



**Walworth County Board Finance Committee
MEETING MINUTES
Thursday, February 17, 2011**

DRAFT

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

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

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

County staff in attendance: David Bretl-County Administration/Corporation Counsel; Nicki Andersen, Dale Wilson-Finance; Linda Seemeyer-Health & Human Services; Bernie Janiszewski-Lakeland Health Care Center; Michael Cotter-Corporation Counsel/Land Use & Resource Management; Shane Crawford, Peggy Watson-Public Works; Captain Scott McClory-Sheriff's Office; Kathy Du Bois-Treasurer's Office.

Others in attendance: There were no other County Board members or members of the public in attendance.

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

Approval of minutes of last meeting(s) — February 8, 2011 – Joint Finance/Public Works Committee Meeting — **Supervisors Schaefer and Kilkenny moved and seconded approval of the meeting minutes; carried 4-0.**

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

Unfinished business — There was no unfinished business.

Consent items — Russell noted that budget amendment PW014 was received after the agenda posting and therefore distributed to the committee this morning. She requested separate discussion for Agenda Item 8A4, budget amendment SH007; Agenda Item 8A5, budget amendment PW002; and Agenda Item 8B2, sale(s) of tax foreclosure property. **Supervisor Kilkenny moved to approve the balance of the consent items. Vice-chair Grant seconded.** Schaefer asked for separate discussion of Agenda Item 8B1, contract for countywide vending machine services. **Motion to approve the remainder of the consent items carried 4-0.**

Budget amendments — Crawford asked that 2 budget amendments be withdrawn, i.e., PW015, which is not yet ready, and PW002, which is below the threshold requiring committee action. **Supervisors Kilkenny and Schaefer moved and seconded withdrawal of budget amendments PW015 and PW002 from the agenda; carried 4-0.**

2010:

Health and Human Services (HHS)

- HS020 — Adjust state and third party revenue budgets to reflect actual revenues
- HS021 — Transfer funds to cover higher than anticipated costs for mental health and AODA short term inpatient programs

Lakeland Health Care Center (LHCC)

- LH02 — Adjust year-end budget related to nursing department staffing

Public Works

- PW013 — Adjust year-end budgets to cover actual expenditures
- PW014 — Reduction in 2010 solid waste tipping fees
- PW015 — Yearend reconciliation of department of public works budget

Sheriff's Office

- SH007 — Redistribute budget to reflect year-end revenue balances for corrections division

2011:

Public Works

- PW002 — Reduction in 2011 solid waste tipping fees

Bids/contracts

- Award contract for countywide vending machine services — Crawford explained that the proposal recommendation reflects the current vendor being the highest ranked. Dollar amounts indicated in the ranking section are estimated commission and not the county's cost. The vendor with the highest estimated commission ranked lower in other evaluation criteria. Russell asked if the commission is guaranteed. Do we currently receive a comparable amount? Crawford said these figures are an estimate. Our actual revenue will depend on the sale of products through the vending machines. The county will receive a larger portion of the sales through the new contract. Russell wondered if a larger selection of items could be stocked in the refrigerated fresh foods machine. Crawford explained that the unit, located at the Government Center, is a trial to incorporate healthier choices. Staff have discussed the selection with the vendor. **Supervisors Schaefer and Kilkenny moved and seconded awarding the contract for countywide vending machine services to CL Swanson Corporation; carried 4-0.**
- Award sale(s) of tax foreclosure property — One qualified highest price bid, from the same bidder, was submitted for the following parcels: JLCB 00026, JLCB 01405, JLCB 01765, GBW 00028 and GNLB3 00359, according to Crawford. George Skopis bid \$52.00 on each of the properties. Staff recommend authorizing the sale. **Supervisor Schaefer moved to approve sale of parcels JLCB 00026, JLCB 01405, JLCB 01765, GBW 00028 and GNLB3 00359 to George Skopis. The motion was seconded by Supervisor Kilkenny and carried 4-0.**

Discussion returned to agenda item 8A4 Sheriff's Office budget amendment SH007. Russell asked how unemployment affects Huber reimbursements. When there is higher overall unemployment in the county, not as many Huber inmates are out working and therefore can't reimburse the county for their daily rates, according to Andersen. Schaefer wondered why revenue for electronic monitoring is down. Bretl said there aren't as many people on the monitoring system. **Supervisors Schaefer/Grant moved and seconded approval; carried 4-0.**

New business

Discussion and possible action regarding proposed 2011 calendar for 2012 budget process

— Andersen noted that the draft 2011 calendar for the fiscal 2012 budget process contains two dates which are different from the initial proposal by the county clerk's office. First, staff recommend the date for public budget hearing be Tuesday, November 1. Second, we are asking that the Board move its September meeting to Thursday evening, September 8. If the meeting remains on the second Tuesday, Supervisors would have only two days to review County Administrator Bretl's proposed budget and submit appeals. Also, Bushey had mentioned to Andersen that there may be the potential for a special election on the second Tuesday. Russell said she polled the Supervisors at the January County Board meeting and was told these changes were okay. **Supervisor Grant moved to approve the proposed calendar for the 2012 budget process. Supervisor Kilkenny seconded the motion; carried 4-0.**

Discussion and possible action regarding Child Passenger Safety Seat Grant — McClory explained that the Sheriff's Office currently has only two staff who are certified by the State to inspect child safety seats. One of the biggest issues is that many low income families have to choose between buying food or medicine instead of a seat. The grant is a 25% "soft" match. It would allow more staff to become certified and provide funding to give seats to low income families that may not be able to buy them without our help. **Supervisor Schaefer and Kilkenny moved and seconded approval for the sheriff's office to apply for the Child Passenger Safety Seat Grant.** Schaefer asked when we last applied for the grant. McClory thought it was 2-3 years ago. Seemeyer said that the application was through HHS. Schaefer wondered how families are evaluated for this program. The sheriff's office and HHS work together, according to McClory. When HHS staff know of someone who needs a safety seat, or who may have asked them for help obtaining one, they make the referral to the sheriff's office. Russell asked if the funding usually lasts through an entire year. Seemeyer said we were close to running out last time. McClory noted that we hope to use the grant funds to certify officers from other municipalities, as well, so it is not always necessary to deploy one of our staff when an open house is scheduled or an inspection is requested. The current Department of Transportation statistics indicate that 60-75% of child safety seats are not installed correctly. That's a big chunk. Grant said the sheriff's office does a good job with fundraisers to provide toys for low income children at Christmas time. Perhaps a similar fundraiser could allow us to continue providing safety seats if the grant funds should be exhausted. McClory will ask. The fundraiser organizers have already expanded to include gloves, hats, boots and so forth. They may be receptive to buying a couple of child safety seats. **Motion to approve the grant application carried 4-0.**

Ordinance **-03/11 Amending Section 30-286 of the Walworth County Code of Ordinances Relative to Land Use and Resource Management Fees — This amendment to the Code came about in relation to a couple of campground proposals received in the past year, according to Cotter. LURM staff spent an inordinate amount of time working on those projects, and would like to impose the same fees as subdivisions so we can recoup our costs going forward. For example, an Alpine Valley campground proposal is going to the County Zoning Agency tonight. Staff spent a great deal of time working with Alpine to get everything ready for the committee. The proposal is for 50-70 sites that are a mixture of recreational vehicles (RVs) and tents. There may not be many campground proposals but LURM would like to have the fee on the books for those submitted in the future. Schaefer asked if Alpine Valley will be able to sell liquor in the campground. He's gotten comments that doing so will hurt the restaurant and bar businesses in the county. Cotter said he doesn't have details of the conditional lease but will find out and let Schaefer know. **Supervisors Grant and Russell moved and seconded approval of the ordinance amending the Land Use and Resource Management fees; carried 4-0.**

At the committee's request, Russell called a brief recess at 9:59 a.m., reconvening at 10:01 a.m.

Discussion and possible action regarding tax foreclosure properties (Tabled from November 18, 2010 meeting) — Bretl said Crawford, Cotter and Du Bois were tasked with developing procedures to handle foreclosures. There are a number of issues but, in particular, we need an approach to deal with foreclosed properties that include a house with occupant(s). Unfortunately, the law is less than clear as to what procedure we should follow. Cotter said the foreclosure process, with regard to evictions, is convoluted. He wished the legislation would incorporate better procedures into Chapter 75 of the State Statutes. In his opinion, there are three (3) options: 1) Start the eviction process and wait to sell the foreclosed property until the eviction is complete. Our process may be similar to the small claims eviction chapter Statutes, with reference to renters. However, our case is unique in that the occupant isn't actually renting from the County. 2) Notify the occupants to vacate in a short time period or be subject to being charged, with a potential fine and jail time. Rock County interprets a section of the Statutes on tax foreclosure and uses this procedure, but Cotter feels this option is a stretch. He didn't know if their interpretation has been tested and is also unsure of the end result. Would the occupants actually move out? 3) Try to sell the property as quickly as possible and let the new owner address any concerns with regard to occupants. That may work well for the new owner if there is a long-term tenant who wants to stay. Even the eviction process would be easier because the owner could have a landlord/tenant relationship.

Cotter added that the county becomes responsible for the property when we take title and continuing until the property has been sold. Under Option 2, if we attempt to remove occupants in a short timeframe, they may respond by indicating they had no idea their landlord wasn't paying taxes. Staff recommend Option #3, seizing and trying to sell foreclosed properties as quickly as we can. Otherwise, we have to change the locks and so forth. An issue raised at a previous meeting was whether to list a property with a realtor if the house was appraised for \$100,000 but our highest qualified bid was only \$25,000, for example. Kilkeny asked if anything prevented us from expanded advertising of properties that may have more value. Crawford said we can,

but it comes down to the accuracy of knowing what we are selling. Seizing the property, evicting the tenant, and obtaining an accurate home appraisal before advertising are the biggest issues. Rather than taking over the property, Kilkenny wondered if we could decide on these properties when doing a drive-by. If they look good, perhaps we should advertise those beyond the statutory notice requirements. Foreclosures are published on the county website, which is already more than required by the Statutes, according to Crawford. Russell thought additional advertising might be beneficial for properties where there is no occupant but did not feel it would be advisable to advertise if we cannot get inside. Grant asked if we could advertise on the same Internet system that real estate brokers use, or would that be an infringement? Crawford responded that we would have to enlist the services of a realtor to use the Multiple Listing Service.

Grant asked Cotter whether trespass laws would apply if we take possession of a property, aren't collecting rent from whomever may be living there, want them to leave, and they don't. Cotter said the law is really unclear but we could handle these situations similar to Rock County's process. He could see some of our judges ruling that we should have given them more notice, pursuant to Chapter A46. Grant asked if we could get the Attorney General's opinion. Cotter feels the response would likely be the same synopsis he indicated earlier. Schaefer spoke in favor of the third approach.

Bretl complimented Cotter, Crawford and Du Bois on pulling together information on past practices and what the law is. These issues aren't anything new, but the number of foreclosures and types of properties we are seeing these days are somewhat unique. In the past, foreclosing on a parcel that contained a home was unusual and having someone living there was even more so. He doesn't believe these situations with foreclosures will go away but we don't have resources to deal with them. Staff will need to spend more time determining what's going on with such properties, which may involve changing locks. Bretl didn't feel there would be a "one size fits all" solution. He favors a combination of Options 2 and 3. Although less comfortable sending deputies to haul tenants off a property, he doesn't think there's anything wrong with putting a placard on the door of the house stating that they shouldn't be there. Selling these properties relatively quickly is a good idea, in general. It may be worth our time to do more advertising of parcels with vacant houses that are appraised higher.

Du Bois commented that, of two parcels which were foreclosed last year, one was a homestead and the other was a rental. The buyer of the latter wanted the occupants to remain as tenants. She added that the county used to post foreclosure signs at properties in the past but we had a huge problem with people taking them or moving them to someone else's house. We had to keep replacing the signs. Russell recommended a combination of Options 2 and 3, notifying occupants to vacate and turning over properties as quickly as possible, respectively, but also continuing to look at each parcel individually. Bretl said staff would draft an administrative procedure.

Crawford requested verbal clarification of the committee's direction. Should we start the eviction process immediately if there is a tenant/previous owner living on the property? Cotter's understanding is that corp counsel should send a letter notifying the occupants that they are living

on Walworth County Property, asking them to vacate immediately, giving them a timeline to vacate, and stating that the notification is pursuant to Chapter 75 of the State Statutes. If the occupants don't vacate, the county will try to sell the property as quickly as possible before the eviction process. Staff would then present bids to the committee, at which time they can indicate the circumstances of the parcel and the committee can decide how quickly they want to sell it. Schaefer wanted to know if the sheriff's office would charge the county if we ended up pursuing eviction. Bretl said that would probably be the case. Many of these foreclosed properties may be distressed. The committee can decide whether to advertise further if a property is in good shape. **On motion and second by Supervisors Grant and Kilkenny, staff were directed to notify, in writing, tenants living on a foreclosed property, with the content of said letter to be as outlined by Cotter in today's discussion; attempt to sell the property as soon as possible once the letter is written; and not proceed with the eviction process until authorized. Motion carried 4-0.**

With regard to agenda item 9C, the ordinance amending the Land Use and Resource Management Fees related to campgrounds, Cotter clarified that Alpine Valley's request is for 75 total sites, with 450 campers. Zoning staff are recommending that number be reduced a little. There is the potential for up to 6 people on a site. The camping area is 64' x 64'. Schaefer asked if the campground would have sewer facilities. Sanitary requirements are included in the conditional use permit, according to Cotter.

Supervisor Schaefer was excused at 10:36 a.m.

Update regarding stop loss insurance and transplant rider — Andersen said staff held lengthy discussions with both vendors involved in this issue. We made our expectations for the future very clear so there will be no further surprises after the fact. Staff talked at great length with the vendors as to how the discrepancies with the transplant rider transpired, what needs to be done differently, and the role of the vendors' staff who are working on our behalf. She added that the county's contract with our current health care consultant is expiring. We are looking to put out a Request for Proposal (RFP) for those services. She was not sure what the service level would be, as it may depend on legislation currently pending in Madison. We may have to rewrite our RFP a little to incorporate that. Russell expressed appreciation for Andersen's that we weren't happy with how things transpired.

Reports

- Update on tax incremental financing (TIF) district(s) — Andersen said Lanser's memo is self-explanatory but she will try to answer any questions the committee may have with regard to the City of Whitewater TIF District #4 or the Village of East Troy TIF District #3.

Correspondence

- Correspondence from Wisconsin Department of Administration regarding *American Recovery and Reinvestment Act of 2009 (ARRA)* funding expenditure compliance (Referred by the County Board) — Russell stated that no action is necessary on this agenda item.

The correspondence notifies us we are in compliance.

Confirmation of next Finance Committee meeting:

- Thursday, March 17, 2011, at 9:30 a.m. in County Board Room 114 at the Government Center — The meeting was confirmed.

Adjournment of Finance Committee

Upon motion and second by Supervisors Kilkenny and Grant, Chair Russell adjourned the meeting at approximately 10:41 a.m.; carried 3-0.

Schaefer returned to the meeting at 10:42 a.m.

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.

County Zoning Agency
MINUTES
February 17, 2011 - 4:00 p.m.
100 West Walworth Street
Elkhorn, Wisconsin

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

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

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

Public in attendance – Jim C. Simons, Robert E. McIndoe, Debbie and Mark Curcio, Chris Schultz, Lake Geneva Regional News; Anthony Coletti, James P. Howe, Beverly Gamache, Eric Hudson, Steve Schuh, Kelly Elliott, Joe Staller, Wendy Staller, David Shaw, Bruce Firestone, Richard Atkinson, Bill Jacques, B. A. Fischer

A motion to withdraw Item 8.d.1. , Dwayne Deakins rezone, Town of Lafayette, was made by Supervisor Brandl, due to no action by the Town. Mr. Weidensee also recommended that Item 8.b.6 be acted on jointly with Item 8.d. 2, Kelly and Debra Elliott. Mr. Van Dreser also requested that Item 8.b.3., the communication from Supervisor Stacey, be tabled until March in order to be discussed when Supervisor Stacey is present. Supervisor Weber said he spoke with Supervisor Stacey earlier in the day and it would be alright for discussion to take place today. Mr. Van Dreser withdrew his motion to table. A second to approve the agenda as amended was made by Mr. Van Dreser. The motion carried 5 -0.

A motion and second to APPROVE the minutes of the January 20, 2011 meeting was made by Supervisors Brandl and Wardle. The motion carried 5 – 0.

Zoning enforcement (4:05:50 – 4:08:24) The committee reviewed the zoning enforcement spreadsheet. No action was taken.

Subdivision Items

Mark and Debra Curcio restriction removal and affidavit of correction request on Lot 8, Block 2 of Pebble Beach Subdivision, Tax Parcel #HPE 00031, Town of LaGrange (4:08:24 – 4:14:33) Mr. Frauenfelder indicated the applicant is requesting County Zoning Agency approval for removing a previously approved building setback line in order to bring an existing residence location and proposed addition into compliance with the current zoning ordinance building setback requirements for an existing substandard lot. He said that when this subdivision was first platted the zoning district at that time was R-A, a residential zoning district with a 20,000 sq. ft.

lot minimum. During the time of platting a building setback line from the road back to the width line of where the house was going to be located was greater than that requirement is today under current zoning. Everything is in order with today's zoning ordinance standards. Mark and Debbie Curcio were present for any questions. There was no one to speak for or against this item. **A motion and second to APPROVE was made by Jim Van Dreser and Supervisor Brandl. The motion carried 5 – 0.** Approval is subject to the following conditions:

1. Approval is subject to obtaining Town of LaGrange approval or the Town waiving their review authority.
2. Approval is subject to the applicant recording the Affidavit of Correction with the Register of Deeds Office.
3. Approval is subject to meeting all applicable State Statutes and County Ordinances.

Sansnom, LLC c/o Wrigley Management, Inc. Proposed 1-Lot Certified Survey Map located in Section 3, Town of Linn, Tax Parcel #'s I L 300002 and IH 00006 (4:14:33 – 4:20:43) Mr. Frauenfelder described the proposed CSM as containing 9.972 acres of land and zoned R-1 Single-Family Residence District and C-2 Upland Resource Conservation District. He said this lot line adjustment CSM requires County Zoning Agency review and approval because it changes the exterior boundary of an existing subdivision plat (Hutchinson's Subdivision). A 2-unit planned residential development conditional use request has also been submitted on this parcel and will be discussed later in this meeting. Land Use and Resource Management staff has completed their review. The Town has approved the CSM. The State Department of Administration Plat Review Section has reviewed the proposed CSM and has identified several corrections that were needed. Atty. Jim Howe of the Godfrey Law Offices represented this item. There was no one to speak for or against this request. **A motion and second to APPROVE was made by Supervisor Wardle and Jim Van Dreser. The motion carried 5 – 0.** Approval is subject to the following conditions:

1. Approval is subject to adding the following notation to the face of the CSM: "Parcel is subject to the conditions of the conditional use approval for a 2-unit planned residential development".
2. Approval is subject to showing on the face of the CSM the stormwater management features as shown on the stormwater management plan prepared by Vanhenkelum Lynch and Associates. This should include any stormwater management features or easements and road access easements on the adjacent parcel to the east that will service this proposed CSM.
3. Approval is subject to making corrections identified in State of Wisconsin Department of Administration review letter.
4. Approval is subject to meeting all requirements of State Statutes and county ordinances.

Michael S. Komoll Trust Proposed 1-Lot Certified Survey Map located in Section 3, Town of Linn, Tax Parcel #'s IBB 00001E and I L 300006B (4:20:43 – 4:24:23) Mr. Frauenfelder described the CSM as containing 2.5 acres of land and zoned C-2 Upland Resource Conservation District. He said this lot line adjustment CSM requires County Zoning Agency review and approval because it changes the exterior boundary of an existing subdivision plat (Bonnie Brae

Subdivision. The Town of Linn has approved the CSM. LURM staff has completed their review. The State Department of Administration Plat Review Section has reviewed the proposed CSM and identified only one correction that was needed to the Surveyor's certificate. That correction has been made. Atty. Jim Howe represented this item. He said Mr. Komoll owns two lots and would like to add a deck. There is an interior lot line and this CSM will combine them into one lot. There was no one to speak for or against this item. **A motion and second to APPROVE was made by Supervisor Brandl and Mr. Van Dreser. The motion carried 5 – 0.** Approval is subject to the following conditions:

1. Approval is subject to making the correction identified in the State of Wisconsin Department of Administration review letter.
2. Approval is subject to meeting all requirements of State Statutes and county ordinances.

New Business

Discussion/Possible Decision – Amendment to Walworth County Code of Ordinances, Walworth County, Wisconsin, Chapter 74-51, 74-61, and 74-131 of the Zoning Ordinance and Chapter 74-178, 74-188, and 74-163 of the Shoreland Zoning Ordinance (4:24:23 – 4:26:08) Sr. Zoning Officer Deb Grube said this ordinance was discussed at the committee's January 20, 2011 public hearing. It was initiated in 2010 from the Town of Spring Prairie to add another use to the Farm Family Business category of Farm Food Service which is the preparation, serving and sale of agricultural food products produced on the farm in a meal setting. **A motion and second to APPROVE was made by Jim Van Dreser and Supervisor Wardle. The motion carried 5 – 0.** This item will go to the March 8, 2011 County Board for action.

Discussion/Possible action – Resolution to amend the Wisconsin Statutes to allow townships veto authority over conditional uses (4:26:08 – 4:40:20) Mr. Cotter reminded the committee that this proposal was brought up a few months ago. A letter was mailed to all towns seeking their opinion on allowing townships veto authority over conditional uses. He said the responses were overwhelmingly in support of it. One letter against was from the Town of East Troy. They were concerned about litigation issues. **A motion and second to draft a resolution from the County Zoning Agency in support of allowing towns veto authority over conditional uses was made by Jim Van Dreser and Supervisor Redenius.** Mr. Van Dreser said that even if a town denies a conditional use, if this committee hears it we have to act on what we believe to be right. If the town has the ability to deny something that ends there, that makes the process better. Supervisor Wardle disagrees with Mr. Van Dreser's concept because it doesn't give the individual the possibility of appeal to the county if they have something that they think is legitimate. Supervisor Brandl said he agrees with Supervisor Wardle. Supervisor Weber said he wonders if this would create a greater burden on the towns. County Board Chair Nancy Russell said we have had one township remove itself from countywide zoning already. That could be an issue that other townships consider when they're thinking in terms of staying in or removing themselves. If we lose a majority of towns from countywide zoning, the whole system falls apart. She said that people at the local level know better than anyone what they want. She said it would be her recommendation that this be forwarded with a positive recommendation. The vote was taken as follows: Those in favor of a resolution allowing townships veto authority over

conditional uses—Supervisors Redenius and Weber and Jim Van Dreser. Those opposed—Supervisors Wardle and Brandl. **The motion carried 3 – 2.**

Communication from William Vlach, Darien Township, regarding State statutes and collectors of salvage vehicles (4:40:11 – 4:51:26) This item was referred to the committee from the February 8th County Board. Mr. Cotter said this gentleman spoke at the public comment period at the February County Board meeting and this situation was also discussed at the January 20th CZA meeting under the zoning enforcement portion. He said this is an ongoing violation. Mr. Vlach's letter concerns a collection of cars on the property where he is residing. Code Enforcement Officer Nancy Welch has had contact with the property owner for quite some time regarding the number of vehicles on the property and is making progress towards compliance. **A motion and second was made by Jim Van Dreser and Supervisor Brandl to place Mr. Vlach's letter on file and take no action due to Ms. Welch's continuing efforts towards compliance by the owner. The motion carried 5 – 0.**

Communication from Supervisor Rick Stacey regarding the governor's statement that Wisconsin is "Open for Business" and Walworth County's approach to ensure that we are open for business (4:51:26 – 5:54:30) Supervisor Weber said that in speaking with Supervisor Stacey he would like to approach the County Board to create some communication with the Governor's Office to clarify in detail what the Governor means when he says open for business. Supervisor Weber said the Executive Committee would like to honor Supervisor Stacey's request and forward it to the Governor. Perhaps someone from the Governor's staff could come to the area to give a better understanding of what he is promoting. **A motion and second was made by Supervisors Brandl and Wardle to support Supervisor Stacey's request and the Executive Committee's decision. The motion carried 5 – 0.**

Discussion/Possible Action – Protection of Areas with High and Very High Groundwater Recharge Potential (4:54:30 – 5:29:02) Mr. Cotter referred to a groundwater study that was recently completed by SEWRPC which Matt Weidensee summarized in a handout for the committee. County Board Chair Russell has a related concern regarding high and very high groundwater recharge areas. Mr. Cotter said we now have the data from SEWRPC to make a layer on our GIS system showing where those recharge areas are. Chair Russell said these maps demonstrate that we have lost a considerable amount of water in our deep aquifer. She said she would like verbage in our zoning ordinance for environmental corridor areas much like reasoning for rezoning out of A-1. Mr. Weidensee explained that the reason that never was done is that the 2035 Land Use Plan honors the zoning first and then environmental corridor second. He said the recommendation says that as long as we follow our 2035 Land Use Plan that we will be able to take care of 76 percent of the recharge areas in the county. The Plan also says that the next time SEWRPC re-delineates environmental corridors they will also look at the possibility of putting a recharge element in the definition of corridor. This item will be further discussed by the Land Conservation Committee at their March 14th meeting. **A motion and second was made by Jim Van Dreser and Rich Brandl to table until the CZA's March 17th meeting for further discussion and possible action. The motion carried 5 – 0.**

Discussion/Possible Action to Dismiss Without Prejudice Regency Hills Development Corp., Town of Lyons, Rezone 60 acres of R-2, A-1, B-2, R-1, & A-1 to C-4 & R-2 (pending since 1-

21-05) (5:29:02 – 5:34) Mr. Weidensee stated that Regency Hills Development Corp. applied for a rezone in 2004. At the time they applied for it there was not adequate sewer capacity at the Town of Lyons Sanitary Sewerage District. The rezone was tabled until such time as the developer obtained approval from the sanitary district to connect to the sewer. The sewer district was in the process of getting approval for an expansion. They now have that approval and are working on expanding the plant. In 2009 staff brought the rezone back to the committee because it had been five years and they didn't get the connection approval yet. The developer said that the district just got approval and would be constructing the plant in 2010. It was tabled again until February 2011. Since that time the developer lost the land and the property changed hands several times. We now have the original rezone application with signatures from Regency Hills Development Corp., even though they don't own the property anymore. It is staff's recommendation that the application be dismissed based on the fact that the signature on the application is from owners from several transactions ago and we do not have the current property owner's signature on it. Also, the DNR and Army Corps of Engineers only allow wetland delineations that are done to be valid for five years. The wetland delineation was done in 2004. **A motion and second to dismiss without prejudice based on the above reasons was made by Jim Van Dreser and Russ Wardle. The motion carried 5 – 0.**

After taking a 10 minute break, Vice Chairman Weber called the meeting to order at 5:43 p.m. Mr. Cotter explained the public hearing procedure to the audience.

Amendment to Sec. 74-264 Floodplain appendix of the Walworth County Code of Ordinances (5:47 – 5:49:50) Deb Grube described the amendment as a housekeeping amendment. She said it consists of 13 LOMAs (Letters of Map Amendment) from FEMA regarding floodplains. In 2009 FEMA did a map modernization project updating those maps. These 13 property owners went through the process of making corrections to that map. She said the process is to take those 13 letters and make them part of our ordinance in the appendix. Ms. Grube stated that the amendment was reviewed by the DNR to assure compliance. There was no one to speak for or against this amendment. This will be placed on the March 17th CZA agenda for action.

Kelly and Debra Elliott, Town of Linn, Rezone .24 acres of A-1 to A-4 and Amendment to Existing Conditional Use to replace building for boat storage/pier installation business destroyed by a tornado (5:49:50 – 5:56:44) Mr. Weidensee described the property as located in Section 29, Town of Linn. The Town has approved the rezone. The owner is requesting a rezone in order to provide a slightly larger A-4 on which to construct a new boat storage and pier installation business building. The buildings which were being used for the business were destroyed during a tornado. The rezone request is accompanied by an application for amendment of the existing conditional use for replacement of the three buildings with a new single larger building. Beginning January 1, 2010, the State of Wisconsin has mandated all counties to collect a Farmland Preservation Rezone Conversion Fee under State Statute 91.48. The fee is required to be charged for each A-1 rezoned acre or portion thereof equal to the greater of three times the per acre value of the yearly assessed highest value category of tillable cropland in the Town as specified by the Wisconsin Department of Revenue under State Statute 73.03 (2a) or an amount specified in the County's State certified Farmland Preservation Ordinance. If the County Zoning Agency makes recommendation for approval of this request

rezone then the property owner shall be required to place the fee on deposit with the County prior to the rezone being sent to the County Board for final consideration. Property owners must meet with LURM staff to determine the exact dollar amount of the Farmland Preservation Rezone Conversion Fee and place the fee on deposit within one week of the County Zoning Agency recommendation in order to insure that the rezone is placed on the next County Board agenda. Mr. Weidensee indicated that conversion fee would amount to \$257.21. Regarding the amendment to the existing conditional use, condition #1 would be amended to state 'Approved as per plan submitted **and amended 1-20-11** for outside storage of boats, boat trailers, boat lifts, and piers with all additional conditions'. Kelly Elliott appeared before the committee. He said he lost three buildings in the storm and would like to replace the three buildings with one. He said it was rezoned to A-4 a couple years back, but the new building will be built in what was a horse pasture necessitating the rezone. The only thing to be rezoned will be the building area itself. There was no one to speak for or against this item. **After the appropriate findings were made as required by State Farmland Preservation Program s91.77(1) Wis. Stats., a motion and second to APPROVE was made by Jim Van Dreser and Rich Brandl. The motion also includes approval of the amendment to the existing conditional use. The motion carried 5 – 0.**

Findings: The area proposed to be rezoned is part of a farmstead and has not been historically farmed. The rezone would allow replacement of buildings that were destroyed by a tornado.

Birds Eye Foods LLC, Town of Darien, Conditional Use for an industrial waste storage pond for waste to be applied on lands zoned A-1 (5:56:44 – 6:06:06) Mr. Weidensee described the property as located in Section 32, Town of Darien and identified as Tax Parcel #B D 3200001. The Town has approved the request. He said the application states the property owner is requesting conditional use approval for installation of a lined earthen wastewater storage lagoon for storage of vegetable processing wastewater to be applied to A-1 lands. A small portion of the proposed wastewater lagoon was proposed to be located in the 100 year floodplain and shoreland. The property owner has provided a revised location for the lagoon outside of the floodplain and shoreland area. Eric Hudson, Environmental Supervisor for the Birds Eye Foods Darien facility, appeared before the committee. Mr. Hudson said the lagoon has a capacity of 35 million gallons and will be lined with a synthetic liner. It will be equipped with aeration capable of year-round operation. It would be used as a fill-draw meaning that the water from the facility will be pumped to the lagoon and in the summer the water would then be applied to the adjacent fields. Mr. Hudson said the facility has seen growth in productivity and also new products. The new products have shifted a little bit of the water use towards the winter months requiring the need for additional storage. He said they use 69 percent less water per pound of product produced today than 12 years ago. There was no one to speak for or against this item. **After the appropriate findings were made as required by State Farmland Preservation Program s91.75(5) Wis. Stats., a motion and second to APPROVE was made by Jim Van Dreser and Rich Brandl. The motion carried 5 – 0.** Approval is subject to the following conditions:

1. This facility is approved per plan submitted as a temporary wastewater storage facility for wastewater from Birds Eye Foods vegetable process plant to be applied to agricultural land with all additional conditions.

2. Use of the site shall be strictly limited to the materials (process vegetable wastewater) specified in the plan of operations. All materials stored on site must be permitted for land application.
3. There shall be no other users of the wastewater storage facility.
4. The owner/operator must comply with all Federal, State, County and local regulations. The property owner shall meet all testing and monitoring requirement for the facility prior to land application of the wastewater.
5. All signage must conform to County ordinance standards.
6. The owner shall notify the County if any changes are made regarding operation of this site including quantity, location and type of materials to be stored on site.
7. The site shall be maintained in a nuisance free condition. The owner shall be held solely responsible for the control of dust, odors, fire, vermin, insects, rodents, filth, groundwater and surface water contamination and windblown materials resulting from past and future operations on this site.
8. If applicable conditions are violated, Walworth County may require a clean-up schedule, modification of the process operation or termination of the operation and this conditional use permit.
9. Staff may conduct inspections necessary to ensure site is operated and maintained according to all applicable regulations.
10. The owner must obtain a Land Disturbance, Erosion Control and Stormwater Permit from Land Conservation Office. This permit may require the installation of a stormwater catch basin for drainage from off the loading area and storage areas.
11. The owner/operator shall provide a copy of all required certification from D.N.R. for the conditional use file and keep the certifications current in the County file.
12. If the Land Management Department determines that changes in either the character of the use or the intensity of the use are not consistent with this approval, then those changes must be brought before the County Zoning Agency for approval.
13. Failure to actively exercise this conditional use within three years of the approval date shall result in automatic dismissal without prejudice. The property owner may request a time extension for actively exercising the conditional use. A time extension for actively exercising the conditional use must be requested in writing during the original three year period. Any extension requested during the three year active exercise period greater than one year beyond the original three year period shall require additional Town and County committee approvals.

Specific:

14. Proper access must be granted by the State Department of Transportation prior to operations.
15. The site shall be used for location of a wastewater storage facility solely for the food processing plan.
16. The property owner must prepare a spill prevention plan, complying with USEPA and WDNR standards as per the County Conservation Office.

Findings: The A-1 zone district includes wastewater lagoons and wastewater storage facilities that are used to hold wastewater that will be agriculturally land applied. Therefore this use is consistent with Farmland Preservation.

Birds Eye Foods, a subsidiary of Pinnacle Foods, Inc., (Warren Hansen, App.), Conditional Use for an addition to the Birds Eye Foods vegetable and other foods processing business on lands zoned B-4 (6:06:06 – 6:35:53) Mr. Weidensee described the property as located in Sections 32 and 33, Town of Darien and identified as Tax Parcel #BA412100001. The Town has approved the request. Birds Eye Foods is proposing and expansion by adding approximately 45,000 sq. ft. of productions space, 3000 sq. ft. of dock space and a 6,000 sq. ft, pole building for machinery storage. The proposed addition would create 80-100 full time jobs involved with food processing and packaging. The current facility has over 600,000 sq. ft. of floor area. A major portion of the processing facility has been identified as 100 year floodplain during the FEMA modernization process of the County floodplain mapping. The floodplain mapping conducted by FEMA did not take the re-route and channelizing of a pre-existing enclosed stream into consideration when the floodplain maps were modernized. The property owner will need to address potential errors in the floodplain mapping with FEMA prior to construction of additions in the areas currently identified as 100 year floodplain. Steve Schuh, Plant Superintendent, appeared before the committee. He said the facility has been there since the 1960's. The plant operates 24/7. Warren Hansen described the drainage plans. He said none of the buildings would be in the floodplain. Mr. Hansen is waiting for FEMA to send a letter of clearance to the applicant. Speaking in favor of this item was Tom Timm the Plant Manager of Birds Eye Foods. There was no one to speak in opposition. **A motion and second to APPROVE was made by Supervisors Brandl and Wardle. The motion carried 5 – 0.** Approval is subject to the following conditions:

1. Approved as per plan submitted with all additional conditions for adding approximately 45,000 sq. ft. of productions space, 3000 sq. ft. of dock space and a 6,000 sq. ft, pole building for machinery storage to the existing vegetable processing facility with parking as shown.
2. No general public sales allowed on premises.

3. Storage limited to material and goods directly associated with business. Outside storage shall not be allowed. No business activities other than specified in the plan of operations may be conducted from out of the facilities.
4. On site hours of operation shall be 24 hours a day, seven days a week.
5. Must meet all applicable federal, state, county and local regulations.
6. Outside lighting shall be shielded and directed on site.
7. The applicant must obtain all required zoning permit approvals including a sign permit.
8. No fill, debris, branches or leaves may be brought back and disposed of on site. No burning of waste materials shall occur on site.
9. The applicant must obtain a Walworth County Land Disturbance, Erosion Control and Stormwater Management Permit from the Walworth County Land Conservation Office. The applicant must submit and obtain approval of a landscaping plan from the Walworth County Land Conservation Office, including a landscaping berm and screening for headlights as requested by the town.
10. The project site must be kept neat, clean, and mowed.
11. Any changes to the character, intensity or use of this site, not capable of being discerned by the Walworth County Land Use and Resource Management Department as consistent with this approval, must be brought before the Walworth County Zoning Agency for additional conditional use review.
12. Failure to actively exercise this conditional use within three years of the approval date shall result in automatic dismissal without prejudice. The property owner may request a time extension for actively exercising the conditional use. A time extension for actively exercising the conditional use must be requested in writing during the original three year period. Any extension requested during the three year active exercise period greater than one year beyond the original three year period shall require additional Town and County committee approvals.

Specific:

13. The conditional use permit is not valid until such time as the applicant receives a permit from the Department of Natural Resources for grading adjacent to the stream. No zoning permit will be issued until the Chapter 30 Permit is submitted for the file.
14. The property owner will need to address potential errors in the floodplain mapping with FEMA prior to construction of additions in the areas currently identified as 100 year floodplain. A letter from FEMA addressing the floodplain correction and removal of the floodplain area of concern shall be provided for the conditional use file.

15. The operations plan must show any additional needed parking and access space meeting with county requirements. The truck and trailer parking area must be used for all truck and trailer parking on the property. The number of truck and trailer parking stalls may need to be increased at the designated parking area. Trucks and trailers may not be parked on the access road around the building. All parking and access to the site shall meet county requirements. All parking shall be installed according to county requirements within one year of this approval.

Walworth Property, Inc., (Alpine Valley Music Theatre/Live Nation Entertainment, App., Town of Lafayette, Conditional Use for a public/private campground to serve customers of Alpine Valley Music Theatre on lands zoned B-5 (6:35:53 – 7:06:47) Mr. Weidensee described the property as located in Section 1, Town of Lafayette. The Town has approved the request. The property owner is proposing to use an existing grassed field overflow parking area of the Alpine Valley Music Theatre as a public/private campground for people attending Alpine Valley Music Theatre events. The proposed campground would be used for up to five concerts a year. The campground would consist of 75 total sites with the potential of up to six people per site for a potential total capacity of 450 camp users. Each site would be 64 feet by 64 feet in dimension and be spaced to meet the required setback distances between sites, camp units, water facilities and sanitation facilities. Each camp site would allow parking for one vehicle either a car/truck or RV. The narrative indicates that camp users would enter the campground, receive instructions, wrist bands and rules and be escorted to the individual campsite and parked according to the parking requirements. All camping in Walworth County is either a "Public/Private Campground or a Plan Campground Development. The term "Special Event Camping" is only used by the State Department of Health Services for granting State required permits. The property owner shall be required to meet the most restrictive standards of both the County Zoning Ordinance as a "Public/Private Campground" and the State Department of health permitting requirements. Mr. Weidensee said there is one letter of support in the file, but the letter is unofficial in that it does not have a signature on it. Dave Shaw, General Manager of Alpine Valley Music Theatre, appeared before the committee. He said this is providing a convenience to their guests to make it safer. He said some of the concerns of the neighbors are lack of control that they seem to have on the parking lots on show nights. He said that because of the camping use on the parking area they are lowering the overall capacity of the venue by 6200 people. He said that fewer people, however, will not change the staffing requirements. He said camping will not occur on non-show days—only on show days.

Warren Hansen said Mr. Weidensee addressed drainage issues in the conditions. Captain Scott McClory, Patrol Division Commander for the Walworth County Sheriff's Department, said he is responsible for all law enforcement at AVMT. He said they would have two deputies inside of the green lot for camping from the time that they open until the time that they close. Speaking in favor of the request was Richard Atkinson. He said he owns two farms and six tax parcels in Spring Prairie and he encourages approval. Speaking in opposition was Bruce Firestone representing Alpine Valley Ski Resort. He said his concern is to keep campfires from being lit because sometimes it is a very dry area up there. In his rebuttal, Mr. Shaw said they have the East Troy Fire Department in their parking lots ready to deal with any fire. He said they also have two fire extinguishers in their security offices which will not be more than 500 ft. from any

campsite at all times. **A motion and second to APPROVE was made by Jim Van Dreser and Rich Brandl. The motion carried 5 – 0.** Approval is subject to the following conditions:

1. The Conditional Use for a Public/Private campground is approved as per the plan and operations narrative submitted with all additional conditions.
2. Use of the grounds shall be limited to normal camping use as stated in the plan of operations.
3. The project must meet with all State, Federal and local approvals.
4. The owner/applicant must obtain all required zoning permit and sanitary approvals prior to any construction on site. No additional structures shall be added to the plan without obtaining County conditional use approval. This permit does not include conditional use approval for any structure (patios, decks, additions, sheds, retain walls etc.) or use that is not specifically located on the plan and presented in the plan of operations. The County reserves the right to require additional sanitation capacity beyond that required by State regulation if it is determined to be necessary.
5. The rules for camp users must be provided to the County for view and must be consistent with the plan, operations narrative and conditional use as approval. Any changes to the rules for camp users affecting the approval must receive additional approval.
6. The applicant must provide a tree cutting and restoration plan meeting ordinance requirements for review and approval. Tree cutting shall be limited to that specified on the approved plan of operations.
7. There shall be no alterations of the shoreland setbacks or wetlands without obtaining County required approvals.
8. The interior campground roads and parking shall meet with the requirements of the zoning code. All road maintenance shall be conducted as agreed to and specified in grading plan and the plan of operations.
9. The applicant must obtain a Land Disturbance, Erosion Control & Stormwater approval from Land Conservation Office prior to construction. All stormwater amenities and areas shall be identified on the site plan and maintained on site. All grading must be conducted consistent with the approved Land Disturbance Erosion Control and Stormwater Management plan. All topsoil generated from the site must be evenly distributed back onto the site on the areas from which it was removed or in areas in need of the topsoil. No materials may be removed from the site.
10. The applicant shall submit an outdoor lighting plan for review and approval prior to construction. All lighting shall be shielded and directed on site.

11. A C.S.M. combining the separate tax parcels on which the campground is developed must be submitted to the County Land Management Department for review for consistency with County ordinances and requirements and the conditional use approval. The campsite areas, unit pads and parking areas must be identified on a survey.
12. All camping shall occur in the units as identified on the plan.
13. Sufficient adult supervision must be present at all times when the camp is in use.
14. Hours of operation shall be as stated in the plan of operations. The campground shall be used on Fridays through Mondays. Camp users shall arrive at 12:00 p.m. the day of concert events and leave by 12:00 p.m. the day after events. There may be multiple day concert events during which the campground is used.
15. The Campground shall be used for a maximum of five Alpine Valley Music Theatre concerts per year.
16. The total capacity of the camp shall be 450 camper users on 75 campsites as specified in the plan of operations.
17. The property owner shall maintain adequate liability insurance and keep the insurance current during the life of this conditional use.
18. Parking must meet with requirements of the county zoning ordinance. All parking must be in compliance with County requirements prior to use of the site.
19. If the Land Management Department determines that changes in either the character of the use or the intensity of the use are not consistent with this approval, then those changes must be brought before the County Zoning Agency for approval.
20. The County reserves the right to rescind this conditional use upon any violation of County regulations.
21. Failure to actively exercise this conditional use within three years of the approval date shall result in automatic dismissal without prejudice. The property owner may request a time extension for actively exercising the conditional use. A time extension for actively exercising the conditional use must be requested in writing during the original three year period. Any extension requested during the three year active exercise period greater than one year beyond the original three year period shall require additional Town and County committee approvals.

Specific:

22. The campground shall have a well or wells supplying pure water for drinking and domestic purposes located not more than 300 feet from any camp unit. The well or wells shall comply with DHS 178 and Wisconsin Well Construction Code.

23. Camping units shall not exceed a maximum living area of 400 square feet as depicted on the site plan.
24. There shall be only one camping unit per campsite. Camp unit is defined as specified in the Walworth County Zoning Ordinance.
25. There shall be a maximum of six camp users per camp site.
26. No campfires shall be allowed. Camper Users may cook on gas grills.
27. No pets shall be allowed in the campground.
28. All trash removal and recycling shall occur as specified in the approved plan of operations.
29. No golf carts, ATVs, mini-bikes or other personal transportation vehicles may be used in the campground.
30. The property owner shall be solely responsible for providing the security for the facility as specified in the approved plan of operations and as approved by Walworth County.
31. The Campground shall be enclosed in a six-foot high chain linked fence with entrances and exists as specified in the approved plan of operations. The area identified as primary environmental corridor on the Town and County Land Use Plans shall be located on the outside of the fence.
32. The campground shall provide appropriate non-polluting lighting on the pathways and around the sanitary facilities areas as per the Town.
33. The conditional use permit will be reviewable on a yearly basis and may be rescinded if problems are present that are unforeseen by the Commission as per the Town.
34. The campground use is linked to the use of and number of people attending the adjacent Alpine Valley Music Theater as part of the operation plan for the theater. If the campground property is sold separately from the Alpine Valley Music Theater, the conditional use for the campground shall be automatically rescinded.
35. The parking areas on campsites 20-23 shall be graded so the slope of the parking stalls are no greater than 2% or the sites shall be removed from the site plan and not used for camping.
36. The drainage way between campsites 7 and 8 shall be graded to eliminate any surface drainage concerns. The drainage plan for the entire Campground including this area shall receive approval from the County Conservation Office prior to installation and use of the campground.

37. The campground shall comply with all requirements and recommendations of the County Land Conservation Office Preliminary Stormwater Review Letter dated February 15th, 2011. The property owner shall submit the required application for the preliminary stormwater review and pay the required review fee.

Sansnom, LLC a Delaware limited liability company, Town of Linn, Conditional Use for a Planned Residential Development for two dwellings on lands zoned C-2 & R-1 (7:06:47 – 7:13:56) Mr. Weidensee described the property as located in Section 3, Town of Linn. The Town has approved the request. The property owner is requesting approval for a Planned Residential Development in order to remove three homes from the site and replace them with two proposed new homes on one parcel. The property owner will need to submit a land disturbance plan to ensure no more than 20% of the environmental corridor area is disrupted by the development of the land now and into the future. The property owner must record a drainage easement leading to Geneva Lake and access easement leading to Snake Road on the adjacent parcel to the east. Atty. Bob Leibsle represented the owner. He said this is a 10-acre parcel consisting of a 7-acre parcel zoned C-2 and a 3-acre parcel zoned R-1. This item has a related CSM that was discussed and approved earlier on the agenda. He said the plan is to remove all three residences and replace them with two residences. There was no one to speak for or against this item. **A motion and second to APPROVE was made by Supervisors Brandl and Redenius. The motion carried 5 – 0.** Approval is subject to the following conditions:

1. Approved as per plan submitted as a Planned Residential Development with two dwellings with all additional conditions.
2. The owner must obtain a Land Disturbance, Erosion Control & Stormwater approval from Land Conservation Office prior to construction. All grading must be conducted consistent with the approved Land Disturbance Erosion Control and Stormwater Management plan. All topsoil generated from the site must be evenly distributed back onto the site on the areas from which it was removed or in areas in need of the topsoil. The quantity of topsoil generated from one lot may not be located on another lot within the development at the expense of the lot from which the topsoil was generated. No materials may be removed from the site. A long-term maintenance plan and agreement must be prepared for the storm water management practices and storm water management areas proposed on this development. The storm water management plan maintenance agreement, approval and recording provisions must comply with Section 26-16 of the Walworth County Code of Ordinances.
3. The owner must obtain all required zoning and sanitary approvals prior to construction.
4. The owner must meet all Town and County access requirements.
5. The project must meet all Federal, State, County and local Ordinances.

6. The owner must provide a tree cutting and restoration plan meeting ordinance requirements for review and approval. Tree cutting shall be limited to that specified on the approved plan of operations.
7. No alteration of the shoreland/wetland area shall be allowed without County required approval.
8. The property owner shall be held solely responsible for addressing all restrictive covenants or rules beyond those enforceable under County ordinance and regulations.
9. All property within the PRD must remain as part of the PRD and may not be removed from the PRD without County approval.
10. The County reserves the right to rescind this conditional use upon any violation of County regulations.
11. If the Land Management Department determines that changes in either the character of the use or the intensity of the use are not consistent with this approval, then those changes must be brought before the County Zoning Agency for approval.
12. Failure to actively exercise this conditional use within three years of the approval date shall result in automatic dismissal without prejudice. The property owner may request a time extension for actively exercising the conditional use. A time extension for actively exercising the conditional use must be requested in writing during the original three year period. Any extension requested during the three year active exercise period greater than one year beyond the original three year period shall require additional Town and County committee approvals.

Specific:

13. The property owner must combine the separate tax parcels into one parcel by recording a CSM. The property owner must show a drainage easement in addition to an access easement leading to Snake Road on the adjacent parcel to the east on the recorded CSM.
14. The pool house shall not be a dwelling, according to County definition, and may not be converted into a dwelling without new conditional use review.
15. The property owner will need to submit a land disturbance plan to ensure no more than 20% of the environmental corridor area is disrupted by the development of the land now and into the future.
16. Both dwellings within the PRD shall be owned by one property owner and any division/ownership between the dwellings shall require new conditional use approval.

Joe and Wendy Staller, Town of Richmond, Conditional Use for outdoor food and beverage as part of the approved retail sales at an existing winery on lands zoned A-4 (7:13:56 – 7:22) Mr.

Weidensee described the property as located in Section 16, Town of Richmond. The Town has approved the request. He further stated that the property owner is requesting approval of outdoor food and beverage as part of the detailed plan of operations for an existing winery. The outdoor activities would include instructed wine tasting paired with food on a patio outside the main building with small groups of less than 10 people, outdoor wine picnics for small groups up to five people no more than 10 groups at a time and wine festivals four times a year with no more than 85 people in attendance. The site plan submitted shows a proposed covered area and gazebo that would extend into the 75 foot A-4 side yard setback. These structures would need to be reduced in size to meet the required setback if the conditional use is approved. Joe and Wendy Staller appeared before the committee. Wendy Staller said they have been operating Staller Estate Winery since 2008 and would like to request the addition to their conditional use in order to better themselves as a true winery experience. Joe Staller questioned the proposed condition restricting the outdoor area use from May thru October. He said they make an ice wine and those grapes are normally not harvested until late into the winter. Many of their customers are interested in this process and they would like to hold vineyard tours at that time as well. The committee agreed to eliminate that portion of the condition. There was no one to speak for or against this item. **A motion and second to APPROVE was made by Supervisors Redenius and Brandl. The motion carried 5- 0.** Approval is subject to the following conditions:

1. The Conditional Use for seasonal outdoor food and beverage consumption as part of the approved detailed retail sale plan of operation is approved as per the plan submitted with the following conditions.
2. Use of the grounds shall be limited to the uses as stated in the plan of operations.
3. The project must meet with all State, Federal and local approvals.
4. The applicant must obtain all required County Zoning permit including a sign permit for any proposed signage.
5. Sufficient adult supervision must be present at all times when facilities are in use.
6. The applicant must obtain an approved Land Disturbance, Erosion Control and Stormwater permit from Land Conservation if required by Ordinance.
7. The applicant is responsible for obtaining adequate liability insurance and keeping the insurance current during the life of this conditional use.
8. All lighting must be shielded and directed on to the property.
9. All parking must occur in the areas identified on the approved plan. Parking must meet with requirements of the county zoning ordinance. All parking must be graded and surfaced so as to be dust free. All parking for business on site must be in compliance with County requirements within 60 days of this approval.

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

Specific:

13. Hours of operation for outdoor activities shall be 10:00 a.m. to 9:00 p.m. as per the Town.
14. All outdoor seating and all outdoor food and beverage consumption must be within the A-4 zoned area.
15. The patio and gazebo must meet with the commercial building code including all proposed lighting. There shall be three sodium high vapor lights hung from the roof of the patio area as per the Town. Open flame tiki torches may not be used as lighting.
16. This approval allows for a maximum of four wine festivals with no more than 85 people in attendance and outdoor wine picnics for small groups up to five people with no more than 10 groups as a time.

Adjournment – A motion and second to adjourn was made by Supervisors Brandl and Wardle. The motion carried 5 – 0. The meeting was adjourned at 7:22 p.m.

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

Honey Lake District Commissioner's Meeting
Tuesday, February 15– 7:00 p.m.
Rochester Public Library
– 17 miles

Call to Order: Meeting called to order at 7:05 p.m.

Secretary's Report of January 18, 2011: The secretary's report of January 18, 2011 was given. **A motion was made to approve by Mike Weinkauff and seconded by Gerald Swarten. Motion carried.**

Treasurer's Report of January 2011: The January 2011 Treasurers Report was given. **A motion was made to approve by Bob MacIndoe and seconded by Roy Lightfield. Motion carried.**

OLD BUSINESS

Reports – The bridge rebuild has been cancelled due to lack of funds

Lake Project – Dam inspection still is not approved in 2011

NEW BUSINESS

Discuss purchase of copy machine – **A motion was made by Mike Weinkauff and seconded by Bob MacIndoe to buy a new copy machine. Motion carried.**

Monthly bills: The state convention will be held April 12, 13 and 14, 2011. **A motion was made by Mike Weinkauff and seconded by Bob MacIndoe. Motion carried.**

Adjourn: **A motion to adjourn was made by Bob MacIndoe and seconded by Mike Weinkauff. Motion carried.** The meeting was adjourned at 8:05 p.m..

Submitted,

Roy Lightfield

RL:jd

HONEY LAKE

**Protection and
Rehabilitation District**

P.O. Box 565

Burlington, WI 53105



Commissioner's Meeting

January 18, 2011

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

The minutes of the December 2010 meeting were read. Roy Lightfield stated that he was reinstated as the commissioner to the district board as long as he wants the position. A motion was made by Michael Weinkauf to approve the minutes with the addition of Roy Lightfield being reinstated, seconded by Robert McIndoe and carried.

The treasurer's report was read, copy attached. There are two bills not included in the minutes. Bienemann Tree Service for removal of a tree in the park for \$500.00 and removal of a tree on Lakeshore Dr. for \$1100.00. A motion to approve the treasurer's report with the two additional bills was made by Robert McIndoe, seconded by Michael Weinkauf and carried.

OLD BUSINESS

Have not contacted the Rochester Fire Chief regarding the evacuation plan. Chairman Lutz will contact Deputy Castillo to set up a meeting. The only real issues might be a train derailment where the residents would need to go to the Spring Prairie town hall or a tornado.

The signs and posts have come in but the weather is not appropriate to put them in. The sign that is down on W. Lakeshore Dr. will have to wait until the weather is right.

Chairman Lutz contacted the fence company regarding the extension of the fence around the dam but this too will have to wait until spring.

Chairman Lutz did get the paperwork from the insurance company back to them by the end of 2010. The premium went up approximately \$160.00 due to a new method of evaluating things. Chairman Lutz listed some of the changes. If we decide to change some of the coverage we can do so and receive a refund or apply it to the next premium payment.

NEW BUSINESS

The Spring Prairie Town Board has all decided to resign. The candidates that are running will be at the Feb.14, 2011 meeting held at the Spring Prairie Town Hall at 7 P. M.

Chairman Lutz has received no new information regarding the replacement of the Hy. DD bridge over Sugar Creek. Commissioner Weinkauff stopped at the Rochester Fire Dept. regarding a letter stating that the dry fire hydrant would need to be moved while the bridge construction work was being done. Mike and the fire chief called Romenesko Engineering and was told that the project has been put on hold due to a lack of funds. Commissioner McIndoe will call Walworth County to verify that the project has been put on hold.

The 10 year dam inspection required by the DNR needs to be done in 2011. If the bridge project has been put on hold Chairman Lutz will schedule the inspection.

BILLS SUBMITTED AS FOLLOWS:

Comm. Comp.	John Lutz	\$ 175.00
“ “	Judith Correll	\$ 150.00
“ “	Gerald Schwarten	\$ 150.00
“ “	Roy Lightfield	\$ 25.00
“ “	Robert McIndoe	\$ 25.00
“ “	Michael Weinkauff	\$ 25.00
WE Energies	Del Rio Light	\$ 18.78
Bulletin Office Supply	Photo Copies / Faxes sent	\$ 12.50
John Lutz	Reimburse – postage	\$ 1.39

Laub Group

Insurance package

\$2,542.00

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

Arlene Avadian has done a lot of work putting the past minutes on disks and flashdrives. Chairman Lutz would like to pay her for her time and supplies. A motion to pay Arlene Avadian \$25.00 for supplies and her time was made by Michael Weinkauff, seconded by Roy Lightfield and carried.

A motion to adjourn, subject to recall, was made by Robert McIndoe, seconded by Michael Weinkauff and carried at 7:40 P. M.

Respectfully submitted,



Judith Correll,
Secretary, HLPRD

Walworth County Board of Adjustment

MINUTES

February 9, 2011 - Hearing – 8:00 AM

February 10, 2011 – Meeting – 8:00 AM

County Board Room

Government Center – Elkhorn, Wisconsin

A hearing and decision meeting of the Walworth County Board of Adjustment was held on February 9 & 10, 2011, in the County Board Room of the Government Center in Elkhorn, Wisconsin. Those present on February 9, 2011, were Vice-Chair Gregory E. Guidry, Secretary Ann Seaver and 2nd 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 February 10, 2011, were Vice-Chair Gregory E. Guidry, Secretary Ann Seaver and 2nd Alternate Roy Lightfield. Deb Grube, Senior Zoning Officer, and Wendy Boettcher, recording secretary of the Land Use & Resource Management Department were in attendance. "Sign-in" sheets listing attendees on February 9, 2011, and February 10, 2011, are kept on file as a matter of record.

The February 9, 2011, hearing was called to order by Acting Chair Gregory E. Guidry at 8:41 A.M. Wendy Boettcher conducted roll call and verified that there was a quorum. Those present were same as listed above.

Oath of Office was given to Gregory E. Guidry. **Ann Seaver motioned to elect Gregory E. Guidry to the position of Vice-Chair for the Walworth County Board of Adjustment. Seconded by Roy Lightfield. Motion carried. 2-favor, 0-oppose. Gregory E. Guidry was exempt from voting.**

Ann Seaver motioned to approve the agenda with petition #2 being heard before petition #1. Seconded by Roy Lightfield. Motion carried. 3-favor, 0-oppose. Roy Lightfield motioned to change the January 12 & 13, 2011 Minutes, Page 1, Paragraph 2, to correctly reflect a vote count approving the December 2010 Minutes, and dispense with the reading. Seconded by Ann Seaver. Motion carried. 3-favor, 0-oppose. January 12 & 13, 2011 Minutes were so changed. After testimony of all cases, Ann Seaver motioned to recess until 8:00 A.M. on Thursday, February 10, 2011, in order to view the properties in question. Seconded by Roy Lightfield. Motion carried. 3-favor, 0-oppose. The February 9, 2011, hearing went into recess at approximately 9:30 A.M.

On February 10, 2011, at 8:00 A.M., Vice-Chair Gregory E. Guidry 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 with petition #2 being heard before petition #1. Seconded by Roy Lightfield. Motion carried. 3-favor, 0-oppose. After the decisions were completed, Roy Lightfield motioned to adjourn until the March 9, 2011, hearing at 8:00 A.M. Seconded by Ann Seaver. Motion carried. 3-favor, 0-oppose. The February 10, 2011, decision meeting adjourned at approximately 8:31 A.M.**

Two variance hearings were scheduled and details of the February 9, 2011, hearings and the February 10, 2011, 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 #9:26:10 – 9:29:41 / Disc #2 Decision – Count #8:19:50 – 8:23:18
The First Hearing n/k/a The Second Hearing was Nettleton Development LLC, owner / William Nettleton, applicant – Section(s) 9 – Darien Township

Applicants are requesting a variance from Section(s) 74-51 / 74-92 of Walworth County’s Code of Ordinances – Zoning to permit the location of an agricultural storage structure.

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

VARIANCE REQUEST: The applicants are requesting a 13.1’ street yard setback. The request is a variance from Section(s) 74-51 / 74-92 of Walworth County’s Code of Ordinances – Zoning to permit the location of an agricultural storage structure.

BOARD OF ADJUSTMENT DECISION: The Walworth County Board of Adjustment, during the meeting on February 9 & 10, 2011, voted to **TAKE NO ACTION** on the petition of Nettleton Development LLC, owner / William Nettleton, applicant.

A motion was made by Gregory Guidry to take no action on the variance request. Seconded by Ann Seaver. Motion carried. 3-favor 0-oppose

BOARD OF ADJUSTMENT FINDINGS: No action was taken as no owner, applicant or representative appeared at the hearing.

***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 #8:46:19 – 9:25:59 / Disc #2 Decisions – Count #8:05:47 – 8:19:49
The Second Hearing n/k/a The First Hearing was Lauderdale Lakes Lake Management District, owner / Kehoe-Henry & Associates Inc., applicant – Section(s) 36 – La Grange Township

Applicants are requesting a variance from Section(s) 74-180 / 74-215 of Walworth County’s Code of Ordinances – Shoreland Zoning for the restoration and alteration of an existing water tower and for the location of a sign.

REQUIRED BY ORDINANCE: The Ordinance permits a maximum height of 45’ for a structure (tank, ladder, roof), and a maximum height of 30’ for a sign, and limits the number of free-standing signs to one.

VARIANCE REQUEST: The applicants are requesting a structure (tank, ladder and roof) with a height of 50’ 9”, a free-standing sign 44’ 4” in height and to permit the location of three free-standing signs. The request is a variance from Section(s) 74-180 / 74-215 of Walworth County’s Code of Ordinances – Shoreland Zoning for the restoration and alteration of an existing water

tower and for the location of a sign.

BOARD OF ADJUSTMENT DECISION: The Walworth County Board of Adjustment, during the meeting on February 9 & 10, 2011, for the petition of Lauderdale Lakes Lake Management District, owner / Kehoe-Henry & Associates Inc., applicant, voted to **APPROVE** the request for a structure (tank, ladder and roof) with a height of 50' 9" and voted to **DENY** a free-standing sign 44' 4" in height and **DENIED** to permit the location of three free-standing signs.

A motion was made by Ann Seaver to approve the variance request for the tank, ladder and roof with a height of 50' 9". Seconded by Roy Lightfield. Motion carried. 3-favor 0-oppose

A motion was made by Roy Lightfield to approve the third sign and height variance request. Seconded by Ann Seaver.

Roy Lightfield rescinded his motion to approve the third sign and height variance request. Ann Seaver rescinded her second.

Gregory E. Guidry made a motion to deny the third sign and height variance request. Seconded by Ann Seaver. Motion carried. 3-favor 0-oppose

BOARD OF ADJUSTMENT FINDINGS:

APPROVAL of the structure (tank, ladder and roof) with a height of 50' 9": The Board found the structure to be exceptional and unique as it had existed for approximately 80 plus years and is a landmark in the community. The Board found to approve the request is a small increment of relief. The Board found to approve the request would cause no harm to public interests.

DENIAL of a free-standing sign 44' 4" in height and permission to locate three free-standing signs: The Board found no hardship as there are two existing signs on the property adequately identify the location of the golf course and adding another sign would increase the non-compliance of signage. The Board found the request to be personal to the property owner. The Board found to approve the variance request would be a large increment of relief. The Board found to approve the variance request would set a precedent.

Two people spoke in support; there was a letter of support from the Town of La Grange Plan Commission, and one letter of support from a neighboring property owner. There was one letter of opposition from a neighboring property owner.

Other

A. Discussion / possible action regarding filling the Board of Adjustment vacancy
Gregory E. Guidry has been appointed to the Walworth County Board of Adjustment. Gregory was elected to fill the vacant Board of Adjustment Vice-Chair position. Since Mr. Guidry is fulfilling the term of Mark Bromley, Mr. Guidry's term will expire in July of 2013. A posting will be published for the Board of Adjustment position of 1st Alternate which was vacated by Gregory E. Guidry.

Staff Reports

- A. Court cases update
 - 1. Catherine Thompson Trust / Richmond Township / CCH 00013B / June 9 & 10, 2010, Board of Adjustment
Board members received a copy of the Order dismissing the case. The Board of Adjustment decision is upheld.
- B. Distribution of reports, handouts and correspondence
 - 1. None

Proposed discussion for next agenda

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

- A. Court cases update
- B. Discussion / possible action regarding the Board of Adjustment vacancy
- C. Distribution of reports, handouts and correspondence

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 Health and Human Services Committee
MINUTES

February 8, 2011 Meeting – 5:15 p.m.

Walworth County Board Room
Government Center – Elkhorn, Wisconsin

The meeting was called to order by Chairman Grant at 5:15 p.m.

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

Others present – Linda Seemeyer, Director of Health and Human Services/Lakeland Health Care Center Superintendent; Elizabeth Aldred, Deputy Director of Health and Human Services; David Thompson, Deputy Director of Health and Human Services; Juliet Young, Health and Human Services; David Bretl, County Administrator; Nancy Russell, County Board Chairperson, Dave Weber, County Board Supervisor, Nicole Andersen, Deputy Counsel Administrator – Finance and Tracy Moate, Director of Special Education - Lakeland School

Public in attendance – There one member of the public in attendance.

There were no agenda withdrawals. **Motion and second made by Supervisor Hawkins/Schaefer and to approve the agenda. Motion carried 5–0.**

Public comment – There were no comments from the public.

New Business –

Juvenile Justice Technical Assistance Grant – Ms. Seemeyer explained that this is a grant that Health and Human Services is interested in to train another staff person for practicing Functional Family Therapy (FFT). This is a fairly new program and there is a waiting list for services. Ms. Aldred explained that this is a one time grant from the Office of Justice Assistance.

Supervisor Grant asked if Health and Human Services was guaranteed this grant money. Ms. Aldred explained that it was not guaranteed but there is a high probability that Health and Human Services would receive the funds.

Supervisor Grant asked if there was a back up plan in case Health and Human Services did not receive the grant. Ms. Aldred stated there were funds left in the second year of the crisis grant that could be used to cover the training costs.

Motion and second made by Citizen Representative Wagie-Troemel and Supervisor Schaefer to approve this Health and Human Services to pursue this grant. Motion carried 5-0.

Correspondence – Ms. Seemeyer handed out a Board of Health newsletter for the Board's information.

Next Meeting Date – The next meeting is scheduled for March 16, 2011 at tentatively 1:15 p.m. following the Lakeland Health Care Board of Trustees meeting.

Adjournment – **On motion and second by Supervisors Hawkins/Schaefer, Chair Grant adjourned the Health and Human Services meeting at approximately 5:20 p.m. Motion carried 5-0.**

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

DRAFT

**Walworth County Finance and Public Works Committees
JOINT MEETING MINUTES
Tuesday, February 8, 2011 – 5:30 p.m.
Walworth County Government Center, County Board Room 114
100 West Walworth Street, Elkhorn, Wisconsin**

Chair Russell called the joint meeting to order at 5:30 p.m.

Roll call

Finance Committee

The following members, representing a quorum of the Finance Committee, were present: Jerry Grant, Dan Kilkenny, Nancy Russell, Joe Schaefer and Rick Stacey.

Public Works Committee

Present were the following members: Nancy Russell, Joe Schaefer, Rick Stacey and Russ Wardle. Supervisor Kathy Ingersoll was absent with excuse.

Others present:

County Board Members: Dave Weber, Carl Redenius, Rich Brandl, and Randy Hawkins

County Staff: Shane Crawford, Deputy County Administrator-Central Services; David Bretl, County Administrator; Nicki Andersen, Deputy County Administrator-Finance; Dr. Thompson, Deputy HHS Director; Linda Seemeyer, HHS Director/LHCC Superintendent; Tracy Moate, Director of Special Education; Peggy Watson, Office/Purchasing Manager.

Members of the Public: Shirley Grant, citizen; John Krieger, Constellation Energy; Mary Price, LHCC employee.

Agenda withdrawals/approval

Approval of the agenda was moved and seconded by Supervisors Schaefer and Stacey, with no withdrawals, and carried 9 – 0.

Approval of meeting minutes

Public Works Committee - January 17, 2011 meeting

Approval of the January 17, 2011 Public Works Committee minutes was moved and seconded by Supervisor Schaefer and Vice Chairperson Stacey. The motion carried 4 – 0.

Finance Committee – January 20, 2011 meeting

Approval of the January 20, 2011 Finance Committee minutes was moved and seconded by Vice Chairperson Grant and Supervisor Schaefer. The motion carried 5 – 0.

Public comment period – There was no public comment.

Regular business

Report from Shane Crawford and staff on fire in Public Works Department shop

Crawford explained that a shop fire occurred at Public Works on January 14th. At approximately 4:30 a.m., staff had done a walk-through of the shop and found everything to be in order. By 6:15 a.m., smoke was seen billowing out of the building. From what they can tell so far, the

relatively new sign truck had an electrical fire, which burned the entire truck. The truck parked next to the sign truck sustained minor damage. In addition, there were several vehicles in the shop with their windows down that became covered in soot, resulting in the need for extensive clean-up. The total cost of the damages thus far is \$300,000. The county's insurance will cover this amount minus the \$5,000 deductible. The investigation into what caused the fire is ongoing. Chair Russell asked if the county would be able to recover the deductible from the supplier of the part that is believed to have caused the fire. Andersen explained that the Local Government Property Insurance Fund will attempt to recover the deductible if they find someone else at fault. Crawford stated that it is suspected that the truck's inverter caused the fire, and that is not something that was installed by county mechanics. The inverter is supposed to shut off when the engine is turned off. Crawford also added that the department had operated since the 1970s without fire alarms in its buildings. Fortunately, an alarm system was installed last summer. **The committees did not take any action on this item.**

Approval of budget amendments

FN004 — Adjust risk management revenue to reflect claim reimbursement received in prior year – Supervisor Schaefer and Vice Chairperson Grant moved and seconded approving budget amendment FN004. The motion carried 5 – 0.

Crawford distributed a list of damages from the fire. He explained that the largest expense of \$150,000 was for the cleaning and painting of the damaged shop area. Chairperson Russell stated that she and Administrator Bretl went over to survey the damage of the shop the morning of the fire, and while \$150,000 sounds like a great deal of money, every inch of the building and the equipment housed in it had to be cleaned. She commended the outside cleaning company for doing a great job. Crawford added that Huber crews also assisted with the clean-up as much as possible. A revised budget amendment recognizing the county's responsibility for the \$5,000 deductible was distributed. Crawford added that they are salvaging everything they possibly can from the damaged sign truck. **Supervisors Schaefer and Kilkenny moved and seconded approving budget amendment PW001. The motion carried 5 – 0.**

Confirm next regularly scheduled Finance Committee meeting: Thursday, February 17, 2011 – 9:30 a.m.

Finance Committee adjournment

Supervisors Kilkenny and Stacey moved and seconded adjournment of the Finance Committee. The motion carried 5 – 0.

Approval of bid specifications for sign truck

Crawford explained that this bid specification is very similar to the one the committee approved approximately two years ago. They are asking for the same truck so as to be able to use any salvageable parts from the damaged truck. **Supervisors Schaefer and Wardle moved and seconded approval of the bid specifications for the sign truck. The motion carried 4 – 0.**

Constellation Energy – natural gas at Judicial Center

Crawford explained that the proposal from Constellation Energy is designed to save the county money on utilities for the Judicial Center ("JC"). The county currently uses Constellation Energy for utilities at the Sheriff's Office ("SO"). John Krieger, of Constellation Energy, explained that the company provides energy services to industrial and commercial customers throughout the country. They have worked with the county to save money on utilities at the SO

since 1995. They have been looking at the JC as a potential opportunity to reduce energy costs as well. Krieger explained that natural gas is de-regulated, so consumers can buy from their local utility or a third party, such as Constellation Energy. The savings at the SO have been just under \$75,000. Constellation performed an analysis of the actual cost paid to what it would have cost with WE Energies. They did a similar analysis with the JC and discovered that the county could have saved \$32,000 over the past two years by switching to Constellation. Chairperson Russell asked where the gas comes from. Krieger explained that the commodity, or the gas itself, comes from places like the Rocky Mountains. The gas then travels on long interstate pipelines that connect with the local utility. Constellation buys the gas, routes it, and hands it over to WE Energies, who then gets it to the customer. Supervisor Schaefer asked if Lakeland Hospital is in the program. Krieger stated that Lakeland does use Constellation as does Milwaukee County. The SO is currently the only Walworth County department that uses Constellation. Krieger explained that consumption has to be at a certain level per year for the consumer to realize any savings, which is why larger companies do this. Supervisor Schaefer voiced his support of this proposal. Krieger clarified that there is a fee per account, and each county building would be a separate account. Crawford stated that right now, the JC is the only building that it would make economic sense to do this with. **Supervisor Schaefer and Vice Chairperson Stacey moved and seconded approval of the Constellation Energy proposal. The motion carried 4 – 0.**

Next Public Works Committee meeting date and time: Monday, March 14, 2011 - 4:00 p.m. Public Works will not be having a regular February meeting this month.

Public Works Committee adjournment

Vice Chairperson Stacey and Supervisor Wardle moved and seconded adjournment of the Public Works Committee at 5:52 p.m.

Minutes recorded by Tammy Werblow, County Administration

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



**Walworth County Board Finance Committee
MEETING MINUTES
Thursday, January 20, 2011**

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

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

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

Board members present: No additional Board members were present.

County staff present: David Bretl-County Administration/Corporation Counsel; Nicki Andersen, Caroline Jens, Jessica Lanser, Dale Wilson-Finance; Linda Seemeyer-Health & Human Services; Suzi Hagstrom-Human Resources; John Orr-Information Technology; Tracy Moate-Lakeland School; Michael Cotter-Land Use & Resource Management; Shane Crawford-Public Works; Kurt Picknell-Sheriff's Office; Kathy Du Bois-Treasurer's Office.

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

Agenda withdrawals — Russell asked if agenda item 9C *Ordinance **-02/11 Amending Section 30-412 of the Walworth County Code of Ordinances Relating to Timekeeping Requirements for Employees* should be withdrawn. Bretl recommended preliminary discussion of the topic. **Motion by Schaefer/Stacey to approve the agenda; carried 5-0.**

Approval of minutes of last meeting(s) — December 14, 2010 — **Schaefer/Stacey moved to approve the minutes; carried 5-0.**

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

Unfinished business

Discussion and possible action regarding Langlade County Resolution #28-2010 Support Proposed Language Restoring the Authority of Local Elected officials to Set Spending Priorities for Their City, Village, Town or County (referred by the County Board; Tabled from May 20, 2010 meeting) — Bretl explained that Langlade County's resolution relates to freezing shared revenues and tax caps. The state is limiting the ability to tax but, at the same time, is mandating that municipalities can't cut public safety spending. Walworth County is in compliance with the state's requirements, but normal inflation will cause these costs to increase. The committee voted to table the resolution until the new legislature was in session, however, there may be more related to this overall issue than just this particular aspect. It is likely that we will see some type of tax cap. Bretl opined that this one resolution may not be particularly relevant to debates he feels will be coming in the future with regard to

spending and taxes. **Stacey/Grant moved to place Langlade County Resolution #28-2010 on file; carried 5-0.**

Consent items – Russell asked that bids on tax foreclosure properties be held for separate discussion. **Stacey/Grant moved to approve the balance of the consent items. Motion carried 5-0.**

Budget amendments

2010

Health & Human Services

- HS019 — Redistribute Children's Services payroll budget to reflect actual activity
- Sheriff's Office
- SH006 — Reflect reimbursement to provide law enforcement security for Federal Deposit Insurance Corporation (FDIC) seizure

Bids/contracts

- Award sale(s) of tax foreclosure property — Crawford distributed to the committee the following bid recommendations. He noted that, after this, we have only about 6 or 7 foreclosed parcels remaining.
- MPL 01742 — The only bid received on this unbuildable lot was \$52 from Alexander Skopis. He originally provided a personal check with his bid but staff contacted him and he then furnished the required cashier's check. Staff recommend awarding the sale. **Stacey/Grant moved to award the sale of MPL 01742 to Alexander Skopis; carried 5-0.**
- JLCB 01730 — This bid is the same as on the prior parcel, i.e., \$52 from Alexander Skopis with a cashier's check replacing the personal check he originally provided. Staff recommend the sale. **Motion by Stacey/Schaefer to award the sale of JLCB 01730 to Alexander Skopis; carried 5-0.**
- CS 00212 — David and Linda Hanson bid \$50 for this parcel. Staff recommend awarding the sale. **Stacey/Grant moved to award the sale of CS 00212 to David and Linda Hanson; carried 5-0.**

New business

Email communications received in the Treasurer's Office from Margaret and James Weber, Tamara Weber, and Al and Nancy Muhlbauer in protest of their 2010 property taxes (Referred by the County Board) — Du Bois received emails from these individuals, who requested their correspondence be forwarded to the County Board, as a whole, and also to the Finance Committee. She feels that many taxpayers don't understand that the net change on their tax bill is not solely the result of county action. She has already responded to one of the emails but thought

that further explanation, if recommended by the Committee, may be beneficial. The problem is that the equalized value decreased considerably in 2009 from 2008. Although the equalized value for the county – as a whole – decreased, equalized value in the Town of East Troy increased. As a result, taxpayers in the municipality saw a drop in their taxes the previous year but that increase in their equalized value is now reflected on their tax bills.

Bretl said Du Bois explained the tax bill well in her first communication but added that he and Chair Russell had talked further and would like to bring closure to the issue. He agreed that very few people understand how this works. They see an 8.6% increase on the county tax bill and say that county government is being irresponsible. In reality, we only raised the tax levy 2.89%, which equates to 8.6 on the tax bill. The property value in the Town of East Troy increased, whereas the county's equalized value – as a whole – decreased by 3.85%. Others who own property in different municipalities saw their tax bill decrease from what it was in 2009. Bretl added that the Town of East Troy froze their tax levy but still showed a 2.8% increase on their town taxes. Their property, even within the township and with a freeze, increased relative to other properties in the county, some of which decreased in value. When you move to the next level, the East Troy School District encompasses both the Town and Village of East Troy. Their levy increase was just over 3%, which is reflected as 6% on the tax bill. The assessed value of property is a function of the local municipality so perhaps taxpayers should question whether their assessment is accurate. Equalization comes into play because the State tries to ensure that assessments are consistent. Bretl noted that even he struggles a bit with that part of the process.

Du Bois researched tax bills for the parcel belonging to the first individual who contacted her. The assessed value of that property has not changed since 2007. In that case, Bretl said it is easier to understand if you realize that, although your assessed value may not have changed, everyone else's decreased so you were still affected. Russell would like to send a letter to these individuals in her capacity as County Board Chair, since they requested their emails be forwarded to the Board. Bretl and Du Bois could work together on the letter and specifically note that the county has no choice but to follow the State's direction with regard to equalized value. Stacey opined that, with so many foreclosures these days, he can see why the concept is difficult to understand.

Bretl feels many people just look at the bottom line but, unfortunately, the system is incredibly complicated. Their tax bill went up 8.6%, however, they can't sell their house for the amount at which it's valued. He added that the next step should be for the taxpayers to complain to their local assessor and then to the State of Wisconsin's Equalization Division because they're the ones who set the fair market value, and not Walworth County. Grant wondered if the parties complained to the Town of East Troy and Gateway Technical College as well, since those tax levies also increased. Du Bois' understanding is that they hadn't, as yet. Stacey asked if the parties were aware their correspondence was included on today's agenda. Du Bois affirmed.

Bretl will work with Du Bois to draft a letter of explanation for County Board Chair Russell's signature. Stacey asked if the Town of East Troy would be copied on the letter. **Grant moved to respond to the emails from Margaret and James Weber, Tamara Weber, and Al and Nancy**

Mihlbauer, with said letter to be signed by the County Treasurer and County Board Chair, and a copy sent to the Town of East Troy. Kilkenny seconded the motion; carried 5-0.

Ordinance **-02/11 Amending Section 30-185 of the Walworth County Code of Ordinances Relating to Establishment of Agency Funds — Andersen explained that the ordinance will allow us to properly record the account for Lakeland School's student council so they can carry funds forward. **Stacey/Schaefer moved to approve the ordinance; carried 5-0.**

Ordinance **-02/11 Amending Section 30-412 of the Walworth County Code of Ordinances Relating to Timekeeping Requirements for Employees — Bretl asked the committee to begin discussion of this topic, though no action is recommended today. Staff need to further research the direction in which we want to proceed. The State provided guidance in a Fact Sheet indicating salaried employees should have detailed time records with regard to times in and out. His concern is that we may not have received consistent direction. Crawford had contacted the State and was told that it is possible to reconcile with the Statutes that salaried employees are exempt. It surprised Bretl that a preliminary "read" from other counties indicated there are a fair number that do require detailed timekeeping records. We should have input from department heads, as well. When amending timekeeping requirements, we should be clear as to why we are doing it, e.g., is this a Statutory requirement, will it help us better account for staff time, etc. As an organization, we have struggled with this issue over the years. About 15 years ago, we determined that management employees should not be required to keep track of their hours because doing so puts them more in the category of an hourly employee who potentially should be getting overtime. Bretl added that a salaried sheriff's office employee, who had tracked his time separately on his own, sued the county for wages in 2001.

The issue of timekeeping for salaried exempt employees is complicated. For example, a person could work Monday and skip the rest of the week but the county would still have to pay the person for the full week. On the other hand, how should we treat the situation of a public works superintendent who may work 16 hours during a snow event? Bretl wouldn't begrudge the person taking a day off after putting in hours like that but he would discourage tracking it on paper in order to take a week and a half off during the summer, for example. Our salaried exempt employees are professionals who should be afforded some flexibility in their hours. Another concept in the mix is that we have vacation and sick leave banks which have value and for which we can require hour-for-hour accounting. The upshot is that we should require timecards that reflect 80 hours, in increments of less than a day, with the employee either being at work or drawing on his/her banks. Punching in and out wouldn't be Bretl's first preference but it may be something we are legally obliged to do. At a minimum, we should provide better guidance in the county ordinances. He recommended that staff discuss timekeeping with department heads, conduct further research, and report back to the Committee. We need to proceed with caution and determine if such detailed timekeeping is a legal requirement or just an accountability issue, which would then be in the Board's purview. Bretl suggested tabling this agenda item to next month. **Grant/Stacey moved to table Ordinance **-02/11 Amending Section 30-412 of the Walworth County Code of Or-**

finances Relating to Timekeeping Requirements for Employees to the committee's February 17, 2011 meeting; carried 5-0.

Ordinance **-02/11 Creating Section 30-143 of the Walworth County Code of Ordinances Relating to Payment of Public Service Organizations — Most public service organizations which receive budget appropriations from the county are paid in January, according to Andersen. One is paid on a quarterly basis, and the Walworth County Agricultural Society is paid in the fall, closer to Fair time. The impact of changing all of them to a January payment schedule would be spending \$36,000 earlier than we normally would. Russell asked that line 11 on page 1 of the ordinance be amended to read: "...all outstanding audit requirements have been met, unless a County Board resolution authorizes that the funds be held or funding divided over the calendar year." Grant asked if a Board resolution would be required in the future for each organization if we modify more than one payment schedule. Bretl said that would be up to the Board, however, the decision could be part of the overall budget process. We are simply looking at an easier administrative process for payment. We already have agreements with each of the organizations. Audit requirements were previously approved by the Board. Bretl reiterated that January 31 would be the default date for single payments to public service organizations unless the County Board were to give different directions. **Kilkenny moved to amend the draft ordinance pursuant to the committee's discussion. Grant seconded the motion; carried 5-0.**

Update regarding stop loss/transplant rider insurance bid — Bretl said this topic was discussed at fairly great length at the November Finance Committee meeting. Staff felt the transplant rider was a good idea but, in late December, subsequently chose not to proceed because data provided to us earlier was inaccurate. This was a complex situation, according to Andersen. We received input from Auxiant, our third-party insurance administrator, and our health care consultant, Rae Anne Beaudry, from The Horton Group. Horton initially informed us there were no exceptions for stop loss and that no one was excluded from the transplant rider. When Auxiant revised the list originally provided to the insurance carrier, however, there were 15-20 people who would have been excluded for one reason or another. The transplant rider carrier revised the list based on severity criteria but we still had a significant number of people who would be excluded. From our perspective, there would not be a financial benefit to the county based on those exclusions. Staff spoke with our health care consultant to determine why the list had been revised in such a drastic manner. Andersen added that a meeting with our TPA is pending, to ensure we are all aware of how this list will be developed in the future. Russell mentioned that the committee may recall how emphatic the comments were that there would be no lasers on the list, which is why we voted to proceed. She expressed disappointment regarding the misinformation, more so than people having been lasered. We pay the consultant to provide us with accurate information.

Andersen said another concern to address with the TPA is that, between the committee meeting and when the application arrived for her signature, the list had been revised to reflect one individual. Theoretically, that can happen as the result of new diagnoses. The committee may recall that Beaudry advised we submit our application for the transplant rider fairly quickly to avoid that type of situation. Based on Andersen's conversations with her benefits staff, Horton was aware of

someone else when we were discussing the rider. At that point, we called our TPA to ask if the list was accurate since there was another individual who could potentially be added. That's when the list of exclusions came back with 15-20 people on it.

Russell asked Andersen to keep the committee informed with regard to any further discussions. Bretl advised a motion rescinding the bid since the committee did actually authorize the award. **Grant moved to rescind the bid award to National Union Fire Insurance and ratify the action by staff to not purchase the transplant rider and revise the county's stop loss insurance. Stacey seconded the motion; carried 5-0.**

Resolution **-02/11 Authorizing Closure of the Financial Systems Upgrade Project and Transferring Remaining Funds to the General Fund Unassigned Fund Balance — Andersen said the resolution will close the capital project related to our financial software implementation. She commended staff for their hard work. Due to their efforts, we utilized much less consultant time than originally planned. She feels we ended up with a better product overall and a much better knowledge of the system as a result. Russell offered congratulations on behalf of the committee. This was a lengthy project and staff managed to save the taxpayers approximately \$400,000. **Stacey/Grant moved to authorize closure of the financial systems upgrade project and transfer the remaining funds to the general fun unassigned fund balance. Motion carried 5-0.**

Discussion and possible action regarding distressed tax incremental financing (TIF) districts:

- **General guidelines**
- **City of Whitewater TIF #4**
- **Village of East Troy TIF #3**

Distressed TIFs may become more and more of an issue, according to Lanser. The equalized value dropped in several of the districts and she believes more municipalities will come forward to ask that their TIF(s) be declared distressed, as a result. She developed a list of factors to consider but requested the committee's guidance with regard to handling these requests when she sits on Joint Review Boards (JRB). Would they prefer to amend the county's ordinance pertaining to TIFs or leave each case to her discretion? The committee agreed that Lanser was thorough in preparing her list of criteria. Kilkenny added his belief that our key response should be ensuring that municipalities submit formal, detailed changes to project plans which are then approved by the TIF's JRB. He expressed concern that we have no control or serious oversight on their projected costs. Municipalities may stretch things out for the full 10 years allowed for a distressed TIF, rather than close it early. Kilkenny commented that the City of Whitewater proposed Jeff Knight, from their CDA, to sit as the citizen member on the TIF #4 JRB. He feels Lanser did a great job identifying the issues with regard to distressed TIFs. The key is to not extend just because they can, to amend the project plan if the need to extend is justified, and to specifically describe the municipality's proposed action. Russell feels some municipalities will be very conscientious with regard to extending their TIF(s) because their own taxing ability is affected when a TIF district is left open. She recommended the committee follow Lanser's criteria, with the stipulation that specific recommendations be presented at upcoming meetings if time allows. Our primary consideration should be whether

municipalities have funds to pay for proposed plan amendments themselves. There is no reason the county should pick up the tab if they are fiscally able to do so.

Grant commented that the City of Whitewater removed over \$11 million in property from their TIF, basically redrafting the boundaries, when they sought to be declared distressed. He was impressed that they did so. Kilkenny noted that choosing not to spend funds if a project can be deleted makes sense. However, he would be concerned if additional funds are being spent or the TIF exceeds its budget.

Lanser noted that the committee was in favor of the general guidelines she proposed. Next, she would like to specifically talk about the City of Whitewater and Village of East Troy TIFs.

City of Whitewater TIF #4: Whitewater spent around \$10 million in 2010 and is fairly close to being done spending. They have a lot of room for businesses to come in. They don't have commitments yet but everything is in place for that to happen so the equalized value of the TIF could increase very quickly. The Whitewater City Manager, Kevin Brunner, thinks the most they may need to extend TIF #4 is 4 years; the 10-year distressed status is a worst-case scenario. Lanser said we can approve, knowing that they may need up to 4 years, or suggest refinements before approving the request for distressed status. Initially, she wondered if the TIF could downsize or eliminate some of the planned projects but is not sure the City is willing to do that, after talking with Brunner. Second, she suggested shortening the timeline. If the City feels 4 years would be adequate, then state 4 years rather than the full 10. Third, a lot of their developers' agreements include language with regard to payment in lieu of taxes. Lanser contacted the State to determine if those were allowable special assessments, adding that we need to potentially address this issue with the State. Her suggestion was that Bretl work with the State in that regard. Bretl added that this issue illustrates the resolution included on last month's agenda which requested a change in the State law to allow counties to be more specific in terms of which specials they want to settle. Historically, settling specials has been workable but Bretl stressed that they used to be smaller ones related to unpaid sewer bills, lawns that had to be mowed by the municipality, or sidewalks that were installed. If the developers' agreements can be included on a municipality's list of special assessments, that could have a significant financial impact for the county. Lanser said one of Whitewater's agreements being put on as a special is approximately \$125,000 and would have to be settled in 2011 by the county. Bretl pointed out that the State may reiterate that counties can't pick and choose. We can emphasize our problem to the legislators but don't have the flexibility to settle some specials but not others, as some counties are currently doing. Second, the issue of developers' agreements can potentially be a significant amount of money. The value of the property may be such that we would never be able to recover the funds through a foreclosure sale.

Lanser asked the committee if they wanted to send a letter to the Whitewater CDA or would rather she take their concerns back to the JRB. Grant requested that staff confer with the State to ascertain their opinion. Kilkenny said there is often a tight timeframe put on the JRB to make decisions. If we don't feel sufficient information has been provided, he encouraged Lanser to ask her fellow JRB members to consider extending the time before making a decision. We can vote

to extend a TIF district as being distressed but, if the State sets a 0% increase in their budget, where do we find the funds to cover this? It is important to protect the county's financial status. Russell asked Bretl for his recommendation. He replied that we should ascertain the Department of Revenue's opinion regarding specials. We already have our own effort to amend the law but, with this specific issue, we can ask if it is appropriate to be a special assessment. With regard to a letter versus having Lanser talk with the JRB, he deferred to Lanser. She said it may be better to wait and talk to them since staff have been asked to research more issues. Andersen noted that the deadline to declare a TIF district to be distressed is December 31, 2011. Lanser asked if the committee felt the best approach would be for the JRB to table the City's request to the end of the year so more information is available or to have them go ahead and approve it. A public hearing is already scheduled for Monday, January 24, and the actual JRB meeting will be on February 9. Grant would like to see this wrapped up sooner than the end of the year. Russell reiterated that we should obtain an opinion from the State as to whether developers' agreements can be considered specials. **Russell moved to approve Lanser's criteria with regard to distressed TIF districts and attempt to postpone the decision of the City of Whitewater's TIF #4 joint review board until later in the year to allow county staff to obtain more information from the Wisconsin Department of Revenue. Stacey seconded the motion; carried 5-0.**

Village of East Troy TIF #3: Lanser reported that the Village of East Troy held their organizational meeting this past Monday. The Village's approach is that although they already have spent some funds in the TIF district for water, utilities and so forth, they propose not spending all of the project funds up front. They would rather hold onto some projects in the hope that the right business will come in and the Village can then work with that business on the infrastructure. Lanser feels this is a great step on their part to control spending. The Village has an agreement with the DOR to complete the Highway 120 interchange improvement. Right now, it's in their cash flow as a 2016 expense but would actually need to be done as soon as they reach a certain traffic count. They don't know when they will get to that point, however, this project could cost substantially more in 2016 than the \$1 million projected now. Calling the Village's TIF #3 distressed now makes it easier to handle because they haven't spent the money and will close the TIF as soon as they can. Kilkenny asked if the Village would be willing to amend their project plan accordingly. Lanser responded that they would have to close if they don't do those projects. She also complimented the Village on their process for providing choices for a citizen member of the JRB. The ran newspaper ads and ended up with 3 applications. She feels the Village has done what they could to follow the county's ordinance regarding TIFs, in addition to not spending before they have businesses interested in the area.

Russell asked if the Village would consider extending the TIF for 5 years instead of 10. Lanser did not feel they would do that. The municipality is looking for a "yes" or "no" with regard to classification as a distressed TIF but will close as soon as the money is there. Russell wondered if there are any specials related to this TIF. Lanser was not aware of any. A motion to proceed is not necessary. The advice provided by the committee is sufficient.

Discussion and possible action regarding award of the Government Finance Officers Association (GFOA) Certificate of Achievement for Excellence in Financial Reporting for Fiscal Year 2009 — Russell offered congratulations on behalf of the committee. Andersen said that every year she thanks the county departments and her staff – particularly Lanser for taking the lead – on the annual financial report. She doesn't think people understand how much, and how frequently, the reporting and its requirements continue to change. Federal grant reporting increased significantly, as did the complexities to calculate our other post-employment benefits (OPEB) liability. She appreciates how county staff remain current on those requirements and help us meet the goals. Bretl recommended presentation of the award at the upcoming County Board meeting. **Stacey/ Grant moved to forward presentation of the GFOA Certificate of Achievement for Excellence in Financial Reporting award to the Board; carried 5-0.**

Reports

- Quarterly investment report — Jens reported on banking changes which occurred during the quarter. Staff discussed the buy-out of M&I Bank by the Bank of Montreal with our M&I trust and M&I capital market brokers. Both felt this was positive in that the additional resources from the Bank of Montreal should provide more advantages in the market. Right now, staff have no concerns regarding the buy-out. Second, the 1st Banking Center in Lake Geneva was forced to close in December 2010, with assets transferred to the 1st Bank of Michigan. The county holds one \$225,000 CD with that bank. The CD was transferred to the new institution and remains fully insured by FDIC. Jens requested committee approval to amend the list of approved financial institutions to include the 1st Bank of Michigan. **Kilkenny/Grant moved to add the 1st Bank of Michigan to the county's list of approved banking institutions; carried 5-0.**

Portfolio performance in the 4th quarter of 2010 yielded .26% which outperformed the 3rd quarter slightly. Staff continue to work towards diversifying the county's investments over multiple sectors in a concerted effort to reduce risk. Year-to-date investment income exceeded the budget projection by approximately \$173,000, ending the year at \$775,000, of which \$130,000 included adjustments to the market. Economic indicators and input from brokers point to the market being fairly stagnant in 2011. The anticipation is for positive changes to start occurring in 2012. With that in mind, staff will continue laddering the county's investment portfolio and focus more on short term investments with 1-2 year earnings. Russell complimented Jens for her work. We are on the right track by being conservative and maximizing income for the county. Jens was asked if staff plan to hold municipal bonds to maturity. Are there any concerns about defaulting? Jens affirmed that we would hold to maturity. We have been very careful in our research when looking at the municipal bond market. Andersen added that a number of municipalities participated in the Federal Government's program for taxable Build America Bonds (BABs), which ended on December 31, 2010. There may be a slow period since some municipalities may have pushed projects ahead of schedule to take advantage of BABs.

Jens reported that we recently purchased Tracker, software that came highly recommended by the GFOA to generate investment activity reports. Instead of having to spend 3 hours

manually create such reports, Tracker will generate them for us in about an hour, thus giving staff more time to analyze data.

The county's other post-employment benefits (OPEB) portfolio showed a total return of 6.5% since its inception. The 4th quarter periodic return was 2.3% which is 9.6% annualized.

Jens corrected figures in the OPEB Portfolio Summary and Performance table on page 54 of the agenda packet. The grand total of securities in the cost column should be \$7,811,278 instead of \$9,970,088. The figures in the column are correct; only the total was off. The market value total should be \$11,547,120 rather than \$10,281,256. The unrealized gain/loss total is correct.

- Update on tax incremental financing (TIF) district(s) — Russell noted that the county received a check when the Village of Sharon's TIFs #2 and #3 were closed.
- Quarterly delinquent real estate tax report — Russell was pleased that current delinquent taxes decreased in 2009 vs 2008.

Correspondence — ~~There was no correspondence presented.~~ Undersheriff Kurt Picknell distributed a letter dated November 29, 2010 from the Federal Deposit Insurance Corporation (FDIC) thanking the Sheriff's Office for their assistance with transition of the First Banking Center ownership.

Confirmation of next Finance Committee meeting:

- February 17, 2011 at 9:30 a.m. in County Board Room 114 at the Government Center

Adjournment of Finance Committee

Upon motion and second by Schaefer/Stacey, Chair Russell adjourned the meeting at approximately 11:22 a.m.; carried 5-0.

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 Human Resources Committee

MINUTES

January 19, 2011 – 3:00 p.m.

County Board Room 114 – Government Center

Elkhorn, Wisconsin

Draft

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

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

Others present – Supervisors Nancy Russell, Dave Weber, Joe Schaefer, Randy Hawkins, Dan Kilkenny; David Bretl, County Administrator; Suzi Hagstrom, Labor/Employee Relations Director; Nicki Andersen, Deputy County Administrator – Finance; Michael Cotter, LURM Director/Deputy Corporation Counsel; Linda Seemeyer, LHCC Superintendent/HHS Director; Carol Wicklund and Mia Anderson, Economic Support Supervisors; Scott McClory, Captain; Dale Wilson, Payroll/Benefits Manager; Bernie Janiszewski, LHCC Administrator; Mike Schmitz, Jail Administrator; Tracy Moate, Director of Special Education; Dave Graves, Sheriff; Kurt Picknell, Undersheriff; Dana Nighbor, Captain; Liz Aldred, Deputy HHS Director; John Orr, Information Technology Director; Shane Crawford, Deputy County Administrator – Central Services; Mary Price, Citizen/LHCC Employee.

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

Approval of the November 17, 2010 Human Resources committee minutes was moved and seconded by Supervisors Brandl and Wardle. The motion carried 5 – 0.

Public comment period – There was no public comment.

Presentation regarding the market study for compensation of certain non-represented employees. Bretl explained that the ordinance states that the salary structure for non-represented employees needs to be looked at every two years. Section 15-322 of the Code sets forth compensation goals. To accomplish the market study, the county had gone out for bid twice, but the bids came in either high or incomplete. Hagstrom and Crawford took on the huge task of gathering the comparable data themselves. Given the economy, the committee might decide that they shouldn't be contemplating raises. Before that determination is made, however, the committee needs to make sure that the ordinance is being followed and that the ordinance is still valid. When looking at the data

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that has been gathered, Bretl pointed that there may be differences in opinion on whether or not one position compares to another. He explained that there is a lot of data to review, and he does not expect or recommend that the committee make any conclusions other than to understand what information is included in the study. He suggested that perhaps the committee just decide how they want to proceed. Hagstrom explained that after the bids did not come in as she had hoped, she gathered the comparable data for the Sheriff's Office. She and Crawford modeled the other departments after the Sheriff's Office. She explained that Crawford had done similar studies in Buffalo County. She and Crawford gained a great deal of insight into how other counties operate. Walworth County is very streamlined. Hagstrom explained the information that the committee had before them in their binders. The binder is broken into sections beginning with a background memo and comparable county facts, followed by a definitions section. She explained that exempt employees are not eligible for overtime. Non-exempt 1 means that the employee is eligible for hour for hour comp time, whereas non-exempt 1 ½ means that the employee banks comp time at time and a half. Hagstrom explained that with compression, some positions that are a lower classification might be earning more than some managers because of overtime. Crawford asked the committee to keep in mind that the information was modeled after the Sheriff's Office. Hagstrom explained that with each department, the analysis included the positions titles, the comparables and their titles, the 2009 earnings and the 2010 earnings. If there were no comparable positions, that was indicated by a blue line. The second pages were sorted by pay grade, and the red line shows where Walworth County falls. In terms of W-2 earnings, Hagstrom reminded the committee that if managers are at the top of their pay range, they get a bonus payment for pay for performance. In addition, mileage reimbursements are included in the W-2 figures. At the back of the binder, the counties are listed in alphabetical order with their organizational charts, if provided. The spreadsheets show the data matched by county. Hagstrom asked the committee to look at administration. She explained that Walworth County's positions were listed first, with the position titles of the comparables below them. Also listed were the base rate, pay grade and union status of the positions. She added that some of the pay grades are for 2009, and some are for 2010. If a position title had multiple employees in that same position, the base rate and W-2 earnings are averaged. The last pages are the comparisons. Crawford urged the committee to write down any questions they have as they are going over the information. Hagstrom then directed the committee's attention to the public works department. Crawford pointed out that Walworth County's office/purchasing manager position is toward the top. He reminded the committee that the purchasing manager and office manager positions, had been merged, so it might seem like the wage is inflated. Hagstrom stated that there may be many differences with the other counties. Racine, for example, has 49 organizational charts. Many of our counterparts have county parks to take care of. Another major difference is that in many counties, purchasing may not exist at all, or it might be a stand-alone department or part of finance. Hagstrom directed the committee's attention to the

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back portion of the binder where all of the counties' organizational charts are. She stated that Washington County does not have org charts. She explained that while all departments are represented in Walworth County's org charts, some departments don't have salary exempt employees, so they won't be included in the department analysis portion. She urged the committee to let her know if there is more information that they are looking for but don't see, or if they want to see the information in a different format. Hagstrom did not have any recommendations for the committee at this point. She simply wanted to get the information out to them. She asked the committee to let her know when they want the item back on agenda. Vice Chairperson Grant asked if there was a rush on the timeline for this, given the volume of material. He suggested bringing the item back in April. Hagstrom asked the committee to keep the ordinance in mind. If the committee would like to make changes for 2012, staff will want to know about those by mid summer for budget purposes. Andersen added that staff likes to have salary amounts in early July for the budget. Bretl read the language on the objectives of the pay plan from the ordinance. He stated that two employees who have the same duties should be paid the same. The committee will want to consider things like whether turnover in a department is a germane factor and whether being competitive is a good standard. He urged the committee to take the data in parts. He does not recommend deferring everything until April. He suggested that the first step could be for the committee to write down any questions they have and bring them back to the committee to discuss next month. He would like the committee to discuss the compensation objectives as well. Bretl hopes to distribute the market study information to all county departments in the near future. Bretl stated that if the committee discusses its philosophy for pay in February, they could then come up with a timetable for what the process should be. Bretl suggested perhaps looking at six of the departments in April and the remaining seven departments in May. Chairperson Ingersoll reminded the committee to write all questions down and to feel free to call Hagstrom or Crawford with any concerns. Supervisor Wardle asked if the data represented just salary or total compensation. Hagstrom stated that it is just salary, not benefits. **Supervisors Brandl and Wardle moved and seconded returning in February with questions and guidelines and objectives for compensation.** Chairperson Ingersoll asked what sections of the Code they needed to review. Bretl suggested they just review Section 15-311. He also suggested they begin reading the data to find out if there is any other information they would like to see. Supervisor Russell stated that the first thing that strikes her about the information is that eight counties are represented, and Waukesha is the highest paid in almost every category. Waukesha County is much larger than the other counties. Supervisor Russell would not have used Waukesha County as a comparable. She added that in private industry, they use businesses of comparable size and geography. She suggested taking Waukesha out of the study. Hagstrom explained that these eight counties were used because these are the counties that the WERC uses as Walworth County's comparables for bargaining purposes. Hagstrom stated that it wouldn't

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materially affect the results of the study if the committee just ignores the data relating to Waukesha County. Supervisor Russell feels that Waukesha County is just too different in terms of size and location. Bretl pointed out that there is a wide range of counties on the list. Bretl stated that the issue of what constitutes a comparable county has been argued before arbitrators for years. A county with a larger population may or may not make a position comparable. Running a 120-bed nursing home would require the same skills in a large or small county, for example. The committee is free to weigh the issue of population as it sees fit. **The motion carried 5 – 0.** Supervisor Wardle thanked Crawford and Hagstrom for their hard work.

Amendment to Section 15-332(b) of the Walworth County Code of Ordinances Relating to New or Changed Employee Pay or Benefits – Casuals. Hagstrom stated that in the past, she has come to the committee with resolutions to ratify agreements for bargaining units, which agreements include wage increases. She then has to come back to the committee with a resolution to give casual employees the same increase to match their union counterparts. The proposed draft ordinance would ensure that casuals automatically get the increase when the pay plans increase. This would save staff from having to bring a resolution back to the committee every time to ask for the increase for casuals. **Vice Chairperson Grant and Chairperson Ingersoll moved and seconded approving the draft amendment to Section 15-332(b) relating to new or changed employee pay or benefits.** Supervisor Wardle stated that he was very hesitant to lump this all together. If the Unions get a 2% increase, he felt it would be nice to have a say in whether or not the casual employees get that increase as well. Bretl pointed out that there are very few casual employees. Hagstrom stated that there are probably less than 20 people affected by this change. Supervisor Russell felt that it is not a good practice to have two pay scales. She reiterated that if the ordinance is passed, casuals will automatically get the same increase as their union counterparts. Hagstrom confirmed that was correct. Supervisor Russell stated that a day might come in the future when the committee wants to have a variable pay scale, and it might be difficult to repeal the ordinance. She was trying to think of all of the possible unanticipated consequences. Hagstrom explained that the Union contracts set forth when employees get a step increase. Casual employees, on the other hand, would still have to work a certain number of hours to get the step increase. Hagstrom feels that it is unfair to have a casual CNA working alongside a full-time CNA and getting paid less. She added that casual employees are not eligible for any benefits. Supervisor Wardle asked for clarification on who this amendment affects. Hagstrom stated that this amendment would affect casual employees. Casual employees have no scheduled hours; they are called in as needed and can reject the work. These employees might work an hour a month, or they might work 200 hours in the summer. It varies. Hagstrom stated that the increases for casual employees are usually an afterthought after union contracts are settled. Vice Chairperson Grant agrees with the idea of the increases for casuals being automatic, especially if they

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are typically forgotten about. Bretl stated that there are not any payroll issues with this. It is more a matter of the process – either it is done by resolution each time or automatically per the ordinance. **The motion failed 2 – 3. (Supervisors Wardle, Brandl and Redenius opposed).**

Discussion and possible action regarding proposed changes to Section 15-532 of the Walworth County Code of Ordinances Relating to Insurance Plans. Bretl stated that in concept, he believed this is a good idea. With the county's new pharmacy provider, plan participants can get prescriptions by mail. This saves both the employee and the health plan money. The downside is that while you can order prescriptions online, they might require a signature upon delivery. If those deliveries are made during work hours, there may not be anyone available to sign for them. One possible solution would be to allow the prescriptions to be delivered to the County. Bretl's concern is that there are facilities where having a 90-day narcotics supply in a person's desk creates a security risk. Also, orders might be very large, possibly in excess of \$1000 worth of drugs, for example. Vice Chairperson Grant stated that he sees this both as a benefit for the county and the employee. He suggested that if delivery is the issue, the deliveries could be made to the department where the person works. If the person is not comfortable with that, he or she could simply go to the pharmacy to pick up the prescriptions. Bretl stated that to keep the tightest security, he might suggest having all orders go to one department. Having a 90-day narcotic prescription delivered to the jail, for example, may not be the best idea. This, however, would be burdensome to the department selected to receive all of the orders. There could also be HIPAA issues that arise if someone were to accidentally open up someone else's package. An ordinance amendment pertaining to this item may take some time to work out. Chairperson Ingersoll asked if there was really that much of an advantage to allowing this. Wilson stated that the employee would pay 2.5 co-pays versus 3 co-pays. Plus, the plan would get an overall discount of 8 – 10%. He added that only certain drugs would require a signature. In addition, the person signing for the prescription does not have to be the person for whom the prescription is for. Chairperson Ingersoll asked if this would result in a reduced premium cost. Andersen stated that it could reduce the cost of the plan by 8 to 10%. Wilson stated that they are trying to urge more people to take advantage of the mail order prescription option. It is a benefit for everyone, but there are details that need to be worked out. Vice Chairperson Grant suggested having department heads trying to work out a solution and then bringing the item back to the committee. Supervisor Brandl stated that staff should look at privacy, security and liability when trying to come up with a solution.

Vice Chairperson Grant and Supervisor Redenius moved and seconded sending this item back for further study by administration and department heads and then bringing it back to the committee. The motion carried 5 – 0.

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Discussion and possible action concerning proposed amendments to Section 15-634 of the Walworth County Code of Ordinances relative to take-home vehicles. Bretl explained that there were a couple of different requests with respect to take-home vehicles. A copy of the existing ordinance had been included in the packet. The County already allows take-home vehicles for the sheriff, undersheriff and certain public works employees. Some might view this as a perk, while others might view this as a disadvantage given that it requires the employee to take care of the vehicle. The sheriff likely has the statutory authority to require all deputies to take vehicles home, but then the county board could decide not to purchase any squad cars. The sheriff has authorized the captains and lieutenants to take vehicles home, and that practice should be codified. The second request with respect to take home vehicles comes from public works. Public works was requesting to allow an employee's spouse (who is also a county employee) to travel to work in a county vehicle given that they were traveling to the same place. Regardless, Bretl feels that the current ordinance could be improved. He suggested that any parameters that the committee wants to put on the use of the vehicle be included in the ordinance. If an employee is required to take home a vehicle so as to be available for emergencies, it would be beneficial to know how many times the person actually had to come in for an emergency. The sheriff stated that his request is coming because of an increased amount of calls. His command staff members are the people getting things in order at the scene. He added that Captain Nigbor has taken her own personal vehicle to a crime scene because it was closer for her to do that than to drive to the Sheriff's Office to get a vehicle. The employees that take squad cars home must always be able to respond to emergencies. They have to be armed and ready to make an arrest at all times. Absolute sobriety is a must by department policy, and no personal use is allowed at all. Chairperson Ingersoll asked who of the six captains/lieutenants listed are on-call for getting emergency calls. The sheriff said that they are all on-call all the time. If he calls them, he wants them to respond. Chairperson Ingersoll asked about the furthest distance any of them have to travel. The Sheriff stated that all deputies must live in the county. One of the captains lives in Whitewater, and he is probably the furthest away. Supervisor Wardle stated that this all makes sense to him, but he wondered about a situation where a captain is in his personal vehicle on the weekend, gets an emergency call and is closer to the Sheriff's Office than to his home where his squad car is. While that is a possibility, the Sheriff said such an occurrence is rare. Someone will always be on the scene, and they would have time to get back home to get their vehicle. Vice Chairperson Grant wanted to clarify that no family members are ever in the county vehicle. The Sheriff stated that no family members have ever been in his county vehicle. Crawford explained that for Public Works, he has employees with county vehicles who monitor snowstorms to determine how many crew members need to be sent out. If Crawford had to call out all of the plow drivers, it would cost \$18,000. The public works employees with take-home vehicles live in all corners of the county, and they can all check on snow events. The take-home vehicles are more of a seasonal need for some of the public works

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employees. One of the employees lives just outside of Walworth County. With regards to the request dealing with the spouses, Crawford stated that there is a married couple working in Public Works, and they are currently bringing two vehicles to work. Because one of the employees has a take-home vehicle, it would make sense for the spouse to be able to commute to work in it as well. Crawford, however, was okay with whatever the committee wanted to do. He stated that all of his employees who take vehicles home realize that it is a perk. In an emergency, his management staff needs to be on the scene, and they need to be there quickly. Response time is key. Vice Chairperson Grant understood the desire for the employee and spouse who work together to be able to commute together in a county vehicle, but he was concerned that if the family prohibition is lifted, it opens the door for further requests. He was not in favor of doing that. With respect to the employee living outside of Walworth County, Vice Chairperson Grant suggested having them pay mileage to use the county vehicle from the county line on. Crawford stated that a residency requirement for take-home vehicles would certainly present a problem for that employee. For that employee, the take-home vehicle is seasonal. Vice Chairperson Grant wondered if the employee would even be willing to take a vehicle home if they were required to pay the county mileage to take it outside of the county. Crawford clarified that the employee is assigned a vehicle to home; they are not given a choice. Vice Chairperson Grant suggested possibly putting a limit on how many miles outside of the county the employee could live if using a take-home vehicle. Crawford stated that while the employees recognize that this is a perk, they are also the employees who drive out on calls in the middle of the night on Christmas Eve. Supervisor Brandl asked if the employee who lives in Waukesha would be called out to an emergency where he lives (in Clinton). Crawford explained that the employee in Waukesha would go on the calls in the north part of the county, like in East Troy. Crawford also explained that in the past, they had to manually call every single person to get them to come in for an emergency. Now, there are two employees in the office who decide how many people to call in, and they use an automated system to call everyone at once. At the same time, there are four employees out on the road monitoring conditions. Chairperson Ingersoll asked what is actually being proposed for the ordinance amendment. Bretl stated that the additional employees on the Sheriff's list for take-home vehicles should be added to the ordinance. In addition, the issue at Public Works with the married employees commuting in a county vehicle is a proposed addition. Then there were several other things that Bretl had suggested adding to the ordinance such as reporting the number of callouts, no personal use and absolute sobriety. The Sheriff added that pursuant to federal law, they also have to allow the deputies with K-9s to take a vehicle home. There are two squads that are both set up for K-9s, and it should be incorporated in the ordinance for their handlers to take vehicles home as well. Crawford clarified that his request only pertained to married employees. It would not allow for the employee to drop off another county employee using a county vehicle. Vice Chairperson Grant stated that they could give this a try, and if it became a problem, they could change

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it at the end of the year. Crawford added that the spouses commuting together may not always be the most convenient thing for them. For example, if the employee gets called out for an emergency until late at night, the spouse would have to find a ride home. The spouse would not be allowed to incur overtime because of not having a ride. Wilson asked if the ordinance should address how the county is going to tax individuals who have the benefit of a take-home vehicle. He stated that the Sheriff's Office is tax exempt because of the nature of the vehicle. Supervisor Brandl asked if an employee is reimbursed if they have to use their personal vehicle to respond to an emergency. The Sheriff said no. There was, however, an incident where an employee's personal vehicle was damaged when the employee was responding to a dive call, so the county's insurance had to cover the damage. Supervisor Wardle suggested splitting the ordinance into parts. Bretl thought that may be a good idea. **Vice Chairperson Grant and Chairperson Ingersoll moved and seconded prohibiting family members from being allowed to commute in county-owned vehicles. The motion carried 4 – 1. (Supervisor Wardle opposed). Supervisor Wardle and Vice Chairperson Grant moved and seconded incorporating the Sheriff's list of employees plus the two deputies with K-9s. The motion carried 5 – 0. Supervisors Wardle and Brandl moved and seconded requiring an annual report on the number of call-outs the employees responded to. The motion carried 5 – 0. Vice Chairperson Grant and Supervisor Redenius moved and seconded requiring absolute sobriety while operating a vehicle and prohibiting personal use of the vehicle.** Wilson explained that for taxation purposes, the IRS does provide for de minimis personal use. For example, if an employee is on their way home, and they need to stop at the grocery store along the way, the IRS allows that. Bretl stated that while de minimis personal use is permitted by the IRS, the committee could decide to be more restrictive. **Vice Chairperson Grant clarified that his motion would allow for de minimis personal use. The motion carried 5 – 0.** Bretl stated that the next question was whether or not the committee wanted to place a distance limit on employees who take vehicles home for emergency responses. The committee may want to place a limit of 30 miles from Elkhorn, or they could make the Walworth County line the limit. Crawford stated that he was fine with whatever the committee decided but pointed out that the person in his department who lives outside of the county would only be responding to seasonal emergencies and would not take a vehicle home year round, and that would be at the Public Works Director's discretion. Bretl stated that this is a political issue. Supervisor Wardle considered adding language that the take-home vehicles would be at the director's discretion, which he felt was reasonable. Bretl suggested placing no mileage limit given that deputies must live in the county, and most of the public works employees who might take vehicles home also live in the county. Vice Chairperson Grant stated that this item could be brought back if it becomes a problem.

The committee took a brief break at 4:40 p.m. and went back in to session at 4:46 p.m.

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After the break, Chairperson Ingersoll clarified that the earlier motion for absolute sobriety included allowing de minimis personal use. She also clarified that there is no limit on mileage, and the department head is to use his or her discretion with respect to take-home vehicles.

Discussion and possible action regarding County participation in blood drives. Given the time, Bretl suggested deferring this item to the February meeting.

Vice Chairperson Grant and Supervisor Wardle moved and seconded holding this item until the next meeting. 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: Bretl suggested that the committee make a motion to consider all unfreezings then make separate motions for the unfreezing of the individual positions. Vice Chairperson Grant first asked about the closes session and whether or not it would be a problem if they did not get to that today. Hagstrom stated that the closed session is informational only. She was not seeking any guidance at this point, so the closed session could wait. She explained that the county would be going into mediation with the teachers.

Vice Chairperson Grant and Supervisor Wardle moved and seconded considering the unfreezings. The motion carried 5 – 0.

- Health and Human Services – Economic Support Specialist (Bilingual) – Seemeyer stated that this position cannot be outsourced, pursuant to state law. She explained that by law, they have to be able to determine eligibility in a certain amount of time, and right now, they are not able to do that. As a result of the economy, the unit is extremely busy. Seemeyer would appreciate the committee’s support in filling this position. Vice Chairperson Grant asked if this is the only official bi-lingual position. Seemeyer stated that there are two others for a total of three in the entire unit. Seemeyer reiterated that the unit is not meeting federal guidelines now. They are not able to respond to people in a timely way. They are really struggling. **Vice Chairperson Grant and Chairperson Ingersoll moved and seconded unfreezing the economic support specialist position.** Supervisor Brandl asked if this would eliminate the need for overtime. Seemeyer said that it wouldn’t even come close. They really need 23 positions, but they only have 14. Walworth County has the highest caseload of all counties. The unit is having a very hard time keeping up. Staff is dealing with a caseload of 545 cases per person.

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There will still be the need for overtime. Hagstrom explained that the overtime was incurred while the person was still in the position. Supervisor Wardle asked what the workload entails. Wicklund explained that someone would apply for benefits (usually over the phone). The interview usually takes about half an hour. Then they need to gather wage information, verify identification, etc. From start to finish, it is about a three-hour process per case. Wicklund added that the overtime amount would have been more last year, but she was promoted and doesn't get overtime. Supervisor Wardle asked if the process includes determining if the person is U.S. citizen. Wickund said yes, and if the person is undocumented, then they would receive no benefits. If they are a permanent resident, however, they may get benefits. **The motion carried 3 – 2. (Supervisors Brandl and Wardle opposed).**

- Lakeland Health Care Center – 0.2 FTE CNA; 0.5 FTE LPN; 0.2 FTE LPN – Janiszewski explained that she had come to the committee in November for similar positions. She stated that staff feels that it is not cost-effective to outsource nursing. The nursing home is mandated to have minimum staffing levels, which levels vary depending on the level of care required. She explained that of the three positions she was requesting, two are vacant (0.2 CNA and 0.5 LPN) because the employees moved into positions that were unfrozen in November. Supervisor Brandl asked why the 0.2 position, which is a weekend position, gets paid time off. Hagstrom stated that the position is a regular part-time position, so they do accumulate time off. It just takes a long time to accrue. Chairperson Ingersoll asked about outsourcing over unfreezing nurses and CNAs. Janiszewski stated that it is more difficult to outsource a nurse because there are not as many available. With CNAs, because there are more available, they might have different people coming in each time. They could try to work with the agency to attempt to get the same CNAs. Vice Chairperson Grant asked if they could combine the 0.5 and the 0.2 LPN positions into one position. Janiszewski stated that if the positions were combined, the person would get more benefit time, so it would be more costly. She stated that they have started a staffing committee to look at different options. She added that if they make major changes to schedules, those changes would have to be negotiated with the Union. Hagstrom added that with the LPNs, the 0.5 and the 0.2 might be scheduled on the same shift, so combining them would mean that they are still short a person. **Supervisor Wardle and Vice Chairperson Grant moved and seconded unfreezing the three LHCC positions. The motion carried 4 – 1. (Supervisor Brandl opposed).**

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- Sheriff's Office – 1.0 FTE Detective – The sheriff explained that while there are three positions being requested, there are four positions currently vacant in his department. The fourth position is in corrections. The Sheriff is working with the Executive Committee and the CJCC to try to find savings at the jail. The Sheriff talked it over with the Undersheriff and the Jail Administrator and decided to leave the corrections position frozen. The positions he is requesting are vital to the operation. The Sheriff stated that the department hasn't added any positions since he can remember. The Undersheriff stated that the detective position was vacated on January 2nd when a detective was promoted to lieutenant. They are asking for that to be re-filled. There are also two patrol positions open – one from a retirement and one from the other lieutenant promotion. If the detective position is unfrozen, that will be filled from the patrolman's ranks, which would then leave three vacant patrol positions. Supervisor Brandl asked about the paid time off on page 48 of the packet, which is stated as being 610 hours. Captain Nigbor stated that the number is the average paid time off for all nine detectives; it is all of their paid time off combined. It actually only comes out to about eight days each. Supervisor Wardle asked if detectives take two weeks of vacation. Captain Nigbor stated that the figures were calculated for only other time off (comp time). Supervisor Brandl asked if the detectives were part of the Union. Captain Nigbor said yes. Hagstrom stated that they could calculate the paid time off for the next meeting if needed. Supervisor Wardle was concerned with paying someone \$140,000 (salary and benefits). He felt that was a lot of money to commit to the position. He understands that Walworth County has a higher backlog than other counties. The Sheriff pointed out that he doesn't negotiate wages or benefits. Captain Nigbor explained that the nine detectives carry an average caseload of 20 cases. This does not include the cases that Captain Nigbor weeds through and doesn't assign a detective to. She filters down and decides what cases will be investigated based on severity. If she assigned all of the cases to a detective, they could have 45 cases each. Some cases take weeks or even years. Understandably, detectives cannot work on all of their cases every day. People are constantly calling about the status of their case. Even if the case doesn't get assigned to a detective, deputies continue to turn in citizen complaints. Cases like welfare fraud take a lot of time. In addition, the detectives are in charge of 8,000 pieces of property. As a department, they could decide to only investigate felonies and the rest of the cases could be given to patrol, but that is not a good idea. Chairperson Ingersoll asked if the \$142,000 amount was where the person is at currently, or if that is the actual cost if

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they hired someone from the outside. The Undersheriff stated that the dollar amount was the amount that was fixed for the detective that left the position who is now a lieutenant. Captain Nigbor stated that the detective who was promoted to lieutenant has been with the department for 25 years, so someone coming in wouldn't cost the same amount. Currently, there is an eligibility list for detectives. **Vice Chairperson Grant and Supervisor Wardle moved and seconded unfreezing the detective position. The motion carried 5 – 0.** 2.0 FTEs Deputy Sheriff – The Sheriff explained that patrol is the first line, and there haven't been any patrol positions added in a long time. The Sheriff is just hoping to maintain what they have now. Supervisor Wardle had some concerns with this. If you look at the census data showing how many people there are in the county, based on the averages for other counties, Walworth County should only have 28 deputies. Looking at the size of the county in square miles, the County should have 40 deputies. Supervisor Wardle feels that this data makes it seem like the Sheriff's Office is overstaffed. The Sheriff asked the committee to consider why there might be such a discrepancy. He stated that using population statistics is a very old way of looking at staffing. How he looks at staffing is the number of calls for service, demand, goals they want to achieve, response time, etc. The Northwestern staffing study found that Walworth County was not overstaffed but possibly understaffed. In order to get the job done, the Sheriff feels the County needs the current staffing. He hasn't asked for additional deputies. Instead, he has gotten rid of the DARE position, gotten out of court services and taken the front-desk officer out at night. He stated that they are doing things internally so as to not have to ask for more deputies. The Undersheriff pointed out that Walworth County is heavy in tourism and secondary homes, which is not reflected in the census data. That changes things. Supervisor Wardle feels that based solely on the numbers, it seems as though the county is overstaffed with deputies. Captain McClory pointed out that the Sheriff's Office had 41,000 calls for service in 2010, and he is not sure how many other counties had that number of calls for service. If other towns cannot respond to a call, the Sheriff's Office covers for them, which happens on a regular basis. Supervisor Wardle would like to see the number of calls for service for other counties. Captain McClory stated that geographically speaking, Walworth County is rural, but it is very close to other big cities. Vice Chairperson Grant asked the committee if they wanted the Sheriff's Office to return in two months with the information that Supervisor Wardle requested. Supervisor Wardle felt that they should vote on it, but they should come back with the information too. The Sheriff stated that

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when they come back to ask for the other patrol position, they could bring the information. **Vice Chairperson Grant and Chairperson Ingersoll moved and seconded unfreezing the two patrol positions. The motion failed 2 – 3. (Supervisors Brandl, Wardle and Redenius opposed).**

Hagstrom reminded the committee that Chair Ingersoll would be not be at the February and March meetings. Hagstrom asked if the committee would like to hold off on unfreezings until the full committee is available in April. Vice Chairperson Grant felt that the whole committee should be present for the unfreezing discussions, so he felt they should wait until April. Bretl pointed out that the Sheriff's Office will be down three patrol positions after the latest promotion. Vice Chairperson Grant suggested re-addressing two of the patrol positions in March but holding off other departments until April. Bretl added that there are currently no pending requests. He was not sure what impact the vacancies would have on the Sheriff's Office. The committee decided that any unfreezing requests could come in March.

Update regarding mediation with the Lakeland Education Association for re-opener on wages, health insurance and bumping rights for school year 2010-2011. Due to the time, the committee decided to carry this item over to next month's meeting. Hagstrom stated that if any Supervisors wanted to stay for the CDEB meeting, a closed session was included on that agenda for this item as well.

The next meeting of the human resources committee was confirmed for February 16, 2011 at 3:00 p.m.

Adjournment. On motion and second by Supervisors Wardle and Brandl, Chairperson Ingersoll adjourned the meeting at approximately 5:41 p.m.

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

**County Board Executive Committee
MEETING NOTICE
January 17, 2011 at 10:00 AM**

**County Board Room 114
Walworth County Government Center
100 W. Walworth St., Elkhorn, Wisconsin**

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Chairman Weber called the meeting to order at 10 AM.

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

Others in attendance included Supervisor Ingersoll; Captain Kevin Williams, Sheriff's Communications Division; Captain Dana Nigbor, Sheriff's Investigations Division and Drug Unit Operations; Mike Schmitz, Jail Administrator; Nicole Andersen, Deputy County Administrator – Finance; John Delaney, Assistant Jail Administrator; Linda Seemeyer, Director of Health & Human Services; John Orr, Information Systems Director; Rich Colbert, Applications Supervisor; Paula McGowan, citizen; Gregory Guidry, Board of Adjustment alternate member; Dave Graves, Sheriff; Lt. John Ennis, Emergency Government Director; County Board Supervisor Carl Redenius; Chris Schultz, reporter for the *Lake Geneva Regional News*; Maureen Vandersanden, reporter for the *Elkhorn Independent*; Michael Cotter, Deputy Corporation Counsel/Land Use and Resource Management Director; Dave Bretl, County Administrator.

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

The December 20, 2010 executive committee minutes were approved 5 – 0 on motion and second by Supervisors Russell and Hawkins.

Public comment period. Paul McGowan thanked the committee and County Administrator Bretl for their work on the jail study over the past year, and especially with regard to reviewing jail alternatives and discussing the possibility of a drug court.

Mr. Bretl told the committee that the video streaming system is ready to go and indicated staff is looking forward to the executive committee possibly piloting its use at the February meeting.

Ongoing/unfinished business

Community Development Block Grant (CDBG) emergency relief funding, 2008 flooding. Last month the committee authorized acquiring a home in Whitewater damaged by the 2008 flooding. Kevin Williams reported that the homeowners have agreed to sell property to the county. An award letter was received from State of Wisconsin for additional funding, and an

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agreement between the county and homeowner, pertaining to the rules of the grant, is being worked on. Fair market value will be used and the committee will be informed when the offer to purchase is ready, said Williams. A title search and other documentation must be completed. Demolition of the home, which is uninhabitable, will be separate from property procurement. Grant funding will cover the demolition, estimated to cost between \$8,000 and \$10,000. In the summer of 2010, Sugar Creek township requested additional funding for infrastructure work in the town, and was denied by the state. Karen Stone in the State office recently authorized additional funding. Captain Williams needs committee authorization to provide this funding to the township for infrastructure (road) work. He did not have details regarding the project work. Supervisor Russell asked if the roads in Sugar Creek were damaged during the 2008 flooding. Williams said they were and stated that all grant funding has to be verified and a statement provided by the town to the State. Chairman Weber asked if there was any County obligation. There is no match required by the county. With committee approval, State funding will be accepted and then provided to the town, said Williams, who suggested a committee motion to accept the funding, which totals \$265,000. **Supervisor Russell moved to accept funding to the extent for which Sugar Creek is eligible under the CDBG rules. The motion was seconded by Supervisor Hawkins and carried 5 – 0.** Williams stated that Lt. John Ennis was promoted to the position of Emergency Government Director as Kevin moves into his new position in charge of the Sheriff's Communications Division. Williams thanked the committee for the opportunity to have worked with them over the past several years.

Jail study. Chairman Weber stated that the past year of studying the jail had been very productive. Learning about the pretrial process and cost of incarceration has been enlightening. The committee has had the opportunity to ask the difficult question of whether the county wants to pay now for incarceration alternatives or pay later for a (very costly) jail addition. Which option best serves the public? Weber stressed that throughout the past year of studying the jail and space needs, the committee has expanded the communicative effort to serve the citizens and residents of the county. Sheriff Graves said it has been a long tedious process, but staff has learned a lot from it. Administrator Bretl explained that, as stated in his memo of January 14 to the committee, he had held off releasing draft study findings until after the Criminal Justice Coordinating Committee (CJCC) meeting. The CJCC has made significant progress in recent months and he felt it was premature and counter-productive to release executive committee findings and recommendations in detail. The committee and county are at a critical point. The CJCC has provided valuable assistance to the executive committee in effectuating eventual change in the county's criminal justice system process. He stated that he wants to support the CJCC's efforts and the elected officials who serve in the criminal justice system. Mr. Bretl had posed questions to the committee in his memo of January 14, including asking whether the committee wanted to focus on the need for jail expansion or the county's philosophy of incarceration, in general. He also asked the committee to identify what facts they had heard and learned about, over the year-long jail study, that stuck in their minds as being most significant. Many factors are an important part of the process, including sentencing, which people are tried, sentencing recommendations, etc. Mr. Bretl proposed the committee's consideration of a limited term employee (LTE) or consultant to assist the CJCC in organizing its review and recommendations. The CJCC has lacked an individual to assist in its efforts. Judge Reddy has provided some assistance and guidance to the committee but he has other duties. Administrator

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Bretl said he thought it would be premature to create a full-time position given that it is unclear, at present, whether our circuit judges will be receptive to following the recommendations of a criminal justice coordinator or consultant. It was discussed that getting someone on board as a temporary employee for a short period of time, perhaps six months, might be the way to go. Supervisors Russell and Kilkenny attended the January 14 CJCC meeting, at which the possibility of a coordinator and support position was discussed. Supervisor Russell expressed agreement with Bretl, i.e., in the approach of beginning with a limited term employee (LTE). All of the parties (courts, district attorney, etc.) already have a full plate and it would be unfair to ask them to take on the role of providing committee support to move the process forward. It was suggested by Supervisor Kilkenny that any individual report to the County Administrator, as discussed by the CJCC. Job descriptions were gathered from counties that already have such positions. Supervisor Russell suggested it would be appropriate for Mr. Bretl to put together a job description for our county, utilizing the information in the job descriptions received from other counties. At the CJCC meeting, Dr. David Thompson proposed asking the constitutional officers what specific things would keep them from continuing to follow the status quo, i.e., what assumptions they are currently operating under. Why are we setting the bond conditions that we are? Vice Chairman Kilkenny stated he was concerned with what he described as overly-flowery job descriptions for a criminal justice support position. He said that he would, however, be supportive of a LTE position to help flesh out data regarding incarceration and test this against the assumptions. We should incarcerate those we fear, not those we are angry with, he said. Locking up people is not, in all instances, helping to resolve the problem(s) that caused them to be arrested and land in jail in the first place. We need to make sure that incarceration has a demonstrated impact on recidivism. Our current goals should be evaluated. Supervisor Kilkenny again stated that he is not supportive of a fully-funded position to provide support to the CJCC but is supportive of a LTE. He stated agreement that the position should be under Mr. Bretl's administration and said he would be concerned about the shift of focus on grant work from how to help prisoners and reduce recidivism to how to obtain more grant funding to fund a position. Chairman Weber stated he believes it is the consensus of the committee to hire a limited term employee based on a job description specific to our county. He asked whether there was any possibility of assistance from the Extension office and expressed concerns about finding an individual to fill the position. Mr. Bretl indicated that we are trying to engage University of Wisconsin services more than ever; however, this particular job presumes a lot of knowledge about criminal justice. Someone familiar with grant writing would be great, with the expectation that the position is LTE. Mr. Bretl said he appreciated the committee's guidance with regard to pulling together an appropriate job description, to be reviewed by the Executive committee. Supervisor Kilkenny asked if staff could coordinate with the Pretrial Justice Institute, which has knowledge of criminal justice operations and support staff positions, to ensure we don't hire someone without the skills to move the process forward. We don't want to find the jail study and incarceration alternatives process stalled where the process was six years ago, said Supervisor Kilkenny. Paula McGowan was aware of someone who has done similar work in other communities, said Chairman Weber. **Supervisor Kilkenny moved support of staff drafting an RFP for a limited term employee or consultant to do the work necessary to help the committee develop long-term solutions to jail overcrowding and recidivism. The motion was seconded by Supervisor Russell and carried 5 – 0.** Mr. Bretl said the CJCC is holding some very meaningful discussion and the constitutional officers will be breaking out

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as a separate group to formulate any concerns they have. Supervisor Russell stated her preference would be for the committee's report of its findings to focus on all of the elements that had been reviewed over the past year, including the county's philosophy of incarceration. Concerning aspects of the existing jail operation and potential further efficiencies, Supervisor Russell said she preferred to put that aside for now and focus on incarceration alternatives. Chairman Weber agreed with Supervisor Russell's statements. Learning the language of the judicial and criminal justice system has been very educational, he said, as well as learning about the role of the county jail in criminal justice, the relationship between the jail, Health and Human Services and the courts. He stated that from his perspective, the value of a drug court in effecting positive change for individuals who are incarcerated is a "no-brainer." Chairman Weber said the fact which stood out most prominent in his mind from the committee's year-long study is that incarceration does not change behavior, and that providing incarceration alternatives is important. The possibility of reducing the cost burden of incarceration is exciting, said Weber. He stated the county should try to stay two-to-five years ahead of needs in its plan; that should be one of our objectives. It will involve a process of continually and periodically reviewing what we are doing. Vice Chairman Kilkenny pointed out it is difficult to move forward on anything specific without knowing the county's philosophy of incarceration. He stated it is clear that incarceration does not work, and said that many of those incarcerated are accustomed to failure. It takes work to implement something that is effective in helping to change behavior. Administrator Bretl thanked Supervisors and confirmed he will work on the job description and request for consulting services. This will be brought before the committee for review.

Ordinance relating to pawn brokers and secondhand article and jewelry dealers. Discussion regarding a possible ordinance began in November. The draft ordinance and State statute were provided in the committee agenda packet. Vice Chairman Kilkenny expressed concern about the definition of secondhand article dealer. There are questions concerning EBay sales and how that comes into play with regard to the secondhand dealer definition. There are no dollar amounts associated with violations. Supervisor Kilkenny said it is difficult to believe that individuals selling stolen secondhand articles are complying with the law. The state law seems pretty restrictive with few exceptions. Supervisors discussed a requirement of maintaining photos of items, in an attempt to effectuate compliance with State law. Mr. Bretl stated that he couldn't be sure what practice is now being followed and what secondhand dealers do with articles. Supervisor Kilkenny said he had too many questions to be ready to recommend a county ordinance at this time. Under the current State statute, just three categories of dealers are required to comply with keeping photographs. Captain Dana Nigbor of the Sheriff's investigations division said she is fairly certain dealers are not doing that and in any case, she feels it would be difficult to enforce. There is not currently a statewide reporting system for secondhand and other articles. The Sheriff's Office receives information on a daily basis from the State of Wisconsin concerning pawn broker items. Photographs of secondhand items are required if there is not a readily accessible serial no., e.g., as with jewelry items. The decision as to whether to photograph items is left to the discretion of the dealers and pawn brokers, stated Nigbor. Supervisor Kilkenny said he is not convinced dealers would photograph items or hold on to them for a specific period of time. If there is no particular value in passing a County ordinance, we should let the State statute govern. Captain Nigbor stated she did not feel there

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would be any benefit to be gained in passing a County ordinance. Legitimate dealers in Rock County hold items for the required statutory period and are cooperative with the Walworth County Sheriff, she said. She indicated that the Sheriff's Office does investigate reports of stolen items; however, manpower and staff time can be better spent. The Sheriff's Office utilizes both EBay and Craig's list to track stolen items that are being sold. Nigbor doesn't know whether people looking to open a business necessarily check and become familiar with the State statute that governs the business of secondhand dealers and others. Chairman Weber said we might do well to ensure purveyors of secondhand and other articles are made aware of the statute. Supervisor Russell asked whether we would then inform everyone who goes into business about every Statute that pertains to and governs their operation. If someone feels they have been a victim of crime, they contact the Sheriff's Office, which then investigates the matter. Russell said since there is already a state statute, she is not in favor of adopting a county ordinance. Captain Nigbor said if she had to review reports of photos from pawn brokers, it would strain staff time as well as the relationship between the Sheriff's office and the dealers, which is now a cooperative relationship. Deputy Corporation Counsel Cotter said there is certainly no requirement to have a county ordinance. **Supervisors Kilkenny and Hawkins moved and seconded placing the ordinance on file. The motion carried 5 – 0.**

Ordinance amending Chapter 10 of the Code pertaining to massage licensing. This was referred back to committee by the County Board at Mr. Bretl's request. Abbey Provident staff had reviewed the ordinance following the Executive committee's review in December. The Abbey expressed concern about the requirement of fingerprinting and holding photographs of all corporate shareholders. There is a pre-emption in the State statute for licensed massage therapists. Abbey staff expressed concerns about the proposed requirements for establishment licensing. All massage therapists employed at the Abbey do hold State licenses; therefore, the Abbey feels they should be exempt from the establishment licensing requirement. Since all massage therapists at the Abbey are state licensed, County ability to regulate them under the County ordinance is impaired, said Mr. Bretl. There are additional amendments in the second version of the proposed ordinance, exempting hotels from the requirement of an establishment license if all of their therapists hold a state license. Mr. Bretl said he feels that when Walworth County originally adopted the ordinance, local resorts were, at that time, exempted from its requirements. Many places are currently exempted from the ordinance and it wouldn't be a stretch to exempt hotels. Supervisor Kilkenny questioned what Supervisors are really trying to accomplish with the revised ordinance without creating more record keeping requirements. Sheriff Graves said he recalled that the ordinance was originally adopted because there was a time when there was a massage parlor in the county at which there was known illegitimate activity. To date, no business has complied with the county ordinance establishment license requirement. Based on the assumption that nobody has applied for an establishment license, if the revised ordinance is adopted, then the county would need to contact businesses that are required to have an establishment license under the ordinance. If that is more than the Board wants to regulate, then it begs the question of whether the ordinance needs to be revised. Supervisor Russell asked the question whether the Board really wants to regulate massage establishment licensing. Given that there is a strict state requirement, why do we need something in addition?" What the proposed County ordinance [amendment] would deter and begin to regulate, said Mr. Bretl, for example, would be a masseuse who advertises on Craig's

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List that they offer massage from their home. The Sheriff's Office would have the ability to regulate such practices. The ordinance would also require those establishments that currently do not have all State licensed technicians to obtain an establishment license. Supervisor Ingersoll asked about regulation of beauty and nail parlors. Another Supervisor asked about merchandisers of adult entertainment. There does not seem to be a burning problem in the county where it concerns massage services, but is the county willing to enforce the massage establishment licensing requirements of the proposed ordinance? Captain Dana Nigbor of the Sheriff's investigation and drug unit said reports of theft, fraud and sexual assault are instances in which the Sheriff's Office would be investigating an establishment offering massage services. She stated that she does not perceive a county ordinance as an enforcement tool. It was reiterated that, as a practical matter, the county has had zero applicants for an establishment license. One downside to not adopting the ordinance revisions would be in the instance of a new business that wants to locate in Walworth County and does not have state licensed people. Without the ordinance requiring an establishment license, the county would not be able to regulate the activities of that business. **Vice Chairman Kilkenny moved to repeal the county's current massage ordinance, Article III of Chapter 10, in its entirety. The motion was seconded by Supervisor Russell and carried 5 – 0.**

Appointments

- a) Aging and Disability Resource Center (ADRC) Board – County Administrator's nomination of Rich Lorenz to fill a vacant position. Supervisors Kilkenny and Hawkins moved and seconded recommending County Board appointment of Mr. Lorenz. The motion carried 5 – 0.

- b) Board of Adjustment (BOA) – County Administrator's nomination of Greg Guidry to fill a vacant *regular* position on the BOA. **Supervisor Kilkenny moved to recommend appointment of Guidry. The motion was seconded by Supervisor Russell.** Pursuant to the requirement in section 2-131 (a) (4) c of the County Code, the committee interviewed Mr. Guidry, who indicated he has been serving on the BOA as an alternate. He is a state licensed building inspector and has experience with code enforcement. He stated that he has been attending most BOA meetings, just to learn the process and self-education. He estimated he had attended 80% of the meetings since his appointment as an alternate in the summer of 2009. It was clarified that alternates are not required to attend meetings unless asked to sit in for a regular member who has a conflict with a particular appeal or who is absent. Mr. Guidry did sit in such a capacity at the BOA meeting in December. In preparation for the meetings he attends, he reviews the agenda packet and property information, familiarizing himself with the county ordinance that pertains to each particular case. He said what has impressed him most, given that he has been in building enforcement for years, is the enforcement of land ordinances. He stated that he is uninfluenced by the requirement that the BOA sometimes must make decisions that may be unpopular. In nine years as a building inspector, he said he has never been threatened by anyone. He said that having grown up in a contracting family, he understands development issues from both perspectives and the importance of trying to reach a solution. His only attendance restriction would be the need to step down, due to possible conflict, if there was a case involving the town

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of Spring Prairie or Troy because he is the building inspector for those towns. **The Kilkenny/Russell motion to recommend appointment of Mr. Guidry carried 5 – 0.**

- c) Walworth County Metropolitan (WalCoMet) Sewerage District Commission – County Administrator’s nomination of Ron Henriott, Commissioner, for appointment to an additional five-year term. **Supervisors Kilkenny and Russell moved and seconded County Board appointment of Mr. Henriott to an additional five-year term. The motion carried 5 – 0.**

Consent items. Supervisor Hawkins and Russell moved and seconded approval of the claims listed below; the motion carried 5 – 0.

- a) Mileage and expense reimbursement claim of Dorothy Burwell, totaling \$212.00, for attendance at Wisconsin Land and Water Conservation Association conference
- b) Mileage reimbursement claim of Richard Kuhnke, totaling \$65.00, for attendance at Wisconsin River Rail Transit Commission meeting

New business

Policy guidance for intergovernmental cooperative efforts. There has been an increase in the number of requests from local governments to provide services. Administrator Bretl said municipalities are anticipating reductions in shared revenue from the state. In addition, there is recognition that the county provides good services. Mr. Bretl requested guidance from the Executive committee concerning what the county’s role should be, that is, leading in the intergovernmental cooperation field. The City of Elkhorn is interested in support from the county for GIS services. The county has an economy scale that allows us to provide assistance, said Bretl. Providing cooperative services may provide some relief to the taxpayers. Any formula needs to provide equity to all, and the county needs to fully recover its costs if we embark on such a venture. Chairman Weber said it made sense to provide services and create continuity of service at the same time. Supervisor Russell said the way it is being proposed it appears that it has been well thought out; charging for extraordinary services also makes sense, she said. Providing services could save the taxpayers money, overall. It does not make sense for every municipality to buy its own equipment and maintain it if services can be provided in a more cost efficient way. The Intergovernmental Cooperation Council (ICC), in its efforts over the past three years, has set the stage for such cooperative efforts, said Mr. Bretl. Supervisor Russell stated that she is supportive of moving forward with cooperative efforts. As just one example of cooperative services opportunities, there are three PSAP centers in the county in addition to the Sheriff’s 911 dispatch center. The county is currently providing PSAP services to some municipalities. The provision of Geographic Information System (GIS) services has been included in the revised ordinance. This is a service for which the county would need to recover costs. Vice Chairman Kilkenny stated he has always felt certain things would be better handled by a concerted, cooperative effort. He asked whether the ordinance should include terminology that encourages municipalities to avail themselves of county services. Within the past year, the Sheriff’s Office took over boat patrol on a contractual basis at Whitewater Lake and saved the lake district approximately \$2,500, according to Sheriff Graves, who said the contract will be renewed. The Village of Darien declined an offer by the Sheriff’s Office to

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provide 24/7 police services because the town wants to maintain local control. Contract policing has been discussed more frequently in recent years. Supervisor Weber said the county has grown strong in utilizing technology for efficiency and coordination of efforts that make sense to offer. IT staff put together a service level agreement with the City of Elkhorn for P.C. support. In 2009, the city renewed the contract. This year the city wants to include an addendum pertaining to the county hosting City zoning (GIS) information, said IT Director John Orr. IT staff is analyzing what the actual cost will be to provide that added service. Staff is also surveying a number of hosting companies. Others have also requested assistance with GIS services from the county. Mr. Crawford said Walworth County is unique in that Public Works does not do municipality work. County equipment is state classified and county work must be charged at a particular rate that is quite often higher than the cost at which municipalities can perform the work. The county does sell road salt to towns and stores it at County sheds. It was suggested the ordinance should include a statement that towns and municipalities desiring assistance contact the County Administrator. Sheriff Graves said he requires a signed letter from the top elected official when a municipality is requesting a proposal to provide services. Vice Chairman Kilkenny stated he is in favor of the ordinance with the revisions as discussed and reviewing it again in February. No objections were stated to IT staff proceeding with discussions in regard to the county hosting GIS services for the City of Elkhorn.

Consideration of recognizing the Walworth County Visitors Bureau and staff for their involvement in the 2010 German Fest and promotion of Walworth County as the "honor" county. Visitors Bureau staff worked very hard to represent the county at the summer 2010 festival, when Walworth County was "honor county." **Supervisors Hawkins and Brandl moved and seconded recognizing the Bureau and presenting staff with the recognition plaque that was presented to Walworth County at the festival's closing ceremony. The motion carried 5 – 0.**

Resolution Recognizing the UW-Whitewater Warhawks Football Team on the Occasion of Their Third NCAA Division III National Championship. Supervisor Grant requested the Executive sponsor recognition of the team. **Vice Chairman Kilkenny and Supervisor Hawkins moved and seconded support of recognizing the team at an upcoming County Board meeting. The motion carried 5 – 0.**

(The committee took a brief break and reconvened at approximately 12:05 PM.)

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

The next Executive committee meeting was confirmed for February 14, 2011 at 10 AM.

Claims and litigation. The committee convened in closed session at approximately 12:05 PM, on motion and second by Supervisors Kilkenny and Brandl 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

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the body with respect to litigation in which it is or is likely to become involved,” relative to the items listed below. All members voted aye.

a) Jacob Hagemann v. Walworth County

The committee reconvened in open session on motion and second by Supervisors Hawkins and Brandl. There was no action relative to the closed session matter referenced above.

Chairman Weber adjourned the meeting at 12:10 PM on motion and second by Supervisors Hawkins and Kilkenny.

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

**WALWORTH COUNTY METROPOLITAN SEWERAGE DISTRICT
MINUTES OF REGULAR MEETING
JANUARY 11, 2011
1:30 P.M.**

CALL TO ORDER

The Regular Meeting was called to order at 1:35 p.m. by Commissioner Logterman.

ROLL CALL

Present: Dean Logterman, Brandon Johnson, Harold Shortenhaus. Thomas Eck and Ron Henriott were together on speaker phone from Florida.

Others Present:

Karla Eggink, Administrator
Cindy Moehling, Assistant Administrator
Gail Vangen, Confidential Secretary
Timothy Fenner, Axley Brynelson
Steven Scheff, Maintenance Manager
Thomas Johnson, Collection Services Manager
Ron Altmann, Operations Manager
Dave Unmacht, Springsted Incorporated

VISITOR COMMENTS

None

APPROVAL OF MINUTES OF REGULAR MEETING DECEMBER 14, 2010

Commissioner Shortenhaus made a motion to approve the minutes of the Regular Meeting December 14, 2010. Commissioner Johnson 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 considering management restructuring, where competitive and bargaining reasons require a closed session.

Commissioner Eck made a motion for closed session pursuant to agenda number 5, seconded by Commissioner Johnson and roll call as follows:

Commissioner Eck	Yes, by conference call
Commissioner Shortenhaus	Yes
Commissioner Logterman	Yes
Commissioner Henriott	Yes, by conference call
Commissioner Johnson	Yes

The closed session convened at 1:38 p.m.

No action taken.

RECONVENE

Commissioner Johnson made a motion to reconvene, seconded by Commissioner Shortenhaus, and the Regular Meeting reconvened at 2:50 p.m.

ADMINISTRATOR'S REPORT

Administrator Karla Eggink presented the Administrator's Report that included:

a. YEAR 2010 MAINTENANCE PROJECTS STATUS REPORT

Monthly summary of the 2010 treatment plant and lift station/interceptor projects report with a description of projects scheduled for 2011 was presented. Costs in the project summaries are estimates based on past experience or actual estimates by contractors. Actual costs frequently differ from estimates.

The current maintenance projects format will end with the completion of the 2010 projects. Future maintenance reports projects will be listed and progress reported as they proceed forward.

No change in the Lift Station/Interceptor Maintenance Repair & Replacement report for the final report of 2010. The only additional monies that will be spent from this fund is a \$6,300.00 appraisal fee for the easement for County O realignment.

The County O easement appraisal is complete, valued at \$27,396.30. Property owner may obtain their own appraisal at WalCoMet's expense. Negotiations will then begin for acquiring the easement.

The Plant Maintenance Report shows an increase in some line item expenditures. Out of stock capital equipment has been replaced at year end. Plant Maintenance remains significantly under budget.

b. PERMIT COMPLIANCE UPDATE

The wastewater facility met all permit requirements for the month of December.

c. STAFF TRAINING ACTIVITIES

Ron Altmann and Karla Eggink attended the Rock River TMDL meeting in Johnson Creek on December 10, 2010,.

RECEIPTS AND DISBURSEMENT REPORT

Commissioner Johnson motioned to approve the Receipts and Disbursement Report for December as presented. Commissioner Shortenhaus seconded and the motion carried.

ACCOUNTS PAYABLE LISTING

Commissioner Shortenhaus motioned to approve the Accounts Payable Listing in the amount of \$119,699.56 for the General Account. Commissioner Johnson seconded and the motion carried.

OLD BUSINESS

- a. ADOPTION OF RESOLUTION 2011-03 RESOLUTION AUTHORIZING THE ISSUANCE OF APPROXIMATELY \$3,975,000.00 SEWERAGE SYSTEM REFUNDING REVENUE BONDS. The Bonds shall be offered for public sale. On February 8, 2011 the District Commission shall consider such bids for the Bonds as may have been received and take action

thereon. Commissioner Shortenhaus motioned to approve the issuance of approximately \$3,975,000.00 Sewerage System Refunding Revenue Bonds. Commissioner Johnson seconded and the motion carried.

- b. **CONTRACT FOR BOND ATTORNEY SERVICES.** The services of a bond attorney are required to accomplish the refinancing of Revenue Bonds. Quarles and Brady submitted a scope of service proposal and fee proposal at an estimated amount of \$7,700.00. Commissioner Johnson motioned to contract with Quarles and Brady at an estimated cost of \$7,700.00 for bond counsel services in connection with the issuance of approximately \$3,975,000.00 Walworth County Metropolitan Sewerage District Sewerage System Refunding Bonds. Commissioner Shortenhaus seconded and the motion carried.

NEW BUSINESS

- a. **RESOLUTION 2011-01 AND 2011-02; DESIGNATION OF OFFICERS AND DESIGNATION OF OFFICIAL NEWSPAPER, 2011.** Commissioner Johnson motioned to designate existing officers again for 2011. President, Dean Logterman; Secretary, Thomas Eck; Assistant Secretary, Ron Henriott. Commissioner Shortenhaus seconded and the motion passed. Commission Shortenhaus motioned to keep the existing two newspapers, The Delavan Enterprise and The Elkhorn Independent, as the official designated newspapers of the District for 2011. Commissioner Johnson seconded and the motion carried.
- b. **ADMINISTRATIVE STAFF SALARIES FOR 2011.** Commissioner Johnson motioned for the commission to approve a 2.8% administrative staff pay increase for 2011. Commissioner seconded and the motion carried.
- c. **APPROVAL OF RESOLUTION 2011-04 MERCY HEALTH SYSTEMS TEMPORARY OFFICE AND CLINIC SEWER EXTENSION.** Commissioner Johnson motioned to approve a temporary office and clinic sewer extension for Mercy Health Systems in the Town of Geneva with the provision that they will be charged a connection fee, which will be credited back to them when they return to their existing permanent sewer connection, if they do so within one year. Commissioner Shortenhaus seconded and the motion carried.

ADJOURNMENT

Commissioner Shortenhaus made a motion to adjourn, seconded by Commissioner Johnson and the Regular Meeting adjourned at 3:10 p.m.

Thomas Eck, District Secretary

APPROVED: _____

PUBLISHED: _____