doing this. Workman stated that we need to get cost estimates on these projects and figure out what kind of spending we're going to be doing sooner rather than later. He said he knows that updating the elevation and building footprints is going to be expensive. He also asked how much of that data can be taken from aerial photography and can there be guys on the ground collecting this information by surveying. Also regarding the sign inventory, he asked if it is possible to send a worker out with a GPS collector. He added that he knows the

reflectivity analyses can get pretty expensive. Workman said we need to put some rough cost estimates so we can prioritize in that fashion. Colbert asked if it would be better to prioritize the projects first then get costs. He added that he would hate to be chasing four to five projects knowing that three of them are not going to go. It is a long process doing RFPs. He added that he is unsure of what the most effective way to go about this is. Cotter added he understands Workman's idea and asked if he means he would want a general idea before even moving ahead without an RFP, if possible. Workman added he wasn't inferring that we need to do an RFP on every project as that is not fair to the professionals who have to do the work to put the RFP together as well as the work to respond to an RFP. He added putting cost estimates may be going a little overboard and he is not sure if there is a way to do rough calculations on what we are talking about. He added that maybe the council could prioritize in two different fashions – our wants and what we can afford. Williams added that he would need more information and would like to see rough cost estimates on these projects. He asked if any of these projects have to be done within a calendar year or if there is a way to spread them out over a couple of years so we can set money aside for them while doing other projects. Colbert stated that these projects are huge. Colbert believes we would have to budget for that year. Bretl added that generally you would budget for that year, but it is possible to appropriate money over time. The danger you run into with that is having a board that doesn't want to do the project anymore. He added with the exception of large projects, for what we are discussing, you would budget for that year.

Russell added that they have been talking about assessments in the Finance Committee. She added that the county takes responsibility for those and before we can make any changes, there had to be a change in the way we do those things. She stated she is unsure if any of those things we've talked about would cover that. Colbert added he was also at that meeting. He said that it would be part of the specifications of the tax system to handle this. He asked if we are trying to move towards keeping the debt in the municipality. Russell added that for a long time, the county has taken on these assessments so that if the property owner does not pay their taxes, it eventually becomes county property. The county has accepted all these assessments and has done so every year. She said that it hasn't been an issue until recently as we are now seeing more and more delinquent taxes and foreclosures, and it could become a big issue for the county. She also added that the county has a lot of assessments out there in certain areas of the county and it's growing. She said that the question is, if it is really fair to all the taxpayers of Walworth County to pay for a sewer system, for example, in Lyons Township. The taxpayers might not think that is the case. Colbert added this would be included in the new tax system software. Russell added that nothing can be done about it right now as it would require a lot of manual work. Colbert added that it was Kathy Du Bois' decision to hold off on this and see if can get the functionality in place first. Russell added we would want to give the municipalities years notice before going further with this. Orr added that part of the specifications was to give the municipalities access to the county system to assist with this. He also added there is going to be an RFI early in the year for this to get costs of this project so we can get it in Bretl's budget. He added that the council needs to decide what percentage we want to allocate out of these funds for this project.

Cotter reiterated what our homework is for the next meeting, such as reviewing land modernization plan, coming up with a list of future projects and any that are mandatory, and a general spending policy by looking at expenses for the last couple of years to get an idea on costs. He asked if it's possible to get any ballpark costs for these projects. Colbert stated that it

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wouldn't be easy, but it could be done. Orr added that they would need to do more analysis. Colbert added that the tax parcel and LURM systems will be hundreds of thousands of dollars. Orr added that we could put an estimate of \$350,000 in budget for tax parcel system. Colbert asked the council if we should establish a benchmark each year for what is going to be spent on projects. He gave an example of budgeting \$120,000 in revenue for the land modernization fund. He asked the council if we would want to spend 150% of revenue to keep us from "blowing" \$700,000. He added that the council needs to agree on what it's going to be and that it's going to keep us within our means. He also stated that there is not much that is mandated. The tax parcel ID system is not mandated but we have been putting it off for a long time, so it's time to do it. Also, the LURM system does not need to be replaced right away. Colbert also added that we do not need to have two to three massive projects each year. He asked the council to think about what the most effective way to do this is and what kind of pace we want to establish.

Woolever asked everyone to think of a general policy on how to spend the funds that are available and will discuss it further at the next meeting. Woolever stated that as discussed the council will be meeting quarterly for the first year, and then meeting a couple of times per year. Discussion began with comparing schedules for scheduling next council meeting. Woolever tentatively scheduled the next Council meeting for Wednesday, December 1, 2010 at 10:00 a.m. Russell asked if the minutes can be distributed before the next meeting as they are a good reference. Bauer added that a major agenda item for the next meeting should be the approval of the Land Modernization Plan. Colbert asked if there can be a list of contact information of all the members. Woolever stated that she had already prepared a list with members' contact information and sent it via e-mail to everyone.

Set/confirm next meeting date and time. The next meeting for the Land Information Advisory Council was scheduled for December 1, 2010 at 10:00 a.m.

Adjournment. On motion and second by Williams and Pruess, Chairperson Woolever adjourned the meeting at approximately 3:03 p.m.

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Respectfully submitted by Nicole Hill, Recording Secretary for the Land Information Advisory Council. These minutes are not official until approved by the committee.