

**DRAFT**

**Walworth County Board of Supervisors  
Public Works Committee  
MEETING MINUTES  
Monday, December 20, 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 4:00 p.m.

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

Others present:

County Staff:

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

Members of the public:

Paula Hocking, Children's Service Society of Wisconsin

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

**Supervisors Wardle and Stacey moved to approve the December 14, 2010 meeting minutes as prepared. The motion carried 5-0.**

**Public comment period.** There were no members of the public in the audience. No one asked for recognition by the chair.

**Ongoing/unfinished business**

**Proposal to enter into a lease agreement with Children's Service Society of Wisconsin for office space for the Walworth County Child Advocacy Center**

Crawford drew attention to December 8, 2010 letter from Deb Lemke, Business Operations Director for Children's Service Society of Wisconsin. In the letter, the Society responded to points of clarification requested by Crawford and raised some issues for discussion. The principal concern of Children's Hospital and Health System (CHHS) was the not to exceed construction cost of \$275,000, as they are not in a position to enter into an agreement without a limit on the potential cost for construction. CHHS is amenable to an interest rate adjustment after five years. They requested that the interest rate be 4% for years 1-5 of the lease term, and that years 6-10 be based on the prime rate plus 0.5%, with a floor of 4% and a ceiling on the interest rate of 8%. Third, CHHS addressed responsibility for maintenance, asking that the county as landlord be responsible for plumbing, HVAC and electrical (usually standard in most operating leases). Any additions viewed as adding to the long-term value of the space they felt should be borne by the county. Crawford stated that bidding a project with a "not to exceed" cost is not good form – as a rule bids come in just under the limit and are not competitive. He spoke with officials about this and they agreed to abide by our RFP process, provided they are included in the bid opening and evaluation, which Crawford recommended. The December 16, 2010 response from Deb Lemke was handed out prior to the meeting, and includes three points of discussion and understanding reached by Crawford and CHHS: (1) the RFP would be released without a "not to exceed" figure; (2) responses to the RFP would be jointly evaluated, and if the proposals are unacceptable by either party for any reason, neither party would be obligated to move forward; (3) if CHHS elects to move forward, change orders

that come forth with costs above the project will be jointly reviewed and CHHS would have the right to reject any. The county would also review them to determine if such change orders are desirable and should be paid by the county – i.e., those changes adding to the long-term value of the space. In addition, CHHS included language with further delineating proposed maintenance responsibilities of both parties. County Administrator David Bretl said the committee would probably want to convene in closed session to develop a negotiating position, and that there are only a few areas of difference to be discussed. District Attorney Phil Koss, representing the Walworth County Alliance for Children, and Paula Hocking, representing the Children’s Service Society of Wisconsin, addressed the committee by stating that they had no additional presentation and would be happy to answer any specific questions from the committee. Bretl asked about after-hours access to the building and ADA access to the second floor of the building. Hocking said that evening interviews are seldom, if ever, conducted with children. The Elkhorn Chief of Police has offered access to their department and elevator, should the need arise, and they of course have officers available 24 hours a day. Crawford is waiting for verification on the ADA requirements from Children’s architect. Supervisor Schaefer asked about revenue sources for rent. Koss replied that the Alliance and Children’s have their own revenue sources – the Alliance is principally funded through donations and Children’s Service Society also receives federal and state grants. Both are not-for-profit organizations. Schaefer was concerned about charging interest to the non-profit organizations and Crawford reiterated the ceiling on the percentage of interest through the lease term. The Chair expressed her concern with unforeseen expenses that may be encountered during renovation, and Bretl concurred, stating that those points could be addressed candidly during closed session.

**Closed session to discuss negotiation of lease terms for Walworth County Child Advocacy Center Supervisors Stacey and Ingersoll moved to convene in closed session pursuant to the exemption contained in Wisconsin Statutes section 19.85(1)(e). Roll call vote was taken: Ingersoll-yes, Russell-yes, Schaefer-yes, Stacey-yes, and Wardle-yes.**

The meeting continued in closed session at 4:16 p.m.

**Supervisors Schaefer and Wardle moved to reconvene in open session at 4:44 p.m. The motion carried 5-0.**

**Supervisors Stacey and Schaefer moved to direct staff to proceed consistent with closed session discussion to prepare a draft lease agreement for consideration and approval by the County Board. The motion carried 5-0.**

### **Regular Business**

#### **Bid specifications for Jail/Huber workstation project**

**Supervisors Stacey and Wardle moved to approve the bid specifications for the Jail/Huber workstation project.**

Jail Administrator Mike Schmitz explained that there are seven workstations to replace/rebuild in various areas in the jail, and that he believed there is \$50,000 in jail assessment funds for the project. If the bids should come in higher than anticipated, Schmitz reported that some of the workstation replacements could be deferred. **The motion carried 5-0.**

#### **Bid specifications for Versatile Track System for Case Skid Steer**

Crawford drew attention to the summarized specifications in the packets. Director of Operations Larry Price and Assistant Superintendents Don Kreft and Dave Woodhouse answered questions on the system. In response to Supervisor Stacey’s question as to whether this system is a “need” or a “want”, Woodhouse reported that it will allow crews to do a better job, as they wouldn’t have to go back over a work area and repair damage caused by the wheel loaders when grooming shoulders, etc. In addition, it will accomplish work more efficiently and enable crews to get into wet ground without having to wait for it to dry before working in an area. The system will be utilized principally for State roadwork and we would be reimbursed through our Routine Maintenance Agreement. Price added that crews would be able to do extra work for the state because they will be able to get into areas that aren’t accessible with the wheel loaders. The system wouldn’t be used on hard pavement, but can be switched over within a half hour,

thus saving work time. **Supervisors Schaefer and Ingersoll moved approval of the bid specifications for the versatile track system for the Case skid steer. The motion carried 5-0.**

#### **Bid specifications for 2011 CTH A roadwork project**

Crawford noted that the summarized bid specifications were distributed prior to the meeting for the reconditioning of CTH A from the west county line to CTH ES (Town of Troy) and CTH ES from CTH A to West Street in the Village of East Troy (19.3 miles). Crawford said the detailed specifications from the engineer should be in the Public Works Department by the end of January if anyone wanted to review them. An alternate will be added for the intersection at CTH A and ES. CTH J roadwork (bid specifications previously approved by committee) will also be done in 2011. Crawford said the bid letting would be later than originally anticipated upon the recommendation of our engineers. **Supervisors Ingersoll and Stacey moved to approve the bid specifications for the 2011 CTH A roadwork project.** In response to Supervisor Schaefer's question, Price reported that asphalt prices this year are approximately \$48.52 a ton this year, given the escalation in oil prices, etc. The reconditioning will cost approximately \$250,000 - \$300,000 per mile, depending on the base work required. Also, both shoulders will be widened a bit to allow for bicycle traffic, etc., he added. Kreft reported that anticipated life expectancy in the case of a reconstruction project is approximately 20 years. Price added that with the county's proactive seal coating program (averaging 30 miles per year), we have extended the lives of our roads by almost 15 years. **The Chair called for a vote and the motion carried 5-0.**

**Prequalification for mechanical repair services of heavy trucks and off-road equipment** Crawford reported that this allows the prequalified vendors to submit pricing when outside repairs are needed. **Supervisors Schaefer and Wardle moved approval of the prequalification for mechanical repair services of heavy trucks and off-road equipment. The motion carried 5-0.**

**Bid recommendation for generator load bank testing, automatic switch maintenance and generator** **Supervisors Wardle and Ingersoll moved approval of the bid award to LionHeart Engineering for generator load bank testing, automatic transfer switch maintenance and generator preventive maintenance services. The motion carried 5-0.**

#### **Discussion/possible action concerning 2010-2011 Routine Maintenance Agreements**

Crawford referred to the December 17 letter from Rory Rhinesmith, Statewide Business Operations Director for the Wisconsin Department of Transportation. Crawford requested the committee authorize him to sign the RMA to guarantee payment by the State. Their finance division would not commit to ensuring payments to counties who haven't signed the agreements. The southeast region has been communicating their concerns with the inadequate funding to accomplish their level of service demands, and discussions are continuing. Crawford said he hoped relations will improve as a result and that the future RMAs would better address the concerns of counties. Signing the 2010 RMA in no way obligates the county to committing to the 2011 RMA, Crawford added. Governor elect Walker has pledged he wouldn't cut transportation funding, Crawford said, but with the change in administration, he recommended not objecting too vociferously until we get a sense of the political climate at the state level. **Supervisors Wardle and Russell moved to authorize Shane Crawford to sign the 2010 Routine Maintenance Agreement. The motion carried 5-0.**

#### **Change order requests**

##### **Government Center roof project – center and east wings**

Change order EC-NR-002 is a 1% deduction from the contract for the east and center roof repair at the Government Center to extend the completion deadline to April 30, 2011. **Supervisors Schaefer and Ingersoll moved approval of EC-NR-002 in the amount of \$(2,182). The motion carried 5-0.**

**Final pay requests**

**Government Center Multipurpose Room project (Tri-North Builders)**

**Supervisors Ingersoll and Wardle moved approval of the final pay request from Tri-North Builders in the amount of \$11,761.69 for the multipurpose room project. The motion carried unanimously.**

**County parking lot renovation projects (B.R. Amon & Sons)**

**Upon request by Crawford, Supervisors Stacey and Wardle moved to table the pay request from B.R. Amon for 30 days. The motion carried 5-0.**

**CTH G bridge project (Mann Brothers, Inc.)**

**Supervisors Wardle and Stacey moved to approve the final payment request from Mann Brothers for the CTH G bridge renovations, in the amount of \$40,525.33. The motion carried 5-0.**

**Next regularly scheduled Public Works Committee meeting date and time: Monday, January 17, 2011 – 4:00 p.m.**

**Adjournment**

**Upon motion by Supervisors Stacey and Schaefer and unanimous vote, the meeting adjourned at 5:14 p.m.**

Meeting 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, December 20, 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; Carl Redenius, Walworth County Board Supervisor, Attorney Anthony Coletti, Greg Igl, USDA/NRCS; Shirley Grant, Joe McHugh/ Geneva Lakes Conservancy; Beverly Gamane, Lynn Lein and Robert McIndoe, Spring Prairie township

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

Approval of the Minutes – **Supervisors Grant and Hawkins moved and seconded approval of the November 15, 2010 LCC meeting minutes as presented. Motion carried 5-0.**

Public Comment – No general public comments. Public comments, if necessary will be made during the agenda item discussions.

WLWCA Conference Report - Dorothy Burwell reported that it was one of the best conferences to date with the main speaker being new director of NACD who was instrumental for getting a sizeable grant from the Walton Foundation for Dane County. The only resolution important to Walworth County was the support of legislation requiring comprehensive well testing; which by a narrow margin. Breakout sessions included storm water management and successful lobbying of legislators

WLWCA Update Related to Resolution #3, Supporting Legislation to Comprehensive Well Water Testing Prior to Real Estate Transfers – The legislation involves testing prior to the transfer or sale of property. Testing, if passed, would include coli form bacteria, nitrates, heavy metals, volatile compounds, and radium. In Walworth County, private individuals do the well testing and sanitation inspections for real estate transactions. In some counties, the county does well testing and sanitation inspections for real estate, and a mandate may come up in future legislation.

Correspondence to Mary Beth Gibbons-Adams – Referred from CZA. Michael Cotter suggested placing the letter on file, since staff has discussed the issue at length and during the Smart Growth process.

**Supervisors Grant and Hawkins moved and seconded placing the correspondence on file. Motion carried 5-0**

Farmland Preservation Plan Policy Options and Considerations - Louise Olson reminded the committee their role is to review and make recommendations. The Farmland Preservation Plan draft hearing is set for sometime in October, 2011. The Zoning Ordinance changes related to FPP will be set for the end of

2012. The LCC is considered part of the public participation FPP process per statutory requirements. The staff was instructed at the November 15, 2010 meeting to correspond with DATCP asking the questions they deem appropriate related to dealing with nonmetallic mining and the Walworth County Farmland Preservation zoning ordinance. Ms Olson assured the LCC the information was reviewed with staff, DATCP, UW Extension, and other counties throughout the state. As part of the packet, definitions were provided from s.s.Ch. 91 and Ch 92. Fay Amerson explained the five policy options and considerations including discussion of the language in the state statute, reflections from the Comp Plan, public opinion from Comp Plan deliberation. Advantages and disadvantages for each of the policy consideration have been reviewed impartially by LURM staff.

A. Non Metallic Mining – Fay Amerson said we are revisiting non metallic mining from the November (2010) LCC Meeting. The question to act upon is, “Should the Farmland Preservation Plan recommend a new policy related to non metallic mining in Agricultural Preservation Areas, by allowing nonmetallic mining with a County approved Conditional Use Permit?” Neal Frauenfelder reminded the LCC that the concern was for the conversion fee for non metallic mining for gravel pits. Chair Kilkenny asked if it would be possible to create an additional farmland preservation zoning district such as A-1 M, to allow a non-metallic mineral extraction operation after a rezone and conditional use hearing at both the town and county level only for farmland preservation areas. It could be allowed on a case by case basis to assure possible mineral extraction areas are kept confidential. The zoning district approach would preserve the veto authority for both the towns and county. **Citizen Member Burwell and Supervisor Grant moved and seconded to have staff contact DATCP to determine their opinion on the non metallic mining item for discussion.** Discussion followed regarding authority to refuse mining even though it is zoned the new A1-M designation. **Motion carried 5-0.**

B. Non-Farm Residences – Matt Weidensee said the farmland preservation statutes allow for there to be additional residences added under farmland preservation. The policy question is, “Should the Farmland Preservation Plan recommend some level of residential development in a Farmland Preservation Zoning District?” DATCP’s concept is to allow non farm residences as long as they are not greater than a ratio of 1 residence for each 20 acres. There cannot be more than 4 non-farm residences plus the existing farm residence on the parcel. Advantages and disadvantages to allowing residential development were explored. The staff had concerns about the *base farm tract* concept on property rights and the applicability of the forms of property ownership. Discussion followed about the county’s more restrictive policy of 35 acre minimum lot size requirement. **Citizen Member Burwell and USDA/FSA Representative Henningfeld moved and seconded to confirm the present 35 acre lot size requirement. Motion carried 5-0.**

C. AEA – Fay Amerson said this is a new, non-regulatory tool which allows for additional tax credits to landowners. There were three policy questions regarding Agricultural Enterprise Areas. 1.) “Should the Farmland Preservation Plan support the establishment of AEAs in Walworth County” 2.) “Should the Farmland Preservation Plan recommend areas where AEAs should be established?” and 3.) “Should the Farmland Preservation Plan recommend that the County establish a procedure for accepting and signing onto petitions to establish Agricultural Enterprise Areas?” Discussion followed regarding the county’s role in AEAs. **USDA/FSA Representative Henningfeld and Supervisor Grant moved and seconded to support the establishment of AEAs in Walworth County, to NOT recommend areas where AEAs should be established, and to recommend that the staff establish a procedure for accepting and signing onto petitions to establish Agricultural Enterprise Areas. Motion carried 5-0.**

D. PACE – Fay Amerson said Purchase of Agricultural Conservation Easements is another tool for the

purchase of development rights on agricultural land. The state has appropriated in their bi-annual budget \$12,000,000. in bonds to fund the grant program which pays for 50% of the costs and a local entity paying the other 50%. Joe McHugh, Geneva Lakes Conservancy suggested an ad hoc committee with a liaison from the County, Farm Bureau, UW Extension, etc. Policy considerations were, 1.) “Should the Farmland Preservation Plan support the use of the PACE program in Walworth County?” 2.) “Should the Farmland Preservation Plan recommend areas where PACE Grants should be directed?”, 3.) “Should the Farmland Preservation Plan recommend that the County establish a procedure for processing PACE Grant Applications?”, and 4.) “Should the Farmland Preservation Plan recommend the County establish a Walworth County Farmland Preservation Legacy Fund for the purchase of agricultural easements on targeted Walworth County farmlands?” Discussion followed regarding the 4 policy considerations.

**Citizen Member Burwell and Supervisor Hawkins moved and seconded the Farmland Preservation Program support the use of the PACE program in Walworth County, recommend areas where PACE Grants should be directed, and recommend that the County establish a procedure for processing PACE Grant applications** Mr Cotter recommend the ad hoc committee for a *Walworth County Farmland Preservation Legacy Fund* to purchase agricultural easements on targeted Walworth County farmlands not be part of the motion. Chair Kilkenny said the establishment of a *Walworth County Farmland Preservation Legacy Fund* would be a funding question subject to Walworth County Board policy recommendations **Motion carried 5-0.**

E. Agricultural Related Uses – Deb Grube gave the policy questions, “1.) Should the Farmland Preservation Plan recommend further consideration of the following uses (currently permitted as a conditional use in the A-1 district) within an Agricultural Preservation Zoning District? ● Bottling of Spring Water, ● Production of animal and marine fat and oils, ● Off season storage facilities, ● Land Restoration, ● Business directory signs (exceeding two), ● Sewage Disposal Plants, ● Airports, airstrips and landing fields, ● Governmental and cultural uses such as . . . park and ride facilities, ● Utilities, provided all principal structures . . . except business, park and industrial, ● Schools and Churches, ● Contractor storage yards, ● Flea markets.” And “2.) Should the Farmland Preservation Plan recommend further consideration of the following uses for additional agricultural-related uses and accessory uses, within an Agricultural Preservation Zoning District? ● Commercial horse barns, ● Farm Food Service (restaurant)” Discussion followed. **Supervisor Grant and Citizen Member Burwell moved and seconded to have the Farmland Preservation Plan recommend further consideration to the above listed uses and additional uses with the exception of Bottling of Spring Water, Schools and Churches, and Flea Markets. Motion carried 5-0.**

Proposed Zoning Ordinance Amendment referred by County Zoning Agency related to Farm Food Service in the A-4 Districts as a Farm Family Business - Bob McIndoe representing the town of Spring Prairie spoke and said they supported the proposed ordinance amendment and said Yuppy Hill Poultry Farm. was a prime example of what can be done with a farm family business. Ms Lynn Lein features her own egg and pork products in a small café open only 5 hours on Sunday, and was written up favorably in the Milwaukee Journal/Sentinel. Mr. McIndoe said what constitutes an agricultural related businesses have been a long debate. The Spring Prairie Board and Planning Commission think the enterprise run by Lynn Lein is a model, and ideal for a farm family business. Attorney Colletti concurred with Mr. McIndoe. Deb Grube said that Yuppy Hill is a qualifying use as a conditional use. County Board Chair Russell said she supports it since this use goes along with Dairy Breakfast and provides a farm family business without forcing a rezone into a business district which is far more desirable. **Citizen Member Burwell and USDA/FSA Representative Henningfeld moved and seconded supporting the ordinance amendment. Motion carrier 5-0**

Next Meeting Date – Monday, January 17, 2011 at 1:30 p.m.

Adjournment – **On motion and second by Supervisor Grant and Hawkins, Chair Kilkenny adjourned the meeting at 3:19 p.m. Motion carried 5-0.**

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



**Walworth County Board Finance Committee  
MEETING MINUTES  
Tuesday, December 14, 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 4:30 p.m..

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

**Board members present:** Richard Brandl, Kathy Ingersoll, David Weber.

**County staff present:** David Bretl-County Administration/Corporation Counsel; Nicki Andersen, Jessica Lanser-Finance; Linda Seemeyer-Health & Human Services; Bernadette Janiszewski-Lakeland Health Care Center; Tracy Moate-Lakeland School; Shane Crawford, Peggy Watson-Public Works; Kathy Du Bois-Treasurer's Office.

**Public in attendance:** Brad Viegut, Robert W. Baird & Co.

**Agenda withdrawals** — There were no agenda withdrawals. **Motion by Schaefer/Stacey to approve the agenda; carried 5-0.** To maximize time, agenda items may be taken out of order.

Bretl reminded everyone that the county will soon implement streaming video of the County Board and committee meetings. As part of the process, we are injecting more formality into our meetings in that those who wish to speak must be recognized by the Chair. Once recognized, hold down the button to activate the microphone and speak directly into it. This process applies to visitors as well as committee members, and will ensure good quality for the audio.

**Approval of minutes of last meeting(s)** — November 18, 2010 — **Stacey/Schaefer moved to approve the meeting minutes; carried 5-0.**

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

**New business**

**Resolution No. \*\*-01/11 Initial Resolution Authorizing Not to Exceed \$7,740,000 General Obligation Promissory Notes for Highway projects** — Andersen introduced Brad Viegut, our financial consultant from Robert W. Baird & Co. The agenda packet includes the county's proposed financing plan for 2011 and an initial borrowing resolution which will be presented to the full Board.

Viegut explained that the resolution authorizes bonding to fund road projects already approved in the county's 2011 capital improvement plan. The 10-year repayment schedule is consistent with our past financing, and the last 2 years of the bond are eligible to be called, if we choose. The

authorizing resolution is the first step in the borrowing process. In the spring, Baird and county staff will take steps to bring the issue to market. An Official Statement, or disclosure document, will be prepared, and we will subscribe to Moody's Investors Service for a bond rating. The county's last rating, in 2008, was Aa2. Since then, Moody's recalibrated their ratings scale and Walworth County is now rated one level higher, at Aa1. This is Moody's second highest level and Viegut doesn't see anything which might change that rating. In July or August of 2011, Baird will finalize interest rates and an award resolution will be forwarded to the Board for approval. He explained that the financing plan reflects the county's existing debt payments. The plan shows 2011 financing with an estimated interest rate of 3.2%, which is based on the current market with a little cushion. For planning purposes, hypothetical future financings are included so the structure of the repayment schedule avoids peaks and valleys.

Giving consideration to the long term, Bretl thinks it may be advantageous to the county to fund an increasing share of road projects from the levy rather than borrowing. Our decision in 1999 or 2000 to borrow for such projects allowed us to remain under the levy cap. We gave much thought to that decision. Roadwork is a process in perpetuity. With a building, you want to share the burden over its useful life, but road projects don't have the same equity issue. We have already started adjusting our schedule to minimize borrowing costs and maximize bidding. Roadwork is now done every other year, with engineering scheduled for the off years. Establishing fund balances was a step towards not having to issue debt for these projects. Schaefer wondered how much we borrow for roads. Andersen said we aren't issuing bonds for the entire cost. The \$7.74 million bonds are part of it but some funding will be from other sources. Schaefer asked how funds remaining at the end of a fiscal year are handled. Andersen replied that the policy adopted by the Board is to not use those funds until the fiscal year is closed. At that point, uncommitted funds are used for capital or other one-time expenditures in the upcoming year. We don't yet have the figures for 2010. She added that the 2011 capital plan for roadwork is significantly higher than has generally been the case but that is due to the nature of the upcoming road project. Bretl's preference is to wean back our borrowing. He had hoped to begin with the 2011 budget but this particular project is an ambitious one. Roadwork used to cost about \$50,000 per mile of road, according to Crawford. Overlays are now around \$300,000, which adds up quickly. The highway scheduled for 2011 basically runs west to east through the county and is a big project. Schaefer asked how many miles of road the county maintains. Bretl thought it was close to 500 lane miles, so about half of that would be county roads. **Kilkenny/Schaefer moved to approve the bond resolution; carried 5-0.**

**Consent items** — Russell asked if any bids had been received on tax foreclosure properties. Crawford said there were none. **Stacey/Grant moved to approve all consent items; carried 5-0.**

### **Budget amendments**

Clerk of Courts

- **COC-1 — Transfer funds to offset anticipated revenue shortfalls  
Lakeland Health Care Center (LHCC)**
- **LH01 — Redistribute budget to cover increased overtime expense in the  
nursing department**

- **LH02 – Transfer funds to upgrade certain LHCC doors to fire doors**  
Treasurer
- **TR001 — Offset shortfalls in treasurer revenue accounts**

**Bids/contracts**

- Award sale(s) of tax foreclosure property

**New business**

**Ordinance 661-12/10 Amending Section 30-156(D)(5) of the Walworth County Code of Ordinances Relating to Acceptance and Use of Donations** — Andersen explained that the Children with Disabilities Education Board requested the Life Skills You program be included in the acceptable donations list. **Kilkenny moved to approve the ordinance; Schaefer seconded; carried 5-0.**

**Resolution No. 68-12/10 Requesting a Transfer of \$25,000 from the 2010 Contingency Fund for Lighting Project for the South Side of the Government Center** — Russell noted that this resolution was approved by the Public Works Committee at their meeting earlier today. **Stacey/Schaefer moved to approve the resolution; carried 5-0.**

**Reports –**

- Update on tax incremental financing (TIF) district(s) — There are no updates to report.
- Quarterly sales tax report — Based on an earlier adjustment and revenues received thusfar, we are holding our own, according to Andersen. The State's final payment to us for 2010 sales tax will come in February, 2011. There is a two-month lag time before we receive the funds. Schaefer asked if increases in room tax is included. Andersen said we are not seeing it reflected in the general sales tax.
- Out-of-state Travel:  
Health & Human Services (HHS)
  - Melissa Ruiz, Functional Family Therapy-Final Supervisory Training, November, 2010, Palm Beach, FL) — Russell reminded the committee that departments are now reporting on out-of-state travel when staff return versus requesting approval beforehand. Bretl added that discussion on any of the travel reports is in order, if the committee wishes. He will notify department heads that they do not need to attend committee meetings if out-of-state travel is their only item on the agenda. When there are questions, we will ask them to attend the following month so we can maximize their time.

**Unfinished business**

**Discussion and possible action regarding special charges and special assessments and proposed Resolution \*-01/11 Supporting Changes to Section 74.29 of the Wisconsin Statutes Relative to Special Assessments and Special Charges** — Bretl feels the county's

recent discussion with the City of Whitewater has added a sense of urgency to our review of the county's policy on special charges and assessments. Historically, specials were fairly small. For example, they were assessed for sidewalks being installed or a municipality's having to mow a taxpayer's lawn if it grew too high. Now, however, municipalities are counting on the value of TIFs reaching a certain level at a certain milestone. If that doesn't happen, municipalities have started applying their tax rate to the difference and assessing a special assessment against the TIF property. The county makes the municipality whole because we "buy out" specials, but our practice of doing so puts the burden on the rest of the county taxpayers. Bretl said that aspect concerns him.

Municipalities are used to the current system of the county making them whole. We've done that since at least 1962 and it will take time for us to structure a different system. As a start, it may be beneficial to ask the State Legislature to provide some relief for counties, many of which are facing the same concerns we are. With that in mind, Bretl drafted a resolution requesting a change in the law. With the legislature coming back into session in January, it's worth a try, although this is a very political issue. **Kilkenny moved to approve the resolution. Motion seconded by Grant.** Schaefer asked Bretl if a property's assessment changes when it is sold. For example, if a house is assessed at \$172,000 and sells for \$135,000, how would it be assessed for the next tax cycle? Bretl replied that it depends on how the municipality assesses. Some instantly change the tax roll while others require a re-evaluation so the assessment stays where it was until the re-evaluation has been completed. When the county loses equalized value, as we did this past year, tax rates will generally go up. Our tax base shrinks so - even if there is a 0% increase in the county's tax levy - there is less overall property to which taxes are applied, and the tax rate then increases.

Kilkenny feels the issue of special assessments and special charges should be on the Finance Committee's agenda on a regular basis to ensure that we understand the nature of circumstances which may occur. Bretl said staff will provide updates. Schaefer asked if the proposed resolution will be sent to other counties, with a request for their support. Russell sees no reason we can't do that, and Bretl agreed it might be worthwhile. His office will handle the distribution. **Motion carried 5-0.**

**Discussion and possible action regarding City of Whitewater's TIF #4** — The City of Whitewater provided a copy of the historical Joint Review Board (JRB) agendas and minutes related to their TIF #4, according to Lanser. She noted that a Jefferson County representative had also attended the JRB's May 2005 meeting. The Walworth and Jefferson County representatives each had a half vote at that meeting. Lanser was told by the City of Whitewater that Jefferson was not invited to subsequent meetings because the majority of the TIF lies within Walworth County and Jefferson County is not allowed to have a vote, based upon State guidelines. Since they would still be affected by the City's proposed TIF action, she wants to determine Jefferson County's thoughts on the matter, and invite them to the meeting.

Lanser requested the committee's guidance regarding how distressed TIFs, in general, should be handled and, more specifically, how to handle the upcoming situation with this Whitewater

TIF. In the interest of time, Russell asked the committee to review the TIF information and be prepared for a discussion at the January 20, 2011 Finance Committee meeting.

**Correspondence** — There was no correspondence presented.

**Confirmation of next Finance Committee meeting:**

- Thursday, January 20, 2011 at 9:30 a.m. in County Board Room 114 at the Government Center

**Adjournment of Finance Committee**

**Upon motion and second by Stacey/Schaefer, Chair Russell; adjourned the meeting at approximately 5:17 p.m.; carried 5-0.**

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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 Board of Adjustment**

**MINUTES**

December 8, 2010 - Hearing – 9:00 AM

December 9, 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 December 8 & 9, 2010, in the County Board Room of the Government Center in Elkhorn, Wisconsin. Those present on December 8, 2010, were Chair John Roth, Secretary Ann Seaver and 2<sup>nd</sup> Alternate Roy Lightfield. Deb Grube, Senior Zoning Officer, and Wendy Boettcher, recording secretary of the Land Use & Resource Management Department were in attendance. Those present on December 9, 2010, were Chair John Roth, Secretary Ann Seaver and 2<sup>nd</sup> Alternate Roy Lightfield. Deb Grube, Senior Zoning Officer, and Wendy Boettcher, recording secretary of the Land Use & Resource Management Department were in attendance.

The December 8, 2010, hearing was called to order by Chair John Roth at 9:27 A.M. Wendy Boettcher conducted roll call and verified that there was a quorum. Those present were same as listed above. **Ann Seaver motioned to approve the agenda as printed. Seconded by Roy Lightfield. Motion carried. 3-favor, 0-oppose. Ann Seaver motioned to approve the November 10 & 11, 2010, Minutes and dispense with the reading. Seconded by Roy Lightfield. Motion carried. 3-favor, 0-oppose. After testimony of all cases, Ann Seaver motioned to recess until 9:00 A.M. on Thursday, December 9, 2010, in order to view the properties in question. Seconded by Roy Lightfield. Motion carried. 3-favor, 0-oppose.** The December 8, 2010, hearing went into recess at approximately 10:44 A.M.

On December 9, 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. **Ann Seaver motioned to approve the agenda as printed. Seconded by Roy Lightfield. Motion carried. 3-favor, 0-oppose. After the decisions were completed, Ann Seaver motioned to adjourn until the January 12, 2011, hearing at 8:00 A.M. Seconded by John Roth. Motion carried. 3-favor, 0-oppose.** The December 9, 2010, decision meeting adjourned at approximately 9:34 A.M.

Four variance hearings were scheduled and details of the December 8, 2010, hearings and the December 9, 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 #10:29:34 - 10:39:07 / Disc #2 Decision – Count #10:04:10 – 10:08:25  
**The First Hearing was John W. & Lu Anne Peiffer, owners – Section(s) 14 – Linn Township**

Applicants are requesting a variance from Section(s) 74-38 / 74-54 of Walworth County's Code of Ordinances – Zoning to construct an accessory structure (garage).

**REQUIRED BY ORDINANCE:** The Ordinance requires a 25' street yard setback.

**VARIANCE REQUEST:** The applicants are requesting a 12.7' street yard setback. The request is a variance from Section(s) 74-38 / 74-54 of Walworth County's Code of Ordinances – Zoning to construct an accessory structure (garage).

**BOARD OF ADJUSTMENT DECISION:** The Walworth County Board of Adjustment, during the meeting on December 8 & 9, 2010, for the petition of John W. & Lu Anne Peiffer, owners, voted to **APPROVE** the request for a 12.7' street yard setback.

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

**BOARD OF ADJUSTMENT FINDINGS:** The Board found unique property limitations in the location of the well and the conventional septic system that limited alternate locations for the proposed accessory structure. The Board found that to have a garage is a common amenity for homeowners. The Board found to approve the request would cause no harm to public interests and would allow storage of outdoor items and vehicles. There was one letter of comment from the Town of Linn. There was no opposition.

Disc #1 Hearing – Count #10:39:14 – 11:08:22 / Disc #2 Decisions – Count #10:08:26 – 10:12:57

**The Second 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, modified after the December 7, 2010, Town of La Grange Planning and Zoning meeting, to a request for a walkway parallel to the shore within 75' of 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. The variance request was modified by the applicant during the public hearing after a December 7, 2010, Town of La Grange Planning and Zoning meeting, to limit the variance request to a walkway parallel to the shore within 75' of the shore yard.

**BOARD OF ADJUSTMENT DECISION:** The Walworth County Board of Adjustment, during the meeting on December 8 & 9, 2010, for the petition of Dominic M. & Joann M. Serge Trust, owner / Dominic Sergi, applicant, voted to **APPROVE** the modified request for a walkway parallel to the shore in the 75' shore yard setback.

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

**BOARD OF ADJUSTMENT FINDINGS:** The Board found the steep slopes and drainage issues to be a unique property limitation. The Board found to deny the variance request would be unnecessarily burdensome. The Board found to require the removal of the walkway would create more land disturbance than allowing the walkway to remain. The Board found the request to be a small increment of relief. The Board found to approve the variance request would cause no harm to public interests and protect the public's interest in the lake. The Board found no complaint from neighboring property owners in approving the variance request. There were letters of comment from the Town of La Grange, B & J Tree & Landscape Service, Inc., Thelen Total Construction, Inc., and a neighboring property owner. There was no opposition.

Disc #1 Hearing – Count #11:08:23 – 11:24:00 / Disc #2 Decisions – Count #10:12:58 – 10:19:06

**The Third Hearing was David J. & Pamela M. Smith, owners / David J. Smith, applicant – Section(s) 8 – Linn Township**

Applicants are requesting a variance from Section(s) 74-181 / 74-219 / 74-221 / 74-232 of Walworth County's Code of Ordinances – Shoreland Zoning to construct an addition to a single-family residence (covered deck).

**REQUIRED BY ORDINANCE:** The Ordinance requires a 15.1' rear yard setback (established).

**VARIANCE REQUEST:** The applicants are requesting a 2.9' rear yard setback. The request is a variance from Section(s) 74-181 / 74-219 / 74-221 / 74-232 of Walworth County's Code of Ordinances – Shoreland Zoning to construct an addition to a single-family residence (covered deck).

**BOARD OF ADJUSTMENT DECISION:** The Walworth County Board of Adjustment, during the meeting on December 8 & 9, 2010, for the petition of David J. & Pamela M. Smith, owners / David J. Smith, applicant, voted to **DENY** the request for a 2.9' rear yard setback.

**A motion was made by Roy Lightfield to approve the variance request. Seconded for discussion purposes by Ann Seaver. Motion failed. 0-favor 3-oppose (John Roth / Ann Seaver / Roy Lightfield)**

**BOARD OF ADJUSTMENT FINDINGS:** The Board found no unique property limitations rather than considerations personal to the property owner. The Board found no unnecessary hardship as the owner has use of the property for its intent without variance approval. The Board found variance approval in September of 2001 was for an uncovered deck and found the owner covered the deck without County zoning review and approval. The Board found to grant this

variance would compound existing non-compliance with the ordinance and harm public interest. The Board found the variance request does not meet the criteria necessary for approval. There was a letter of comment from the Town of Linn. There was no opposition.

**\*The owner / applicant shall contact the Walworth County Land Use & Resource Management Department immediately to bring the property into compliance with the requirements of the Walworth County (Shoreland) Zoning Ordinance.**

Disc #1 Hearing – Count #11:24:05 – 11:43:18 / Disc #2 Decisions – Count #10:19:07 – 10:22:15

The Fourth Hearing was Robert D. & Wendy S. Covers Trust #101, owner / Robert Covers, applicant – Section(s) 26 – La Grange 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) and a retaining wall / fence.

**REQUIRED BY ORDINANCE:** The Ordinance permits an accessory structure 1200 square feet or less in size a maximum height of 17' and requires a retaining wall / fence to be 2' from the road right-of-way.

**VARIANCE REQUEST:** The applicants are requesting an 1146 square foot accessory structure to be 22' in height and a 24" tall retaining wall / fence to be 0' from the road right-of-way. 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) and a retaining wall / fence.

**BOARD OF ADJUSTMENT DECISION:** The Walworth County Board of Adjustment, during the meeting on December 8 & 9, 2010, for the petition of Robert D. & Wendy S. Covers Trust #101, owner / Robert Covers, applicant voted to **APPROVE** the request for an 1146 square foot accessory structure to be 22' in height and a 24" tall retaining wall / fence to be 0' from the road right-of-way.

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

**BOARD OF ADJUSTMENT FINDINGS:** The Board found the property owner did prove unique property limitations rather than considerations personal to the property owner. The Board found the topographical property limitations caused unnecessary hardship. The Board found that granting the variance would not undermine the purpose and intent of the zoning ordinance. The Board found the variance request does meet the criteria necessary for approval. There was one letter of support from the Town of La Grange and four letters of support from neighboring property owners. There was no opposition.

**Other**

- A. Discussion / possible action regarding the Board of Adjustment vacancy  
Applications are being considered in order to fill the Board of Adjustment vacancy.
  
- B. Discussion / possible action regarding the Town of Lyons letter  
Town of Lyons Chairman William R. Mangold addressed the Board of Adjustment regarding the Town of Lyons October 20, 2010, letter to Walworth County Board of Supervisors Chair Nancy Russell. The letter voiced concerns about a recent decision made by the Board of Adjustment. The Board members expressed their appreciation of Chairman Mangold's discussion with the Board.

**Staff Reports**

- A. Court cases update
  - 1. None
  
- B. Distribution of reports, handouts and correspondence
  - 1. Board of Adjustment members were notified of the opportunity to attend the U W Extension sponsored Zoning Workshop for Boards of Adjustment / Appeals offered December 13, 2010, in Oconomowoc, Wisconsin

**Proposed discussion for next agenda**

The following items were requested to be put on the January 2011 agenda:

- A. Court cases update
- B. Discussion / possible action regarding the Board of Adjustment vacancy
- 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.





**Walworth County Human Resources Committee**

**MINUTES**

November 17, 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 3:27 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; Dave Graves, Sheriff; Kurt Picknell, Undersheriff; Linda Seemeyer, LHCC Superintendent/HHS Director; Liz Aldred, Deputy HHS Director; John Orr, Information Technology Director; Shane Crawford, Deputy County Administrator – Central Services; Jessica Lanser, Comptroller; Liza Drake, HS Supervisor – Crisis Intervention; Michael Cotter, LURM Director/Deputy Corporation Counsel; Bernie Janiszewski, LHCC Administrator; David Gerber, Lieutenant; Jay Maritz, Captain; Scott McClory, Captain; Donna McIntyre, Human Resources Specialist; Dr. Thompson, HHS Deputy Director; Chrissy Register – UW-Extension Department Head; Bill Chesen, Civil Service Board Member.

Approval of the agenda was moved and seconded by Supervisor Brandl and Vice Chairperson Grant, with no withdrawals, and carried 5 – 0.

Approval of the October 20, 2010 Human Resources committee minutes was moved and seconded by Supervisors Wardle and Brandl. The motion carried 5 – 0.

Public comment period – Bill Chesen, Citizen, stated that he has had the pleasure of serving on the Civil Service Board. He urged the committee to support the motions the Sheriffs Office is trying to put in place with the upcoming retirements, etc.

Discussion and possible action regarding 2011 wages and benefits for non-represented employees. Bretl explained that the committee had held this item last month pending the union contracts. The County has now reached settlements with all but one union for a 1% wage increase. Bretl urged the committee's approval of a 1% wage increase for non-represented employees as well.

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**Vice Chairperson Grant and Supervisor Wardle moved and seconded approving the resolution regarding 2011 wages and benefits for non-represented employees.**

Supervisor Wardle asked about Union dues for represented employees. Hagstrom stated that the amount depends on the Union. Dues range from approximately \$20 to \$40 per month. Supervisor Wardle wondered if non-reps were paid the same as represented employees when you factor in the Union dues that represented employees must pay. Hagstrom stated that there are not any non-represented positions that are exactly the same as Union positions.

**The motion carried 4 – 1. Supervisor Brandl opposed.**

Amendment to Section 15-545 of the Walworth County Code of Ordinances Relating to Benefits Provided. Hagstrom explained that this ordinance would increase the basic life insurance coverage for non-represented employees to \$25,000, which was the same as the increase that was agreed to for the Unions. **Vice Chairperson Grant and Chairperson Ingersoll moved and seconded approving the amendment to 15-545 relating to benefits.** Vice Chairperson Grant asked if a person keeps the insurance once they leave employment with the county. Hagstrom stated that the insurance continues through the month of termination of employment plus the one month following; then they can choose to roll it into their own plan, but they would be completely responsible for the cost. Supervisor Wardle asked if the increase to \$25,000 was something the county had agreed to with AFSCME. Hagstrom said yes and explained that life insurance coverage for county employees ranges up to \$100,000, depending on the group. It is \$50,000 for management employees.

**The motion carried 3 – 2. Supervisors Brandl and Redenius opposed.**

Resolution Approving a Collective Bargaining Agreement by and between Walworth County and the Health and Human Service Professionals for the Period of January 1, 2011 to December 31, 2011. Hagstrom explained that this agreement is for one of the full contracts that was open. She pointed out that the agreement included a 1% wage increase and a stipend for dual certification in AODA. Aldred stated that the AODA and mental health units see many of the same clients, so they are duplicating services. There are two separate treatment plans and two separate assessments. The department is asking the mental health clinicians to be certified in both AODA and mental health, so as to serve more individuals and provide more clinically appropriate services. This benefits both the agency and the consumer. Each person identified in a specific group would have the opportunity to achieve the subspecialty and receive \$100 per month to maintain the certification. **Vice Chairperson Grant and Supervisor Wardle moved and seconded approving the Collective Bargaining Agreement by and between Walworth County and the Health and Human Service Professionals for the Period of January 1, 2011**

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**to December 31, 2011.** Vice Chairperson Grant asked how many of the employees are currently certified. Aldred stated that out of seven employees, two are currently dually certified. There are three others who are in the process of becoming dually certified. Vice Chairperson Grant asked if the goal is to have all of the mental health clinicians dually certified. Aldred said yes. Seemeyer added that 85% of their clients are diagnosed with mental health and AODA problems. Supervisor Wardle asked if it costs \$1200 to become certified. Aldred stated that it costs \$100-200 annually, as there is training to maintain the certification, but the cost would vary per person. Seemeyer explained that it is an incentive for employees to earn and maintain the certifications. Aldred clarified that employees will only receive the \$100 per month stipend if their certification is active. Bretl pointed out that employees with the dual certification can help the department draw down more revenues. Supervisor Russell asked about the cost of the exam. Drake stated that the exam costs the employee \$265. Aldred pointed out that the employee has to pay for the application, etc. Supervisor Wardle asked if there would be \$1200 of cost savings realized by the county given that they were looking to offer a \$1200 incentive to employees. Aldred stated that the county would see more than \$1200 in additional revenue because we can serve more people and reduce other expensive services. Seemeyer pointed out that all of the employees getting dually certified are master's prepared, and the county can bill higher for master's positions. Bretl stated that in this case, it may seem counterintuitive because the county is paying the employee more, but the county is getting more revenue back. He also added that there are high qualifications necessary in terms of credentials. Aldred stated that if the master's prepared employees are not certified in AODA, the department has AODA employees, but because those employees are not master's prepared, the county gets less reimbursement.

**The motion carried 5 – 0.**

Resolution Approving a Collective Bargaining Agreement by and between Walworth County and the Deputy Sheriffs Association for the Period of January 1, 2011 to December 31, 2011. Hagstrom explained that this is the other full contract that was open. The agreement is very straightforward. The 1% wage increase was the only economic issue. **Vice Chairperson Grant and Supervisor Brandl moved and seconded approving the Collective Bargaining Agreement by and between Walworth County and the Deputy Sheriffs Association for the Period of January 1, 2011 to December 31, 2011.** Supervisor Russell questioned the item referring to holiday pay and Alpine Valley. She pointed out that currently, Alpine must reimburse the county for those hours, but that is not in the contract. Supervisor Russell wanted to make sure the county is still covered. Bretl stated that Alpine's business license states that Alpine must pay those expenses. The Union contract just says that the employees get paid. Supervisor Russell asked if the county's service at Alpine would cease if the payment from Alpine ceased.

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Bretl stated that we would have to pay deputies if we sent them to Alpine to work on a holiday. Picknell assured that Alpine would not be “let off the hook” in terms of reimbursement, as was the case this past July 4<sup>th</sup>. The county is fully reimbursed. Supervisor Russell just wanted to make sure that the county is not creating a scenario where we are not being reimbursed. Supervisor Wardle was concerned with the amount of sick time and vacation time deputies can accrue. He thought it seemed like a lot. Hagstrom stated that the accruals are the same for other units as well, not just the deputies. Bretl pointed out that while that does look like a long time to have off, most of the workforce doesn’t use up all of their time. When the committee is being asked to refill positions, this is a good thing to look at. This is very germane to the discussions. Supervisor Wardle asked if they had ever considered negotiating a paid time off bank that would combine sick and vacation time. He thought this might be something to look at next year. Bretl agreed that the paid time off concept is something the county needs to look at. The county ended retiree insurance for new hires after 2005, so there is an incentive to use up sick leave since an employee would not get anything for their sick leave when they leave the county’s employ. In the past, employees could convert sick leave into health insurance credits. Some employees who have been here a long time have 7 hours of sick leave while others have 200 hours. Supervisor Wardle noted that the sick leave accumulation is unlimited. **The motion carried 5 – 0.**

Resolution Approving a Collective Bargaining Agreement Re-Opener by and between Walworth County and AFSCME Locals 1925, 1925A, 1925B and 1925C for the Period of January 1, 2011 to December 31, 2011. Vice Chairperson Grant and Supervisor Wardle moved and seconded approving the Collective Bargaining Agreement Re-Opener by and between Walworth County and AFSCME Locals 1925, 1925A, 1925B and 1925C for the Period of January 1, 2011 to December 31, 2011. Hagstrom explained that the four AFSCME units were all included in the one resolution. AFSCME had a re-opener on WRS, wages and insurance for the second year of their two-year contract. The agreement includes a 1% wage increase. **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:

- UW-Extension – Clerk III position. Bretl suggested that the committee begin by making a motion to consider all unfreezings; then they can make a motion on each individual position to unfreeze it. **Supervisors Brandl and Wardle moved and seconded considering all of the position unfreezings.** Bretl asked the committee to keep in mind that this is an attempt to be proactive to keep the budget in check. The idea is to make corrections as we go along. The committee’s feelings may change as the state makes decisions. Bretl feels that even if the committee chooses to unfreeze everything, the process is still a good

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one because they learn about vacancies. The committee has many options when it comes to the unfreezing requests: they can choose to unfreeze a position; they can choose to hold off on refilling it and see how the department does with the vacancy; they can specify that a position be refilled internally. Regester explained that the Clerk III position in UW-Extension had been filled, but the incumbent recently took a position in a different department. Currently, there are two county employees in Extension, and the rest of department is state employees. In the recent past, there had been three county employees, but after a retirement, a position was transferred to the state. The state pays for 60% of the employee's salary and benefits. As the department was considering the position, they looked at how it would look without refilling the position. Extension provides services and education to communities to reach needs. Currently, without this position, the educators are doing more clerical work than educating. Regester is coming to the committee to request this unfreezing so that the educators can be out in the community doing what they should be doing. Supervisor Wardle asked if this position is mostly clerical. Regester said yes. Supervisor Wardle wondered about the possibility of outsourcing given the amount it would cost to hire someone as a county employee. Regester stated that there are some counties that have outsourced. One of the concerns is that they are having to send out different things to be done. Regester pointed out that as they educate the community through different programs, they bring in some revenue, but if they are stuck in the office tackling clerical duties, they cannot be out in the community educating. Chairperson Ingersoll asked about the requirements for the position. Hagstrom stated that a Clerk III would require a high school diploma and a couple of years of clerical experience. The starting pay is about \$16 per hour. Supervisor Russell suggested using a volunteer and seeing how that works out first. If that doesn't work out, they could always decide to hire someone later. Supervisor Russell pointed out that if this is a clerical position, there is probably not a great deal of training required. Regester stated that they already have volunteers coming in to do things, so they could definitely take a look at that. Supervisor Brandl asked how long the position had been vacant. Hagstrom stated that it had been vacant for three months in 2009 and essentially the whole summer in 2010. Supervisor Brandl asked if there was any way that Extension [the State] would pay for this position. Regester explained that Extension doesn't support the support staff positions. Supervisor Brandl asked if it was possible for this position to be part-time. Chairperson Ingersoll asked if the position was seasonal, i.e. is the position utilized more so after during the fair, etc. Regester stated that there is definitely a slow period after the fair. That is when they focus on getting programs ready for the next year. Regester felt that a part-time position might be possible, but she pointed out that state employees are furloughed. If the part-time employee was not in the office, and the state employees were on furlough, the office would have

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to be closed. Regester stated that they do try to scatter the furloughs so that everyone is not out of the office on the same day. Regester stated that they could look at a part-time position. Hagstrom stated that they could have a differing schedule to make sure that the office was staffed. Regester added that the vacant position provides clerical support for essentially six people. That would be a lot of work for one part-time person. During the fair period, they need someone in the office on a full-time basis because everyone else is working at the fair. Vice Chairperson Grant expressed that he didn't think it was a major concern if the phone went unanswered in the Extension office during the fair. Regester stated that there are many people who depend on them, and if there is some sort of 4-H emergency, there needs to be someone in the office. Vice Chairperson Grant asked how much trouble it would be to have two part-time employees. Because of them being part-time employees, the county would be relieved of providing benefits. Hagstrom pointed out that a 0.5 FTE was still eligible for insurance, but the employee would have to pay half of the premium. Vice Chairperson Grant suggested that by having two 0.4 FTE positions, they would not be eligible for insurance. Bretl did not recommend that as a long-term solution. By doing that, the county may be ruling out quality employees who don't want a part-time position. Bretl stated that they could supplement with contract services, etc. Supervisor Wardle asked what would happen if the position is outsourced and the department is not happy with the person who comes in. Bretl stated that there have been cases where the outsourced person shines in a position. Vice Chairperson Grant pointed out that with outsourcing, there could actually be a different person in the position all the time. Hagstrom stated that if it is going to be a permanent part-time position, they are more likely to get the same contracted person for the duration. She added that other departments have experimented with limited-term employees, but the problem is that the county ends up having to pay their unemployment once they leave. **Supervisor Wardle and Vice Chairperson Grant moved and seconded trying to outsource the position.** Chairperson Ingersoll asked Regester what her preference would be if the choices were outsourcing or using a volunteer. Regester stated that it would all depend on the person. Vice Chairperson Grant would like Regester to come back to the committee 30 to 60 days from now to let the committee know how it is working out with the outsourced worker. Regester stated that if they can get a person in the position who is consistent, they would definitely be able to tell how it is working. Her main concern is that she doesn't want it to impact programming. Chairperson Ingersoll asked the difference between outsourcing and part-time. Hagstrom stated that they would most likely pay an agency \$17-20 per hour for a clerical position. A part-time county employee with no benefits would cost the county approximately \$30,000-\$35,000 with WRS, FICA, workers comp, etc. In addition, the employee would progress through the pay scale. Supervisor Brandl

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was concerned about whether or not the person was going to be bonded if they are responsible for handling money. Bretl stated that there were a couple of alternatives to that. There are other people in Extension who can receipt money, or it could be made part of the contract. Chairperson Ingersoll thanked Regester for doing an excellent job with her report to the committee. Vice Chairperson Grant reiterated that if the committee approves of outsourcing the position, he would like Regester to come back in the next month or two to let the committee know how it is working. If it is not working, they will need to do something else. Regester asked about hiring an LTE who had two other jobs, meaning that unemployment would not be an issue. Bretl stated that is uncharted territory. He felt that a review period is a good idea. He thought they should give it at least 60, and maybe even 90, days to give it a fair evaluation. He would not recommend eliminating the position at this point. Bretl stated that they may have to do budget amendments to make the wages available for contracted services. Vice Chairperson Grant does not want them to do any budget amendments. Bretl clarified that the budget amendment would be to allow using wages for purchased services. **Supervisor Wardle amended his earlier motion to include a review of outsourcing the position at the February meeting. The motion carried 4 – 1. Chairperson Ingersoll opposed.**

- Sheriff's Office – The Sheriff requested to address the captain position first. Chairperson Ingersoll okayed the change. The Sheriff explained that this position as captain of support services will become vacant in January when Captain Maritz retires. They need to get the new captain on board to begin training. Vice Chairperson Grant asked for clarification on which position this is. He thought that Captain Williams had been promoted to fill the position in question. The Sheriff explained that Captain Maritz has been doing both communications and support services since Captain Schiefelbein left the county's employ. Vice Chairperson Grant pointed out that when the Sheriff was requesting to promote Williams to Captain, he had stated that not all of the work was being completed. Captain Maritz stated that when he was doing both jobs, the essential duties were being done, and non-essential duties are being postponed. Things like working on ways to make things more efficient were not being done. Performance evaluations were not a high priority either, so those were not being completed on a timely basis. When Captain Schiefelbein was in communications, Captain Maritz was able to start making changes in support services, but then Captain Schiefelbein retired. At that time, Captain Maritz had to stop his work on the records management system. The new captain will be the system administrator, so he or she will have to be trained. The Sheriff is requesting the position be filled early so that the incumbent can begin working with the new captain on the different aspects of the job. Vice Chairperson Grant asked about the promotion

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taking effect on January 4<sup>th</sup>. The Sheriff explained that two lieutenants had been promoted at the same time, but one of them was told that his promotion wasn't effective until January (when Captain Maritz retires). Supervisor Brandl asked if it was more important to keep a patrolman on the road or to fill the captain position. The Sheriff stated that for the command staff, this captain position is the most important. Supervisor Wardle questioned whether this will make the Sheriff come back in the future to fill the two patrol vacancies. The Sheriff reminded the committee of the study he had passed out a while back. He stated that the activity hasn't decreased since that study was done, and the study had said the county needed more patrolmen then. Vice Chairperson Grant asked what would happen to the duties if the captain position was approved but the lieutenant position was not. He questioned whether the duties would be assigned to a sergeant. The Sheriff was not sure how they would handle that situation. He was concerned that doing so would mean assigning non-union duties to a union employee, which would then involve a reclassification. Hagstrom further explained that the employee would argue that they are doing lieutenant work, so they should get lieutenant pay. Supervisor Wardle was concerned that if these positions are approved, and the state makes budget cuts, we will have to make further cuts next year. Supervisor Wardle questioned whether the Sheriff's office would take a 5% pay cut because they need all of the employees they have. The Sheriff stated that they can certainly look at things, as there will definitely be a budget crunch in 2012. The Sheriff feels that these are not the positions to say no to in the Sheriff's organization. He needs these positions. The Sheriff's office has suffered cuts like other departments have. Picknell stated that the department has a history of looking to consolidate. Supervisor Wardle's concern is for the overall budget, and he stated that something is going to have to change. **Supervisor Wardle and Vice Chairperson Grant moved and seconded approval of unfreezing the captain position. The motion carried 5 – 0.**

- Boat patrol LTEs. The Sheriff explained that they had contracted with the town of Whitewater to do the boat patrol, and the town would like them do it again. The positions are paid for by a DNR program. The County, however, has to pay for psychological evaluations and physicals for the new employees. They are requesting six LTEs. Captain McClory was confident that three of the six LTEs from this year would be returning next year, so they would not have to have new evaluations done. He added that these positions don't get overtime. Most of the LTEs already work somewhere else. Chairperson Ingersoll questioned why they would begin recruiting in November for the summer season. Picknell stated that the lake patrol is unique. If they look for the employees early, they have a better pick of the candidates. They would like the flexibility to begin looking for the candidates soon. The positions would typically start in April/May. Bretl pointed

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out that they come very close to breaking even with the boat patrol. Picknell stated that the expenses were less than had been anticipated. Supervisor Russell was concerned that there are going to be big changes in the state, and it is common for DNR to be the first to suffer cuts. Supervisor Russell suggested that if the funds come from DNR, perhaps the committee wants to make this provisional on having the DNR or Whitewater fund the positions so that the county doesn't get stuck paying for them. Picknell stated that the Town of Whitewater gets the funding from the DNR, then the county bills Whitewater. If the DNR stopped paying, the Town of Whitewater would be responsible, and they would have to decide what to do. Captain McClory explained that the town had budgeted for a certain amount, and the county has to work within their budgeting constraints. Supervisor Redenius asked how many hours are spent patrolling the lake. Picknell stated that the boat patrol is typically only out on the lake on the weekends, but they did send them out a few times during the week to throw people off. Captain McClory stated that the contract didn't specify hours, so they kept an internal schedule. Supervisor Brandl asked if the \$2000 cost for the psychological evaluations and physicals could be added into the contract. The Sheriff said they could talk to Whitewater about that. Supervisor Redenius stated that he had heard everything went well this past summer with the boat patrol. **Vice Chairperson Grant and Supervisor Brandl moved and seconded the unfreezing of the boat patrol position, with the stipulation that they would try to work the cost of the physicals and evaluations into the contract with Whitewater. The motion carried 5 – 0.**

- Lieutenant position – (Chairperson Ingersoll left at 4:45 p.m., but returned at 4:51 p.m.). The Sheriff explained that Lieutenant Gerber, who will become the captain of support services as of January 4<sup>th</sup>, is currently in the lieutenant position they are requesting to unfreeze. Supervisor Brandl stated that if the Sheriff comes back in the future, the committee may not approve the patrol positions. He added that everyone is under pressure, and they have to look to make cuts. Picknell stated that they view this position as a priority. Supervisor Wardle asked why the position had to be filled with a lieutenant. Picknell stated that lieutenants are non-represented employees, whereas once you get to sergeants and deputies, they are Union employees. The Sheriff explained that this position was reclassified by the state to be non-union because of the decisions they make. Because there are administrative duties, federal regulations dictate that the position must be non-union. This position has independent decision-making authority. Supervisor Wardle asked about what the position entails. Lieutenant Gerber explained that there is the supervisory aspect – the position oversees the six deputies in court security. He added that two of the court security deputies have been on leave, so he has been helping to cover for them. This position is also in charge of training

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for the department. The lieutenant makes sure everyone in the department gets in their 24 hours of required training. In addition, the position is responsible for training on any piece of equipment the department uses. This also includes the field training program for new recruits; the lieutenant coordinates the training to make sure they are up-to-speed. The position is also in charge of all ammunition, etc. The lieutenant also oversees a use of force committee that ensures the department is abiding by the use of force procedures. Lieutenant Gerber is currently the assistant manager of the SWAT team, which he will continue to do as captain. Lastly, the Lieutenant is responsible for the overall operations of the shooting range. **Supervisors Brandl and Wardle moved and seconded the unfreezing of the lieutenant position. The motion carried 5 – 0.**

(The committee took a brief break at 5:02 p.m. and returned at 5:05 p.m.).

- Health and Human Services – HHS is requesting to unfreeze two HS Specialist I positions and one HS Specialist III position in the crisis unit. Seemeyer distributed a financial assessment. She explained that this is a 24/7 unit, and these are the employees who are responsible for deciding who meets the statutory requirements for a commitment when a police officer brings someone in. With benefits, each position costs approximately \$79,000, but the department expects to recoup \$10,000, for a net cost of \$69,000. The HS Specialist III position is a master's position that costs more but can bill more. The net cost of that position is \$59,000. Seemeyer explained that emergency detentions allow staff to place someone on a 72-hour hold. These detentions are very costly but are state-mandated. Transportation is another cost associated with such detentions. Transportation can cost anywhere from \$324 to \$1155. In order for the HS Specialist I positions to pay for themselves, they would have to prevent 20 emergency detentions. In 2006, Walworth County had 426 emergency detentions. Milwaukee County was the only county in the state who had more. The county has reduced the number of emergency detentions by 155 in 2009. This does not count protective custodies. Seemeyer feels that these are positions that pay for themselves and then some. They save the county a great deal of money in hospital costs. Aldred pointed out that the original cover memo had stated that they wanted early implementation for these positions, but that is no longer the case. She added that they are upgrading HS Worker IVs to HS Specialist Is in the 2011 budget and explained that they have not hired anyone who doesn't hold a bachelor's degree. Aldred further explained that they have five staff members budgeted for the after hours coverage. They also have three casuals at 0.3 FTE. These positions cover all after hours, holidays and weekends. Quite often, there is only one person working. These employees are independent clinical responders to some of the most high-risk clients. By state statute, the county is required to

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provide crisis intervention services to anyone in our county, even if they are not residents. In addition to mandated services, the county provides medication monitoring, which helps to reduce hospitalizations. These employees also provide CPS backup, handle all after-hour access reports, provide on-call services, and complete risk assessments at the jail. If, for example, someone is suicidal, they do assessments and decide what to do with the person. Before the law changed last year, law enforcement made the decision if a person was hospitalized or not, but now HHS decides. Aldred added that the department has employees who can provide case management to those people who can't make it in during daytime hours. As of December, crisis intervention is in charge of investigating elder at-risk cases. If a family has been accused of abuse or neglect, these staff member can reach them after hours when they are more likely to be at home. Currently, the unit has been using casual staff to fill in the positions. However, the casual employees do not have to come in when called. Full-time coverage during off-hours is very important. Supervisor Wardle questioned why the county must pay when someone is placed in emergency detention. Seemeyer explained that it is state-mandated. Aldred added that the person is supposed to reimburse the county, but many of them don't have the money or insurance coverage for that. Even if they do have insurance coverage, the county pays the portion that the insurance won't. Supervisor Brandl asked if the department could make it work with four people instead of five. Aldred stated that they are covering a lot of hours with weekends and holidays. If an employee had to take someone to the hospital, it might leave no one in the office. An employee could spend five hours of their shift at the hospital with a client. Supervisor Wardle asked for clarification on the positions previously being classified as HS Worker IVs. Seemeyer stated that they want to have a bachelor degreed person in the position (HS Worker IVs do not have to have a bachelor's degree). Also, AFSCME only requires a six-month probationary period, and they would like one year for these positions. Drake added that the state statute says that the department can't bill for mobility services if the employee does not have a bachelor's degree. Supervisor Wardle reiterated that having a qualified person in these positions theoretically saves the county money. Aldred pointed out that the county's certification requires that the department has walk-in services covered by a master degreed employee eight hours a day, five days a week. Aldred also added that the state is going to be implementing a program providing early intervention services for children, and the crisis intervention workers would be able to do that. This would be an additional duty for those employees. Drake stated that would be much more difficult with only four employees. Seemeyer explained that they are willing to compromise. They have outsourced transportation, but they need these positions. If they don't have qualified people in these positions, it will end up costing the county more money. Vice

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**Chairperson Grant and Chairperson Ingersoll moved and seconded unfreezing the HS Specialist I positions.** Supervisor Wardle asked about the crisis intervention lead worker position. Aldred stated that Drake is the supervisor for that position. The lead worker is a union position that would be there to provide consultation and backup/additional support. The level of decisions that they are asking these employees to make is very high. Vice Chairperson Grant asked what would happen if the committee did not approve the lead worker position. Drake stated that without the lead worker position, they would not be able run the collaborative response program. This lead worker position would be the person to funnel in all referrals and assessments. The estimate provided for billing is a very low estimate. Supervisor Brandl pointed out that either way, citizens are still paying for this, as taxpayers, through Medicaid. Seemeyer concurred and stated they can either ask for more federal aid or more property tax. Bretl stated that the county's program is one that has been recognized by the state, and he has a great deal of confidence in the program. He pointed out that if a phone goes unanswered, it could turn into a life threatening situation. Supervisor Brandl asked if the lead worker position could pick up some of the slack of a fifth person in the unit. Aldred stated that if she had to choose, she would choose to fill the lead worker position. She feels very strongly that there needs to be someone on shift with clinical background/training to do assessments. Vice Chairperson Grant asked if the positions could be filled from within. Aldred stated that there is a good chance they would be able to fill the HS Specialist I positions from within, but they don't know about the HS Specialist III (lead worker). Hagstrom stated that this department is always thinking ahead and looking at how they might move things around depending on who fills the positions. **The motion to unfreeze the HS Specialist I positions carried 4 – 1. Supervisor Brandl opposed. Vice Chairperson Grant and Chairperson Ingersoll moved and seconded unfreezing the lead worker position as well. The motion carried 4 – 1. Supervisor Brandl opposed.**

- Lakeland Health Care Center (0.20 FTE CNA; 0.50 FTE LPN; 0.50 FTE RN; 0.20 FTE RN; 1.00 FTE Food Service Manager) – Janiszewski distributed additional information. She explained that she is not opposed to outsourcing. They started with janitors and laundry, and most recently, they have begun outsourcing dietary. Dietary is a little different because there are more rules and regulations. By law, they still need a food service manager. While there is still room to make changes, they need a manager who understands the department. With the nursing department, however, outsourcing is not the right way to go. Many of the CNA positions they are looking to fill are 0.2 or 0.5 FTEs. With RN and LPN positions, outsourcing is much more expensive. She added that the RN position they are asking for is directly attributed to the medical unit. Typically,

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there are 8-10 residents in that unit, but currently there are 15. Those people come into the facility with hopes of returning to the community. If the committee were to suggest that they try outsourcing the nursing department, she would suggest only outsourcing the full-time positions. Those are the positions that are more costly for the agency. She does not suggest outsourcing positions on the memory care unit. Bretl pointed out that the food service manager and the 0.5 FTE RN were included in the 2011 budget, which was just approved. He recommended approving those positions. With respect to the nursing home, he pointed out that it is a non-mandated county service. If the county is going to be in the nursing home business, they should do it right. As far as outsourcing, he explained that unless they are outsourcing full-time positions, they are not gaining much. The food service manager position was created with the goal of outsourcing portions of the operation, but they cannot do that with how the position is currently staffed. There will be a short-term cost but long-term savings. Hagstrom clarified that the food service manager and 0.5 FTE RN position were created with the adopted budget, but the other positions are vacancies, not new positions, so they were already included in the budget. Supervisor Brandl asked about the 65 FTEs for CNAs. Janiszewski explained that is FTEs, not actual bodies. Supervisor Brandl asked how many full-time CNAs there are. Hagstrom estimated that there were approximately 30 full-time CNAs, but they could confirm that information. Supervisor Brandl asked if there were any way to move the positions around. Hagstrom stated that the 0.2 FTE is an every other weekend position. The Union contract states that the employees get every other weekend off, so the 0.2 FTE switches off. Supervisor Wardle asked if part-time county employees were less expensive than outsourcing. Bretl stated that the 0.2 FTEs were definitely less expensive because they are not eligible for insurance. The 0.5 FTEs, while eligible for insurance, probably wouldn't take it because of the cost. Bretl stated that the problem with outsourcing the food service manager was that there are still employees in that unit, and having outsourced employees supervise county employees hasn't always worked out. With food service at the jail, the five county Union employees who had been in food service were moved to other positions when food service was outsourced. If the county outsources, we have to find a place for the displaced Union employees. If people retire or quit, their positions can be eliminated, which makes it easier to move to outsourcing. Janiszewski added that with housekeeping at LHCC, outsourced staff can take on more duties than Union employees can. It just takes time to get to the point of outsourcing through attrition. In terms of outsourcing food service at LHCC, having someone put the plan together is one of the major issues, Bretl explained. Currently, the LHCC has an in-house dietician, but the concern is whether or not they can sustain that. Supervisor Russell asked if the manager position could be filled with an at-will

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employee so that if the workers were replaced, and they were looking to outsource the food service manager, they could just eliminate the position. Bretl stated that the manager is a non-represented position, so they would be free to let that person go as they wish. Chairperson Ingersoll asked how many employees are under the food service lead worker. Janiszewski stated there are 13.88 FTEs food service workers and 2.0 FTEs cook IIs. This new position will have a varied schedule, so if there is a problem with coverage, they will help take care of that. Bretl urged that there needs to be a plan with respect to food service. Janiszewski stated that the food service manager will be able to look at the department to see where to make cuts. **Supervisor Wardle and Vice Chairperson Grant moved and seconded unfreezing the food service manager position and returning in six months with a plan of attack as part of that employee's probation. The motion carried 5 – 0. Vice Chairperson Grant and Supervisor Wardle moved and seconded all of the other requested positions at LHCC.**

Supervisor Brandl reminded the committee that they have been asked to bring the budget in line for next year, and he feels as though they are failing miserably. Vice Chairperson Grant disagreed. Bretl does not feel like the committee is failing; they sent one position back to the drawing board. It is the small steps that will help them reach their goal. He feels that the committee is sending a message. Supervisor Brandl thought that perhaps if the committee says no now, the department could come back in six months if it is still not working, and the committee could address it then. With respect to unfreezing requests, Bretl suggested taking a month off to slow down a bit. Bretl stated that the committee will need to look at what they would cut. He feels that some positions just can't be cut, like those in the crisis unit. He feels that the committee is asking very good questions. Vice Chairperson Grant pointed out that when he started on the board, there were 1500 county employees, and now we are down to 850. He is unsure of what else can possibly be cut. Seemeyer stated that she is asking her managers to cut wherever they can. Vice Chairperson Grant added that the county may have to start cutting non-mandated services. Supervisor Wardle asked what would happen if they didn't fill the RN position. Janiszewski stated that they would have to stop admitting to the rehabilitation unit because those residents typically come in the late afternoon, and there would be no one to admit them. Currently, those hours are being covered by overtime. Chairperson Ingersoll asked about how many of the half-time FTEs take the insurance. Wilson said almost none of them. Typically, an employee doesn't take the insurance until they are at least a 0.8 FTE. **The motion to unfreeze the remaining LHCC positions carried 4 – 1. Supervisor Brandl opposed.**

The next meeting of the human resources committee was confirmed for January 19, 2011 at 3:00 p.m. Hagstrom will bring the market study to the committee at that time. There

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will be no December meeting. Hagstrom will let department heads know that unfreezing requests will have to wait until January.

Adjournment. On motion and second by Supervisors Brandl and Wardle, Chairperson Ingersoll adjourned the meeting at approximately 6:24 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.

**Walworth County Executive Committee**  
**November 15, 2010 – 8:30 AM**  
**County Board Room – Government Center**  
**100 W. Walworth – Elkhorn, Wisconsin**  
*Draft Minutes*

Chairman Weber called the meeting to order at 8:30 AM.

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

Others in attendance included: Branch IV Circuit Court Judge David Reddy; Sheila Reiff, Clerk of Circuit Court; Jeffrey Krebs, State Public Defender; Michael Cotter, Deputy Corporation Counsel/Land Use and Resource Management Director; Sheriff Dave Graves; Mike Schmitz, Walworth County Jail Administrator; Eric Nelson, State Public Defender; Captain Dana Nigbor, Sheriff's Detective Unit; Supervisor Kathy Ingersoll; Captain Kevin Williams, Emergency Government Director; Nicole Andersen, Deputy County Administrator – Finance; Linda Seemeyer, Director of Health & Human Services; Shane Crawford, Deputy County Administrator - Central Services; Supervisor Rick Stacey; Dave Shaw, Alpine Valley Theatre General Manager; Brian Rutkowski, Alpine Valley Theatre staff; and, Dave Bretl, County Administrator.

Agenda approval was moved by Supervisor Russell, moving discussion regarding ignition interlock devices to follow the jail study item. The motion was seconded by Supervisor Kilkenny and carried 5 – 0. The agenda was approved as revised by a 5 – 0 vote on motion and second by Supervisors Hawkins and Russell.

Approval of the October 12, 2010 and October 18, 2010 executive committee minutes was moved and seconded by Supervisors Hawkins and Brandl and carried 5 – 0.

**Public comment period.** There was no comment from members of the public in attendance.

**Ongoing/unfinished business**

**Continuation of jail study.** The committee held discussion with and received input from Judge David Reddy, Branch IV Circuit Court and State Public Defenders Eric Nelson and Jeff Krebs. The agenda included discussion and a possible recommendation regarding setting aside State mandated ignition interlock surcharges for alcohol and drug treatment court. Chairman Weber re-capped the highlights of the committee's study over the past year, which began in December 2009. Judge Reddy said one of the main reasons he attended was to discuss treatment court funding. The CJCC has applied for grant funding for programs to help reduce recidivism. Wisconsin Act 100 imposes a mandatory \$50 surcharge when a vehicle interlock device is ordered by the court to be installed. Judge Reddy requested that the surcharge money be set aside in a special fund for treatment court and indicated he felt the costs of incarceration and treatment of those who have broken the law should be paid from surcharge collections. County Administrator Bretl said assigning the surcharges to a special fund would require finance committee approval. Currently the fee is collected by the Clerk of Courts' office and then

deposited with the Treasurer. Sheila Reiff indicated she did not include or anticipate surcharge funds in the 2011 Clerk of Courts' budget so holding the surcharges in a special fund would be essentially like a new funding source. County Board approval would be required to allocate the surcharges for the specific purpose of treatment court. **Supervisors Kilkenny and Hawkins moved and seconded support of the County Board establishing a fund for vehicle interlock surcharges to help pay treatment court costs; the motion carried 5 – 0.**

Vice Chairman Kilkenny commented that many statistics pertaining to the committee's jail study had been gathered over the past year. He also said the county's pretrial jail population is significant and includes many who have violated bond conditions. He questioned whether incarcerating inmates an additional ten days is an effective means of rehabilitation or if that time could be reduced. Supervisor Russell commented about Judge Kennedy's dialogue with the committee and his perspective as far as keeping an eye on public safety and inmate danger of flight. Russell asked what Judge Reddy thought about contracting with an organization that performs risk assessments of those convicted on drug and alcohol charges. He said if the assessment numbers are accurate, he is in favor of utilizing such assessment tools.

Eric Nelson, State Public Defender (PD), was in attendance. Mr. Nelson is regional supervisor for the State Public Defender's office for Rock, Green, Lafayette and Walworth counties. Attorney Nelson has been with the Public Defender's office for almost 30 years and in a supervisory position for about 18 years. He serves on the Walworth County Criminal Justice Coordinating Committee (CJCC). He indicated he has not practiced law in the Walworth County circuit court system. Also in attendance was Attorney Jeff Krebs, who supervises the local Public Defender's office in Elkhorn. Nelson stated that about six years ago, Rock County found itself in the same position as Walworth County now does, i.e., studying possibilities and alternatives to the rising cost of incarceration. The most illuminating part of the process has been research-based practices in the field of criminal law. Nelson said the research is crystal clear: incarceration does not reduce recidivism nor is it a deterrent. All jails hold those who are, indeed, a danger to society, he said. In addition, all jails hold many inmates who, although they have broken the law, are not a danger to society. Substance abuse, addiction, anti-social behavior, family discord, unemployment and employ-ability all are issues that are addressed in a drug treatment court. Studies found that 22,000 jail bed days were saved through drug treatment court. The cost of operating the [Rock County] drug treatment court is approximately \$300,000 annually. Attorney Nelson said seven drug-free babies have been born to previously-addicted mothers. The social and economic costs of treating children born addicted are phenomenal, said Nelson. People who successfully complete treatment court become more employable and able to contribute to their local communities in a positive way. Nelson showed a Power Point presentation that provided statistics about the effectiveness of drug treatment court. Supervisor Kilkenny asked how the drug court determines who should participate. Supervisor Russell asked what had been the impetus to make the program successful in Rock County. Mr. Nelson said the work of the criminal justice coordinating council was crucial. The council held public meetings and received input. It was a collaborative, group effort. Attorney Nelson said studies are challenging because a valid comparison group must first be identified. Improvement in family relationships is another identifiable, positive result of treatment court as well as improved employment earnings. Six percent of drug treatment court programs actually resulted in an increase in crime, a result of the "contamination" effect, said Nelson, who explained that when low risk offenders are placed with those who are higher risk, those in the low risk group

sometimes adopt some of the behaviors of the high risk group. One of the goals of treatment is to target high risk offenders. The Rock County treatment court judge says, "Incarcerate those we're afraid of (those who are a danger to society), not those we're mad at." Nelson said that on occasion attorneys refer into treatment court those who sell drugs but don't use them, which is not an appropriate referral. Those who are convicted of selling drugs must be incarcerated; those with drug use problems need help. Supervisor Kilkenny asked Attorney Nelson about transportation assistance in Rock County. Participants are given bus tokens for public bus transportation. The bus transports participants to within a block of the court building, said Nelson. Daily check-in and urine samples are required of participants. The program is no "walk in the park," Nelson said. Those who are successful have a genuine desire to change their lives. Some who might benefit from participation in the program have time restrictions that prevent them from doing so. The program helps participants to establish positive lifestyle habits. Sanctions are definitely a part of the program, said Nelson, and can be used to get someone's attention and get them back on track. Lower level sanctions include writing papers about offenses and community service work. Violations are reviewed by the drug court judge, and incarceration happens immediately. Nelson said Judge Werner operates the treatment court in Rock County as a "benevolent dictatorship." The system also includes rewards for compliant behavior. Repeat offenders who comply are treated with praise and sometimes reduced program requirements. The drug court team meets weekly at 7 AM. Research isn't yet clear on how effective alcohol treatment court is. The active criminal justice coordinating council (CJCC) is indispensable in terms of participating in research-based practices, said Nelson. Rock County's CJCC was county board-driven, like Walworth County's, and includes wide representation from community groups. Rock County requested the National Institute of Corrections (NIC) to conduct an assessment of its jail and identified seven key decision points. The assessment analysis showed that many of those incarcerated were sitting for unpaid fines. Defendants, their defense counsel and the prosecutor reach an agreement prior to drug treatment court program participation. Defendants plead to a charge and then enter the program. One key requirement of participation is addiction. Rock County's program has included a small number of repeat drunk driver offenders. In terms of reducing recidivism, if the program is not research-based, it has been found not to be effective, stated Attorney Nelson, who said he doesn't hold Rock up as a model of best practices. He said the ongoing process is very instructive. The Rock County Sheriff greatly expanded the electronic monitoring program. Studies have shown that public safety is enhanced by utilizing e-monitoring versus traditional Huber work release. The sheriff also implemented a weekend work program to help inmates work off the fines they owe. Chairman Weber asked about the "second chance" concept and what happens to those in the treatment program who ultimately fail. It's the end of the road for that case/specific offense, said Nelson. The biggest predictor of success is how long participants stay connected with the program. Relapse is assumed and planned for in the treatment program. The nature of the sanctions changes throughout the treatment process. A participant is not, for example, expected to have a "clean" urine sample at the very beginning; however, there is a minimum requirement to be clean for three months before one can become eligible for graduation from the program. Supervisor Weber asked whether the burden and cost of rehabilitation is being shifted to county health and human services departments (he referred to a "ripple effect"). Nelson said that is not really the case because nothing is more expensive than incarceration. He cited facts about drug-free babies born to previously addicted mothers as well as property tax collections from those who would not otherwise be employed if not for participation in treatment court. There is a net cost savings even after counseling costs and other health and human services are factored in.

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Eau Claire has a drug treatment court, mental health treatment court and a single mothers' drug treatment court. La Crosse has both drug and alcohol (OWI) treatment courts. Supervisor Russell asked whether the two need to be separate. Nelson said treatment court does not work without options that are specific to the particular type of addiction or aberrant behavior. The young population, he said, is one of the most deserving populations of treatment programs. Supervisor Weber asked whether Jeff Krebs had anything to add. Attorney Krebs said there are two ways the committee can address the jail population problem: increase the size of the jail (physical plant) and continue to incarcerate at record numbers or implement alternatives to punishment and incarceration. Research-based treatment is a proven method of reducing recidivism, he said. District 2 circuit court implemented doubling fines for repeat OWI and there has been no reduction in recidivism as a result. The State of Wisconsin, during Thompson's tenure, experienced an increase in incarceration by 1,200 percent as well as the increased cost to taxpayers associated with incarceration. There is a direct correlation, stated Krebs. Supervisor Weber asked whether part of the rise in jail population in Walworth County is because of tourism. The Public Defender's office handles about 70% of the cases involving offenses by people who are visiting, stated Krebs. In drunk-driving cases, those from out of state are typically first offenders (5%). Repeat offenders tend to be those with other problems, such as unemployment, family strife, depression, etc. "Alcoholics drink in their own neighborhood," stated Krebs. Chairman Weber said the committee is actively pursuing statistics on alternatives to incarceration. Vice Chairman Kilkenny said financial illiteracy, unemployment and lack of transportation lead to drug and alcohol abuse, from what he has observed in direct contact with and observation of Huber inmates. There are certain trends in all criminal justice systems: lack of education; occupation and employability issues; alcohol and drug abuse; and, family issues, to mention a few. Attorney Nelson noted there is good news in utilizing research-based practices. Minnesota has demographics similar to Wisconsin and has an incarceration rate that is half that of Wisconsin's. Community-based response to crime is the model in Minnesota. Chairman Weber asked County Administrator Bretl what the committee's next step should be. Attorney Bretl asked Mike Schmitz whether he had an update on the Pretrial Justice Institute's (PJI) analysis of the county's jail population. The preliminary report should be ready in two to three weeks, said Schmitz. Bretl said the committee could continue the jail study at its December meeting and also indicated the study may be at a point where the committee can begin to formulate some recommendations. The Walworth County CJCC has become re-energized in its efforts through the last several months during the Executive Committee's jail study. Supervisor Kilkenny asked about the possibility of inviting probation and parole staff to provide input. Mr. Bretl asked Schmitz to provide the County Administrator's Office with contact information for the Division of Probation and Parole. Committee members agreed to meet in December at 8:30 AM if Probation and Parole staff is available; otherwise, the meeting will be agendaized for the regular 10 AM time for a presentation of the PJI jail population analysis.

**Community Development Block Grant (CDBG) emergency relief funding, 2008 flood damage.** Kevin Williams indicated that \$38,156.89 remains from the county's \$247,000 grant award. There is one outstanding case involving the home that is full of mold, which Williams previously discussed with the committee. The State found an additional \$100,000 to assist the county. Williams requested even more funds; however, the state indicated there is no more funding assistance available. The family's mortgage pay-off is \$133,000. The property is not in the flood zone and could be sold by the county and funds could be recuperated. The family has

not decided whether they want to allow purchase of the home. The State requires a voluntary transaction agreement for the provision of relocation housing for the family if the county were to purchase the property. It was suggested the county could utilize public works staff to demolish the uninhabitable house on the property. The family does not want to file bankruptcy, said Williams. Supervisor Weber asked whether the family has equity in the house beyond the pay-off amount. Captain Williams indicated he would discuss this case with Public Works staff relative to how expenses could be recouped. Supervisor Russell stated that she feels the county has a responsibility to help the family without impacting the taxpayers. The acquisition of property, said Bretl, is a proposition that is binding. Would Supervisors want to use property tax dollars to supplement the costs of purchasing and selling the property in the event grant funding is insufficient to cover the costs? The law affords property owners certain rights when the government acquires their property. The county might not be able to limit any payment to only grant money. Supervisor Weber suggested Captain Williams contact the bank to find out whether the mortgage or any portion of it might be written off. Williams said he would gather more information and provide additional options for consideration in December.

**Ordinance amending Chapter 10 of the Walworth County Code of Ordinances pertaining to massage licensing.** County Administrator Bretl suggested holding the ordinance for a month, permitting the Sheriff's Office time to review it and make any suggested revisions. The current County ordinance is old, going back to the days when massage parlors fronted as covert sex-for-pay operations. Under current Wisconsin Statutes, licensed massage therapists are treated similarly to doctors, that is, once State-licensed, counties do not have the ability to regulate the practitioner's operation. The county may, however, be able to regulate an establishment where massage is conducted. Language which is no longer applicable has been struck from the draft ordinance, given the restriction from regulating the massage practices of practitioners who are state licensed. Mr. Bretl reviewed the ordinance section by section, highlighting the changes for the committee. The ordinance proposes the Executive committee as the body of the County Board that grants or denies a massage establishment license. If someone wanted to set up an establishment for massage, the county would have the ability to regulate that. The ordinance amendment includes a provision for investigation of applicants by the LURM and HHS departments. Administrator Bretl recommended holding the ordinance amendment for a month, providing opportunity for staff to review the ordinance and provide feedback and opportunity to provide the Abbey Provident Venture with a copy and invite their staff to attend the December 2010 Executive committee meeting. **Supervisors Russell and Brandl moved and seconded holding a recommendation concerning the ordinance until December. The motion carried 5 – 0.**

**Ordinance amending Chapter 2 of the County Code relating to record retention.** The committee had previously recommended adoption of a revised records retention schedule after receiving the Public Records Board's (PRB) approval. In the meantime, the Sheriff's Office brought up a concern with respect to the retention period for surveillance DVRs, such as those utilized at the Sheriff's Office/Law Enforcement Center and Judicial Center. The State Records Management Review Committee had previously suggested that the DVRs be retained for 120 days. The equipment currently used by the Sheriff's Office would not support that retention period, so County staff approached the PRB about the possibility of a shorter retention period. While the PRB would not reduce the retention period, they clarified that recordings that show no incidents can be reused or destroyed when they are no longer needed; however, recordings that

document incidents must be retained for 120 days. The ordinance amendment includes the revised retention schedule to make this clear. The Sheriff's Office would make the determination as to what is considered an incident. **Supervisors Hawkins and Brandl moved and seconded County Board adoption of the ordinance. The motion carried 5 – 0.**

*(Please note that item no. 12 below was scheduled to begin not earlier than 10 AM, as provided by public notice.)*

**Public hearing and consideration of application for renewal of Alpine Valley Music Theatre business license for the 2011 concert season (10:13 AM).** Committee members asked County Administrator Bretl about condition no. 14 of the draft license, which would address conditions of limited camping, if a pending conditional use application requested by Alpine Valley Theatre is approved by the County Zoning Agency. The Executive committee would have the option to impose additional license conditions based strictly upon the limited camping, said Mr. Bretl. Chairman Weber opened the public hearing (10:17 AM) and invited public comment. Dave Shaw, Alpine Valley General Manager, stated that minor grammar and spelling corrections had been made to the 2011 business license application and operations plan but it was, otherwise, the same as the 2010 plan. Section 10-26 of the Walworth County Code of Ordinances pertaining to business license application and renewal requirements had been provided to the committee members with their agenda packet. County Administrator Bretl asked Sheriff Graves and Deputy Corporation Counsel Cotter whether they had identified any issues with the operations plan and license application. Sheriff Graves stated the application and business plan had been thoroughly reviewed and no issues were found. Attorney Cotter concurred. Article V, Chapter 26 of the Code of Ordinances pertaining to special events, public assemblies and mass gatherings had also been provided to the committee. Supervisor Russell asked, referring to the license application, why no fines were listed in section 10-47 "Crowd Safety Management Plan" except for the \$1,000 fine for vending. Mr. Shaw stated vending was a lesser offense and that fines are imposed by the Sheriff's Office for the other offenses. Sheriff Graves said his office would impose a fine for vending but he wasn't certain what the fine is. Mr. Bretl inquired of Mr. Shaw whether there is signage in the Alpine Theatre parking lot concerning vending violations. Shaw confirmed there is and stated that at some concerts people arrive with credit card machines, prepared to sell any articles from burritos to t-shirts. Mr. Bretl suggested the language "violation carries a \$1,000 fine" be removed from the plan and license application. Chairman Weber called again for any public comments; there were none. Mr. Bretl recommended the committee grant the license if members had determined the conditions of the county's ordinance had been met. If limited camping is approved by the County Zoning Agency (CZA), additional conditions may be imposed based strictly upon that item. **Vice Chairman Kilkenny moved granting the 2011 license to Alpine Valley Music Theatre as set forth in the draft license, subject to the CZA's approval of a Conditional Use Permit to allow limited overnight camping at the facility for certain concerts, as specified in condition no. 14 of the Concert License; and, with removal of the language "Violation Carries a \$1,000 fine" from section 10-47 Crowd Safety Management Plan. Supervisor Hawkins seconded the motion, which carried 5 – 0.**

(The committee took a short break at 10:30 AM.)

**Resolution Establishing 2011 Committee of the Whole Meeting Dates.** In October, the committee recommended May 2011 for a WMMIC presentation to the County Board at a committee of the whole meeting. WMMIC staff is not available then but could make a presentation in April. Mr. Bretl suggested that every other year (in election years) the committee could recommend May as a committee of the whole date for an orientation meeting with newly-elected County Board Supervisors. **Supervisors Hawkins and Russell moved and seconded County Board adoption of the resolution establishing 2011 committee of the whole dates, including April 19 for WMMIC's presentation and a date in early September for the annual budget workshop. The motion carried 5 – 0.**

### **Appointments**

*911 Governing Board.* County Administrator Bretl nominated Supervisor Jerry Grant, Bruce VanderVeen and Kevin Williams, Emergency Management Director, all of whom had been recommended by Tim O'Neill, 911 Governing Board Chairman. In addition, O'Neill recommended appointment of David Fladten to the position being vacated by John Kramer. **Supervisors Kilkenny and Hawkins moved support of County Board appointment of Grant, VanderVeen, Williams and Fladten. The motion carried 5 – 0.**

### **Consent items**

Supervisor Stacey's mileage reimbursement request in the amount of \$17.00 was approved by a 5 – 0 vote on motion and second by Supervisors Hawkins and Russell.

### **New business**

Communication from David J. Shaw, General Manager, Alpine Valley Music Theatre, concerning Alpine Valley Theatre's application for a Conditional Use Permit with the Town of Lafayette and Walworth County to utilize one parking lot for limited camping. The committee had previously discussed this briefly under the Alpine Theatre 2011 business plan and license application agenda topic. Supervisors Kilkenny and Hawkins moved and seconded placing the correspondence on file; the motion carried 5 – 0.

**Discussion and possible action regarding a resolution supporting Emergency Government Director's participation in creation of a Southeast Wisconsin Incident Management Team (IMT).** Kevin Williams explained that the northeast and southwest regions of the State have an IMT in place already. To expect individuals who normally act as first responders to also fill the role of incident commander is difficult during emergency incidents, said Williams. The IMT would be comprised of individuals trained to operate in incident command positions in times of emergency and serve in that capacity for a longer-than-usual duration. In a 24/7 operation of long duration, such as the flooding in 2008, the IMT would operate the emergency command center and be in a decision-making role. Local fire chiefs have discussed creating a countywide IMT comprised just of Walworth County responders. The problem with that scenario would be that most of those individuals would be first responders and functioning in that capacity during any emergency incident, said Williams. Sheriff Graves stated two concerns that he had previously discussed with Williams: control of issues the county is ultimately liable for by individuals outside of the county and the logistics of training IMT command operators. Graves advocates Williams serving on the committee that is working on creation of the Incident Management Team. Many questions remain unanswered and issues unresolved. Williams' memo included in the committee's agenda packet indicated the IMT would assist in complying

with the county's NIMS ordinance. Williams indicated he was requesting the committee recommend adoption of a resolution supporting his participation in the committee working on the creation of the IMT as well as County support for a letter of intent (to participate in the IMT). The letter of intent would name Williams as Walworth County's representative. Supervisor Russell said she had the same concerns Mr. Bretl identified in his memo to Captain Williams, which also had been provided to the committee. Mr. Bretl agreed with Sheriff Graves, indicating that it is better to have a County participant in the IMT creation process versus not participating. Attorney Bretl reiterated his concern about relinquishing control of the county during times of crisis and advised the committee, if it supports participation in the IMT, to include language in the resolution and letter of intent that calls that out specifically. The IMT would take command when other local resources have been exhausted. Chairman Weber stated he was trying to envision the type of incident that would require utilizing an IMT. It was clarified that the local government is responsible to call in the IMT. Williams explained that his participation in the IMT creation committee could include specifying the importance of local control and how that would operate if and when IMT is implemented during an incident. Local officials would provide the plan for the IMT to follow, if specified by a resolution supporting County participation. Vice Chairman Kilkenny asked Mr. Bretl for his recommendation. He recommended passing on the resolution to the County Board and including language stressing the importance of local control as discussed. **Supervisors Kilkenny and Hawkins moved support of adopting the ordinance with the above-stated revisions. The motion carried 5 – 0.**

**Discussion and possible action regarding an ordinance relating to pawn brokers and secondhand article and jewelry dealers.** Deputy Corporation Counsel Cotter indicated that he received a request from the Sheriff's Office to help regulate this issue. Captain Nigbor explained that stolen articles were showing up at local establishments. The Sheriff's Office has no way of identifying or tracking the items. Supervisor Russell questioned the \$10.00 daily reporting failure fee and suggested a higher amount as a deterrent. Supervisor Kilkenny questioned the definition of second-hand dealer and the language being overly inclusive rather than targeting specific brokers. Mr. Bretl recommended holding the ordinance for a month, and including a reference to the State statute in the ordinance. He suggested the committee review the ordinance again in December. **Supervisors Brandl and Russell moved and seconded holding the ordinance for review at the December Executive committee meeting. The motion carried 5 – 0.** Dana Nigbor said the Sheriff's Office's goal is to put in place a better reporting system.

**Discussion and possible action regarding an ordinance relating to synthetic chemical cannabinoids.** Attorney Cotter stated that staff is ultimately looking to table this item until the State Legislature acts on this issue. There is currently no State law giving counties authority to ban or regulate synthetic chemical cannabinoids. Two State elected officials are leading the charge to introduce legislation, and seventeen other states have enacted bans. Cities and villages have in place the mechanism to enforce municipal ordinances pertaining to these substances; counties do not. Cotter stated that the United States Department of Agriculture (USDA) does not currently even know about all of the substances that comprise synthetic chemical cannabinoids. Attorneys Cotter and Bretl recommended holding the proposed ordinance for six months or until the State Legislature enacts a law. **Supervisors Kilkenny and Hawkins**

**moved and seconded holding the ordinance for a period not to exceed six months; motion carried 5 – 0.**

**Communication from Governor Doyle regarding an award of a Homeland Security Grant totaling \$25,000 for Telecommunicator Emergency Response Taskforce training.** The award is for a grant previously approved by the committee. Supervisor Russell and Brandl moved and seconded placing the governor's correspondence on file. The motion carried 5 – 0.

**Reports/announcements by Chairperson.** Chairman Weber had no announcements or reports.

The next Executive committee meeting was confirmed for Monday, December 20, 2010.

**Claims and litigation.** At 11:45 AM, Supervisors Kilkenny and Russell moved and seconded convening in closed session 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 item listed below. All members voted "aye."

- Claim for Vehicle Damage and Estimate – Walter Lee Fleming v. Walworth County Public Works

The committee reconvened in open session on motion and second by Supervisors Kilkenny and Hawkins. Supervisors Hawkins and Brandl moved and seconded County Board denial of the above-referenced claim and the County Clerk serving a notice of disallowance on the claimant. The motion carried 5 – 0.

**Annual evaluation of County Administrator.** The committee convened in closed session at 11:50 AM, on motion and second by Supervisors Russell and Brandl, pursuant to the exemption contained in section 19.85 (1) (c) of the Wisconsin Statutes, "Considering employment, promotion, compensation or performance evaluation data of any public employee over which the governmental body has jurisdiction or exercises responsibility," relative to the agenda item listed below. All members voted "aye."

- Annual performance evaluation of County Administrator

The committee reconvened in open session on motion and second by Supervisors Hawkins and Kilkenny. Supervisors Hawkins and Brandl moved and seconded proceeding as discussed in closed session with respect to the committee's evaluation of County Administrator Bretl. The motion carried 5 – 0.

Chairman Weber adjourned the meeting at 12:20 PM on motion and second by Supervisors Brandl and Hawkins.

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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.

**Walworth County Criminal Justice Coordinating Committee  
MINUTES**

**November 12, 2010 at 11:30 am**

**Walworth County Board Room – Room 114**

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**Task Force members present:** DA Phillip Koss, Circuit Court Judge David Reddy, Dr. David Thompson, Chief Joel Christensen, Clerk of Courts Sheila Reiff, County Board Chairperson Nancy Russell, Public Defender Eric Nelson, Penny Vogt – Dept of Corrections, John Kozlowicz, and HHS Director Linda Seemeyer

**Also present:** County Administrator David Bretl, Sheriff David Graves, Undersheriff Kurt Picknell, Tom Miller –Dept of Corrections, County Board Supervisor Dave Weber, Jeff Krebs and Nathan Jurowski – State Public Defender’s Office, Elizabeth Pohlman-McQuillen – Rock County Criminal Justice Planner/Analyst, Larry Hansen – Jail Chaplain, Elke B. Ingersoll - ATLAS of Walworth County, Maureen VanderSanden, Darryl Enriquez, Chris Schulz – Members of the Press, and Ken McGowen and Paula McGowen – members of the public

1. Meeting called to order at 11:37 am by Committee Chairman Phil Koss.
2. Roll Call taken by Committee Secretary Kathryn Loveless, see list of members above.
3. Withdrawals from Agenda: None
4. Approval of Agenda for the November meeting– Judge Reddy brought up adding the topic of interlock fees to the agenda but it was determined that we would combine that topic with 8b, under the Drug Court presentation so no additions were necessary. **A Motion to approve the agenda was made by Chief Christensen and seconded by Nancy Russell, all in favor, motion carried.**
5. Approval of September 17, 2010 minutes – **A motion was made to approve minutes from the previous meeting by Dr. David Thompson and seconded by Judge Reddy, all in favor, motion carried.**
6. **Public Comment** – No comments from any members of the public
7. **Unfinished Business**
  - a. **Update on Pre-trial Justice Institute Assistance** – Undersheriff Picknell relayed that we are still waiting for the results from PJI’s study. They are expected in the early part of December. Once the numbers have been obtained we will need to discuss what our next step will be as a group/committee to move forward with this data.
  - b. **Update on Application for DWI Court Training** - DA Koss announced that there has not been a response as of yet but we hope to hear something regarding our application this month. Andrew Graubard, District Court Administrator is our contact person and will keep us informed.
  - c. **CATE Report** – At this time there are two CATE groups going, a total of 11 individuals. There had been some violations prior to the first group meeting, but those people have been removed from the program. DA Koss inquired if any of the recent CATE members were 4<sup>th</sup> offense drunk drivers, that information was not available.
  - d. **RESOLUTION/ORDINANCE FOR NEW CJCC MEMBERS:** County Board Supervisor Nancy Russell indicated that the Ordinance was passed on October 12<sup>th</sup> at the County Board Meeting and a copy of the new Ordinance No. 641- 10/10 has been

filed with the CJCC meeting minutes for November. Officially all Walworth County Circuit Court Judges, Clerk of Courts Sheila Reiff, and District Court Administrator Andrew Graubard are CJCC members and have voting powers, it was also changed that Professor John Kozlowicz, current member, is now also a voting member.

- e. **Update Rock County Veterans Court:** PD Eric Nelson was happy to report that he did speak with Judge Daly and the Judge had a meeting with DA O'Leary and an agreement was reached that Rock County Courts/DA's office would represent the adjacent counties with Veterans going through their Veterans Court system. This will go into affect immediately. It was noted that Walworth County officials can attend the hearings on their behalf, but if they are for some reason unable to be at Veterans Court in Rock County, then Rock County officials will represent our clients. At this time, we have not had any Walworth County inmates (who are also Veterans) go through the Rock County Veterans Court.
- f. **Review of meeting frequency:** DA Koss asked the committee if we felt there was a need to meet monthly at least until the Jail Assessment study is completed. No motion is needed to have meetings every month, so at this time we will plan to meet monthly until further notice. Our next meeting will be scheduled for December 10, 2010 @ 11:30am.

## 8. **New Business**

a. **Truancy Abatement Project Proposal** – Dr. Thompson reported that juveniles and adults are handled separately. He indicated that the proposal is deliberately vague and he is recommending that the project move ahead. The next step is to form a Task Force with HHS Staff and School Staff so that both parties are/can be involved. Dr. Thompson asked for the support of the CJCC in order to continue to make progress with this project. **Professor Kozlowicz made a motion for the CJCC to support the program and continue to help move it forward, Nancy Russell seconded it, all in favor, motion carried.** Dr. Thompson noted that in January he will provide the committee with another report.

b. **Drug Court Presentation** – Prior to the presentation Judge Reddy announced that as of July 1, 2010 a new act has gone into affect and the Ignition Interlock System is required for those OWI offenders who have been charged with 2<sup>nd</sup> offense or higher or on the first offense if the BAC level is greater than a .15. There is a surcharge that is collected of \$50.00 for each interlock system and Judge Reddy suggested that maybe we look at setting those funds that are paid aside for help with treatment court funding when the Court(s) are up and running. This was accepted by the committee as a good idea and when the time comes closer it will be looked at and possibly approved by the Executive and Finance Committees of the County Board. Eric Nelson from the State Public Defender's Office gave a presentation on the Drug Court that Rock County runs. The presentation included video of the court along with statistics and a question and answer period. Elizabeth Pohlman-McQuillen, the Drug Court Coordinator for Rock County was also present to give statistics and answer questions. Mr. Nelson provided some shocking information and statistics. It is said that heroin use is up 400% in the state of Wisconsin. It was estimated that the Drug Court process from start to finish takes anywhere from 9 months to a year and a half to complete successfully. Since their conception in April of 2007, Rock County has had 266 people enter the program and to date there have been seven drug free babies born to participants. Currently a total number of 110 graduates have successfully completed the program. Ms. Pohlman-McQuillen noted that there are grants available to help with funding of a Drug Court. There are three types of grants available of which our county could apply for. You can only be chosen for one grant per County. It was mentioned by Dr. Thompson that the statistic of seven drug free babies born to members of the

Drug Treatment Court is actually huge as far as cost savings to the county. DA Koss commented that there is a need for evidence based treatment. The next step would probably be to look over the cost savings as it applies to Rock County and then if satisfied, to apply for a Drug Court Training, in addition to the DWI Court Training we already have submitted. More discussion will take place at the December meeting. \*A more detailed account of the presentation can be obtained by listening to the tape recording which can be done by contacting Kathy Loveless in the Jail Administration Office if anyone is interested.

9. **NEXT MEETING DATE** – Friday December 10, 2010 at 11:30am, the December meeting will be back at the Sheriff's Office in the Media Room.
10. **Adjournment** – Motion made by Judge Reddy and seconded by John Kozlowicz, all in favor, motion carried and meeting adjourned at 12:44 p.m.

Minutes submitted by Kathryn K. Loveless. Minutes are not final until approved by the Committee.

**WALWORTH COUNTY METROPOLITAN SEWERAGE DISTRICT  
MINUTES  
November 9, 2010  
1:30 P.M.**

**CALL TO ORDER**

The Regular Meeting was called to order at 1:30 p.m. by Commissioner Logterman.

**ROLL CALL**

**Present:** Dean Logterman, Brandon Johnson, Ron Henriott, Thomas Eck and Harold Shortenhaus

**OTHERS PRESENT**

Karla Eggink, Administrator  
Cindy Moehling, Assistant Administrator  
Patricia Ormson, Acting Confidential Secretary  
Timothy Fenner, Axley Brynelson  
Leslie Sammon, Axley Brynelson  
Saul Glazer, Axley Brynelson  
Ron Altmann, Operations Manager  
Steven Scheff, Maintenance Manager  
Thomas Johnson, Collection System Services Manager  
Edward Nevers, PE Professional Engineer, Donohue & Associates  
Larry Teunissen, PE Professional Engineer, Donohue & Associates  
Harry Domask, WalCoMet Employee  
Jared Loofboro, WalCoMet Employee  
Nicholas Moehling, WalCoMet Employee

**VISITORS COMMENTS**

None

**APPROVAL OF MINUTES OF REGULAR MEETING OCTOBER 19, 2010**

Commissioner Shortenhaus made a motion to approve the minutes of the Regular Meeting October 19, 2010. Commissioner Eck seconded and the motion carried.

**ADJOURNMENT TO CLOSED SESSION: Motion for consideration of a closed session pursuant to the provisions of section 19.85 (1) (e) and (g) Wis. Stats. for the purpose of negotiating a resolution of a design/construction contract dispute with Donohue and Associates, Inc. where bargaining reasons require a closed session, and for the purpose of conferring with legal counsel for the Commission who is rendering oral or written advice concerning strategy to be adopted by the Commission with respect to litigation in which the Commission is or is likely to become involved and concerning the contract dispute with Donohue and Associates, Inc.**

**MINUTES OF REGULAR MEETING AND CLOSED SESSION**

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Commissioner Eck made a motion for closed session, seconded by Commissioner Shortenhaus and roll call as follows:

Commissioner Eck	Yes
Commissioner Shortenhaus	Yes
Commissioner Logterman	Yes
Commissioner Johnson	Yes

The closed session convened at 1:37 p.m.  
Commissioner Henriott arrived at 1:40 p.m.

**RECONVENED INTO OPEN SESSION – ACTION, IF ANY, ON CLOSED SESSION MATTERS**

Commissioner Eck made a motion to reconvene into Open Session at 3:20 p.m., seconded by Commissioner Shortenhaus and roll call as follows:

Commissioner Eck	Yes
Commissioner Shortenhaus	Yes
Commissioner Logterman	Yes
Commissioner Henriott	Yes
Commissioner Johnson	Yes

No action taken.

**RATIFICATION OF COLLECTIVE BARGAINING UNIT 2171 CONTRACT**

Leslie Sammon, Axley Brynelson, presented the Collective Bargaining Unit 2170 Contract. After discussion, Commissioner Eck made a motion to approve 2010-06 Resolution Regarding Ratification And Adoption Of A Collective Bargaining Agreement Between Walworth County Metropolitan Sewerage District (WalCoMet) and Local 2171, Wisconsin Council 40, AFSCME, AFL-CIO, seconded by Commissioner Johnson and the motion carried.

**ADMINISTRATOR’S REPORT**

Administrator Eggink presented the Administrator's Report that included:

1. 2010 Maintenance Projects Status Report. The treatment plant maintenance project costs remain at \$54,700. The collection system maintenance project costs remain at \$96,000. These reports contain a description of projects scheduled for the year 2010. The cost outlined in the project summaries are estimates based off past experience or actual estimates provided by contractors.

## MINUTES OF REGULAR MEETING AND CLOSED SESSION

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WalCoMet has been contacted by the contractor installing sewer lines at the Ludwell Estates mobile home park located along Hwy 11. Approval was granted for the installation of sewer services and discharge of wastewater from this property via an agreement between Elkhorn and the property owner. There now is some confusion as to who is responsible for the inspection and maintenance of this system. WalCoMet has requested the contractor to hold off on installation until that responsibility is clearly understood by all parties.

2. Permit Compliance Update. The wastewater facility met all permit requirements for the month of October. Staff is still waiting for the new discharge permit.
3. Staff Training Activities. Four staff members attended the Wisconsin Wastewater Operators Conference. Peter Borgo, Laboratory Technician, gave a presentation on WalCoMet's laboratory renovation and the steps he went through to help design a laboratory that would meet the needs of WalCoMet while providing an efficient and enjoyable work space for staff. Mr. Borgo also assisted in judging the annual wastewater operators competition. Mr. Borgo is commended for his representation of WalCoMet. Ron Altmann, Operations Manager, represented WalCoMet in his role as historian for the Wastewater Operators Association.

The Walworth County Metropolitan Sewerage District will host the Wisconsin Wastewater Operators Conference in February, 2011.

4. Setting a Closed Session For Annual Goal Setting And Administrator Review. Administrator Eggink requested a closed session for the December 14, 2010 Commission Meeting for Administrator review.
5. Insurance Review. At this time Administrator Eggink commended Cindy Moehling, Assistant Administrator, and Kelly Kellenburger, Burdick - Kellenburger Ins. Co., for their accomplishment of keeping WalCoMet's insurance rate as low as possible. The insurance premium increase is approximately 8.8% which is remarkable considering the increase in value WalCoMet experienced due to the plant expansion.

## RECEIPTS AND DISBURSEMENT REPORTS

Commissioner Eck made a motion to approve the Receipts and Disbursements Report for October 2010 as presented. Commissioner Johnson seconded and the motion carried.

**MINUTES OF REGULAR MEETING AND CLOSED SESSION**

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**ACCOUNTS PAYABLE LISTING**

Commissioner Shortenhaus made a motion to approve the Accounts Payable Listing in the amount of \$114,724.60 for the General Account. Commissioner Eck seconded and the motion carried.

**OLD BUSINESS**

a. **COST FOR SERVICES COMPARISON (as requested at October 19, 2010 meeting)** - As requested, Administrator Eggink presented a cost for services comparison presented by MSA Professional Services during the Wisconsin Wastewater Operator's Convention. This comparison concludes that WalCoMet's customer rates are mid range in the chart for cost for services. This agenda item was for information only, therefore no action was taken.

**NEW BUSINESS**

a. **RESOLUTION ABATING TAX LEVY OF 2010 REAL ESTATE TAXES**-After discussion, Commissioner Henriott made a motion to approve Resolution 2010-05 to abate the tax levy and direct the officers of WalCoMet to pay the 2011 obligations when due from the funds on hand. Commissioner Johnson seconded and the motion carried.

b. **INTERCEPTOR SEWER TELEVISIONING**-After discussion, Commissioner Johnson made a motion to approve the televising project that extends from Borg Road to the CTH O lift station through the Borg Marsh with a not to exceed cost of \$10,000. Commissioner Henriott seconded and the motion carried.

c. **HOLIDAY LUNCHEON**-Commissioner Johnson made a motion approving the Holiday Luncheon and Benefit. Commissioner Eck seconded and the motion carried.

**ADJOURNMENT**

Commissioner Eck made a motion to adjourn, seconded by Commissioner Johnson and the Regular Meeting adjourned at 4:16 p.m.

\_\_\_\_\_  
Thomas Eck, District Secretary

**APPROVED:** \_\_\_\_\_

**PUBLISHED:** \_\_\_\_\_

# Wisconsin River Rail Transit Commission

Full Commission Mtg – Friday, 05 Nov 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		X
	Margaret Ruf (arrived at 10:15)	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		X
	Rob Sinklair	Assistant Secretary	X
	Scott Alexander		X
Walworth	Marty Krueger	Alternate	
	Jerry Grant		X
	Richard Kuhnke	X- Committee	
Waukesha	Allan Polyock		X
	Karl Nilson	Chair	X
	Richard Manke		X
	Fritz Ruf		X

**Others present for all or part of the meeting:**

Roger Breske (Wisconsin Office of the Commissioner of Railroads); Amy Seeboth (SWWRPC / WRRTC Administrator); Frank Huntington, Ron Adams, & Roger Larson (WisDOT); Ken Lucht & Tim Karp (WSOR); Virgil Kasper (Pink Lady RTC); Jim Matzinger (Dane County, WRRTC Accountant); Jeremiah Tucker (Sauk Prairie Eagle)

3. **Motion accepting Seeboth's certification of Public Notice.** *Sweeney / Thomas- passed unanimously.*

4. **Motion accepting the Agenda, prepared by Seeboth.** *Grant / F. Ruf - passed unanimously.*

5. **Motion approving the draft Oct. Minutes with noted corrections.** *F. Ruf / Farness – passed unanimously.*

6. **Public Comment – None**

7. **Correspondence & Communications –** Seeboth told the Commissioners that the Wisconsin Rail Plan 2030 is available for review – public comments are due by Nov. 15<sup>th</sup>. The public hearing is Nov. 8<sup>th</sup> in Stevens Point. She also informed the Commissioners that both the Eckleberry/Defabbio and MH Materials Crossing Permits are in the process of being signed right now.

## REPORTS & COMMISSION BUSINESS

8. **Presentation by Commissioner Breske, Wisconsin Office of the Commissioner of Railroads -** Commissioner Breske gave a brief presentation to the Commission and then took questions. OCR is a small agency – 6 full time positions. They are responsible for public crossings in the State. They are a quasi-judicial agency. They have budget of \$4.4million a year for signal installations and have scheduled the remaining 8 WSOR wigwags for removal. All OCR wages are paid for by private railroads, the budget is passed through the WI Finance Committee, but not paid for by State. The Commissioner encouraged folks to contact the OCR if they have a rough crossing they would like looked at.
9. **WRRTC Financial Report–** Jim Matzinger, Dane County CPA / WRRTC Accountant provided copies of the treasurer's report to each Commissioner. He added that Crawford County's payments are behind and that RTC does not have the cash necessary to make the payment to WSOR right now and that they have to either change their commitment to WSOR or change the county assessment. Crawford has committed to \$11,000 this month and will work on the rest. Rock County added that they increased their allocation in 2010.

- **Motion accepting the treasurer’s reports for Sept., Oct., and Nov. and payment of bills for Nov. - Sinklair / Van Schwartz – passed unanimously**

**10. Wisconsin & Southern Railroad’s Report on Operations – Ken Lucht, WSOR, reported on the following:**

- *Monthly Maintenance Activities* –WSOR has done weed control on the entire system and brush cut ¼ of system so far and will continue into fall as long as they are able. They are doing normal track inspections, daily or bi-weekly, and repairing broken rail where they find it.
- *Update on Capital Projects Underway* – They have completed laying welded rail on the Madison Sub between Milton and Stoughton- all rail has been installed and surfacing has been done from Milton to Edgerton, they will surface up to Stoughton in next 4-5 weeks. They are also working on a tie project between Janesville and Monroe and expect to complete it today. Next, the crew will be installing 6,000 ties in Reedsburg. In 2010 they would like to install welded rail in Waukesha if the budget works out. In Cottage Grove, they have a couple of customers who are projecting up to a 40% increase in business in 2012. In the northern division in Hartford, the tank car traffic is expected to increase 30% next year. In Ripon, tank car traffic is expected to be up 50%.
- *Other Continuing Issues:* 2011 WSOR calendars will soon be out. If you don’t receive one, let Lucht know. WSOR 30<sup>th</sup> anniversary book will also soon be out and made public. Soo Line railroad 1003 is a steam engine based in Hartford, it is traveling around right now and on Nov. 13<sup>th</sup>, it will bring Santa into Hartford.

**11. WRRTC Administrator’s Report –** Seeboth reported on the following: Commissioner Anderson informed her that he recently lost his wife- the Commission will send him a sympathy card. Seeboth attended the annual Freight Rail Conference last week; she gave a brief update on this event.

**12. WDOT Update –** Huntington reported that High Speed Rail project is on hold. Even if high speed rail may not proceed, WDOT still may acquire the UP lines and possibly CP. Track and improvements for all of the track they own in the Madison area and the track from Madison to Reedsburg is roughly estimated to have a value of just less than \$6 million. Lucht asked whether the DOT might take on an active role in the property management issues that need to be addressed on the Watertown Line should the High Speed Rail Project not proceed. Huntington said that they would treat it like any other line.

**13. Update on Sauk County Rails to Trails Stakeholder Group –** Virgil Kasper (Pink Lady) said that he had spoke with Marty Krueger, Sauk County Chair, at 8:30 this morning- Marty had said that there will be another meeting coming up before Thanksgiving is what they are hoping. At the last meeting a directive was given to WSOR, the Villages and to United Cooperative to meet, and after that, WSOR and United Cooperative were to meet. Both these meetings have occurred.

**14. Consideration of adjourning to closed session pursuant to Wis. Stat. sec. 19.85(1)(e) for review of and discussion regarding WDOT/WRRTC/WSOR/Amtrak Passenger Rail Agreement, as competitive reasons require a closed session.**

- **Motion to adjourn to closed session pursuant to Wis. Stat. sec. 19.85(1)(e) for review of and discussion regarding WDOT/WRRTC/WSOR/Amtrak Passenger Rail Agreement, allowing WDOT and WSOR to remain in the closed session as they are parties to the agreement – Alexander / Scallon – Roll Call Vote.:**

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

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

The motion passed unanimously. Wisconsin River Rail Transit Commission entered into closed session.

- **Motion to end closed session – Grant / Manke – passed unanimously**
- **Motion to authorize Chairman Nilson to sign a non-disclosure agreement concerning negotiations on the WDOT/WRRTC/WSOR/Amtrak Passenger Rail Agreement, allow review of the documents by the WRRTC attorney and Commissioners, and to authorize a call for special meeting or turn an executive commission into a full commission meeting if necessary for timely review. F. Ruf/Sinklair - passed**

**15. Motion adjourning the meeting at 11:47 a.m. - Manke / Thomas - passed unanimously.**