

**County Zoning Agency**  
MINUTES  
October 21, 2010, - 3:00 p.m.  
100 West Walworth Street  
Elkhorn, Wisconsin

---

Chairman Stacey called the meeting to order at 3:02 p.m.

Roll call – Committee members present were Chairman Rick Stacey, Vice Chairman Dave Weber, Supervisors Rich Brandl, Carl Redenius, and Russ Wardle and Citizen Member Richard Kuhnke, Sr. A quorum was present. Citizen Member Jim Van Dreser arrived at 4:21 p.m.

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. Also attending were County Board Chair Nancy Russell and Supervisors Dan Kilkenny and Randy Hawkins.

Public in attendance – (Spellings may be incorrect due to illegible handwriting) William Hartz, Michael Nelson, Kristan Nelson, Sue Gray, Bill Holem, Gary Marvin, Henry Kinson, Michael Jones, Charlotte Jones, David Glass, Janean Glass, Warren Hansen, Patricia Triggs, Judy Fallon, Jim Ulbert, Betty Ulbert, Ed F. Schvou(?), Gene Cocroft, Ed Schroeder, Barb Fischer, Ruth Landers, Brad Gottschall, Kathy Kirby, Charity Rominger, R. Fero, Carol Doherty, Jim Conroy, Joanne Schulz, Tina Schulz, John Clair, Kathy Lalor, Patricia Sandstrom, Dale Jensen, Robert E. McIndoe, Darlene and Everett Junkins, Cindy McKenna, David A. Gross, Robert and Mary Hartzell, Sherry Plucinski, Rhon Roberts, Julie Gross, Rose B(?), Rose Erickson, Joan Sergott, Todd Hatchett, Francis A. Ciampione, Jonathan Roberts, Scott Hatchett, Jack and Althea Davis, Charles and Donna Hatchett, Tim Turner, Mike Brosseit, Stephen and Christina Rains, Jane Lange, Julia Hatchett, Cyndie Shelton, Otis L. Shelton, Janice Briddick, Clara Briddick, Joe Rains, Mike Morris (?), Esther Briddick, Veron Prazzer(?), Jeanne Jones (?), Beverly Kuehl, Jerry Kuehl, Raymond J. M(?), Kevin Vander Pl(?), John D. S(?), Ben Hatchett, Mike Dean, Joanie Vander Pl(?), Dan Wiczer, Greg Hough, Joe Smith, Megan Smith, Robert Muccis(?), George Puckett, Kim Boeck, Matt Deneche, Alan Wood(?), Jason Romans, Niel Eche(?), Rick Nelson, Amy Nelson, Ed Bauschke, Neville (?), Amanda Tominsek, Mary Beth Peranteau, Tom Powell, John Dickman, Christine Boris, Jim Boris, Keith Keating, Maggie Brady, Diana Powell, Dan Adams, Monica Santi, Tracie (?), April Gauthier, Brendon Gauthier, Troy Schulz, Joe Chung, Mike McFarlin, Ed Bellock, William A. Griggs, Jim Michels, Nancy Michael, Neal Kuhn, Ed Green, David Redmond, Vince Chiara, Keith Carlson, Keith Keating, Ron Giometti, Carol Giometti, Tom D'Amico, Jay Hopman, Sonya Kronig, Roman A. Orozco, Scott Christian, Charlotte L. Gates, William A. Gates, Timm Speerschneider, R. Leibsle, Keith Michaels, Julie Michaels, Judith Storts, Joseph Storts, Michelle Haeft, Tom Haeft, Jody Regner, Steve Walter, Mark Weinzimmer, Brooke Jensen and Ken Monroe

Due to the large number of people in the audience, Chairman Stacey suggested moving Item 8.b.6., Willow Run discussion, ahead. He also suggested moving Item 7.a. under Old Business (the Chudy rezone that was referred back from the August County Board) to after discussion on

Item 8.c.1 (the Chudy/Town of Bloomfield Amendment to the 2035 Land Use Plan Map). **A motion and second to APPROVE the agenda as amended was made by Richard Kuhnke and Supervisor Weber. The motion carried 6 – 0.**

**A motion and second to APPROVE the minutes of the September 16, 2010 meeting was made by Supervisors Brandl and Weber. The motion carried 6 – 0.**

Zoning Enforcement (3:03) The committee was sent the zoning enforcement spreadsheet with their packets last week. There was no discussion other than a couple of clarification questions. Supervisor Weber thanked the Zoning division for putting this report together.

Discussion/Possible Action – Amend existing conditional use for Willow Run RV Condominium Association, Town of Sugar Creek, for prohibiting year-round residency (3:07 – 3:14:07) Matt Weidensee briefly reviewed the events for the committee stating that Willow Run was issued a conditional use for a planned campground requiring that the Association regulate the camp units so they do not become year-round residences. The Campground Association has voted on new rules with 134 members in favor of the new rules and 62 against. They are requesting to add the new rules to the conditional use to help the Association prevent occupants of the camping units from using their units as a permanent abode or place of residence. He said the zoning code states that it is the responsibility of the condo association to regulate and make sure that people are not staying in the campground year-round. Staff has invited the president of the Association to make this request to the committee. Appearing before the committee was Patricia Triggs, the President of the Willow Run Homeowners' Association. She said they are trying to enforce the conditional use permit which does not allow permanent residency within the park. She said they've had some difficulty doing this because of the language in the current conditional use permit and they would like that language changed. The Sugar Creek Town Board has approved the new language and she is seeking CZA approval. **A motion and second to APPROVE the new language was made by Supervisors Weber and Wardle. The motion carried 6 – 0.** The language pertaining to winter occupancy will be contained in condition #3 of their conditional use permit as follows:

**Permanent residency is further defined as: Occupancy of any unit of 62 days or more during the official non-camping season which is any time between October 15 and April 15, or based upon the totality of the circumstances the resident uses the property in a manner consistent with the use of a primary home. Unit owners shall provide the required documentation or other documentation as requested by the Willow Run Board of Directors for determination of compliance. The Willow Run Board of Directors may choose from subparagraphs a, b, or c to determine a unit owner's compliance with residency.**

There are other word changes in the conditions not detailed in these minutes.

Due to a miscommunication between this CZA agenda and the County Board calendar regarding the start time of today's meeting, committee member Jim Van Dreser has not yet arrived. It was suggested to move discussion of the Tonyan Trust/Threatte Family Ltd. pending rezone to just before the 5:30 public hearing session to allow Mr. Van Dreser's participation. **A motion to that effect was made by Supervisors Weber and Brandl. The motion carried 6 – 0.**

## **New Business**

Discussion/Possible Decision – Amendment to Walworth County Code of Ordinances – Subdivisions, Sections 58-1.1 Definitions; 58-3.2 Compliance; 58-3.2(5) Compliance (3:17:18 – 3:20:14) Neal Frauenfelder said the purpose of this amendment is to bring the Walworth County Code of Ordinances – Subdivisions into compliance with provisions to Chapter 236 Wis. Stats. as adopted in 2009 Wisconsin Act 376 and Chapter 66 Wis. Stats. as adopted in 2009 Wisconsin Act 372. Wis. Stats. 236 are the statutes that deal with subdivision ordinance and Chapter 66 deals with the comprehensive planning law statutes. **A motion and second to APPROVE was made by Supervisors Brandl and Weber. The motion carried 6 – 0.**

Discussion/Possible Action – Request for permission to rescind existing conditional use for dog kennel for Everett and Darlene Junkins, Town of Spring Prairie, Tax Parcel #O SP2200007B (3:20:14 – 3:29:46) Matt Weidensee told the committee that this has to do with a violation regarding a dog kennel. The applicant was granted a conditional use for a kennel in April of 1991. At the hearing in 1991, the Junkins were asked how many dogs they would have in the kennel within their home and they indicated that they would have a maximum of seven dogs and possibly two more, for a total of nine dogs. On February 23, 2010, Code Enforcement Officer Nick Sigmund, sent a certified letter of violation of the conditional use to the Junkins. Since that time, staff has had numerous meetings with the applicant and their attorney, Anthony Coletti, and the site has not yet been brought into compliance with the separate violations specified in the certified violation letter. Staff is requesting permission to proceed with the revocation process, which would require petitioning the County Board for a hearing before the CZA. Staff's hope is that by having a hearing before the CZA would allow the property owner an opportunity to present their concerns over why it is that they are not bringing the site into compliance and provide a resolution process. Supervisor Weber asked if we have documentation as to the number of dogs that were allowed. Mr. Weidensee said there is a tape of the hearing where one of the supervisors on the committee asked the Junkins how many dogs there would be and they stated seven and possibly two more in the future, for a total of nine. Mr. Weidensee said there are concerns other than the number of dogs. The zoning code states that you cannot house dogs outside within 1000 ft. of the neighboring residence. When the conditional use was approved, it was understood that all the dogs would be kept in the house and only let outside to do their duty. He said dogs are allowed in the garage outside of the housing unit and the garage has dog doors which gives them access to the outside. And, because the garage is within 1000 ft. of the neighboring residence, they would need a variance from the Board of Adjustment in order to do that. That is why the conditional use, when approved in 1991, had them keep the dogs in the house because it was doubtful that they would be approved a variance to keep them in the garage in the first place. The owners have taken it upon themselves to move dogs out into the garage. They have had other dogs on the site that weren't their own dogs at the time that inspections were made by Cindy Wrobel of the Lakeland Animal Shelter, which is a violation of what they proposed on the site. Their attorney insists that because the conditional use is vague the County cannot enforce any actions upon them. Mr. Weidensee said it is not vague with regards to keeping dogs in the garage, housing dogs within 1000 ft. of neighboring residences, having other dogs on the site that were never approved to be out there, and also not cleaning up after dogs on a daily basis. Mr. Cotter said the committee could instruct staff to proceed with the rescind

action, not proceed with the rescind action, or table this matter until next month and direct staff to meet again with the applicant to discuss this further. **Supervisor Weber made a motion to TABLE this item in order to meet with the applicant to try to reach an agreement. There was a second by Supervisor Brandl. The motion carried 6 – 0.**

Discussion/Possible Action - Dismiss without prejudice unused conditional uses at the request of the Town of Lafayette as follows: (3:17:18) Mr. Weidensee said that the Town of Lafayette had concerns with conditional use permits within the Township that had never been implemented or operated in a number of years. The Town requested that we implement the Dismissal Without Prejudice action. It is a portion of the zoning code that allows the County to dismiss conditional uses if it appears that the property is not or has not been using it for greater than a year. Certified letters were sent to each of the conditional use holders informing them of this pending action. They could also appeal this pending action by submitting an appeal in writing within 30 days of receiving their letter. Of the 16 letters sent out, appeals were received from four. They are:

(3:32:49) Duane Newman, conditional use for a second residence on a farm parcel, Tax Parcel #K LF2800007. Through his attorney, Mr. Newman responded that due to the current economic times, the residence has not yet been constructed. He would like to keep the conditional use in effect. Mr. Weidensee said that because the conditional use is old, a time limit cannot be placed on it. **A motion and second by Supervisors Weber and Brandl was made to not dismiss the conditional use. The motion carried 6 – 0.**

(3:37:20) William and Lorraine Norem, conditional use permit for an 11-unit Planned Residential Development, Tax Parcel #'s K LF1800001C and KA164000002. A letter from the property owner's attorney also states that the Norems have not exercised the PRD on the property because of the economy. **A motion and second to not dismiss the conditional use was made by Supervisors Weber and Wardle. The motion carried 6 – 0.**

(3:38:19) Southern Lakes Evangelical Free Church, conditional use for a temporary mobile classroom, Tax Parcel #KA362900001. The church responded with a letter asking to be allowed to put the trailer back if the church should grow. Mr. Weidensee said that condition #1 states a time limit and the conditional use has expired as of December, 2004. Staff will send a letter to the property owner explaining that the conditional use has expired and they would have to reapply for a new conditional use for a temporary classroom in a trailer. **A motion and second to take no action was made by Richard Kuhnke and Supervisor Redenius. The motion carried 6 – 0.**

(3:40:54) Pekul Properties LLC, conditional use for a convenience store, fuel station, restaurant with drive-thru and a welding and truck stop with night watchman quarters with truck and trailer sales, Tax Parcel #KA389600001. Mr. Weidensee said that since this conditional use was granted, the property has been divided. Certified letters were sent to both property owners. Kevin Robers owns the portion of the conditional use that has a truck stop with night watchman quarters with truck sales and service on it. Mr. Robers responded saying that he wants to keep it and that he has already constructed the welding/truck stop and night watchman quarters and does the truck-trailer sales. We did not receive a response from Pekul Properties LLC that has the convenience store, fuel station and restaurant with drive-thru. **A motion and second to dismiss**

**the Pekul Properties LLC portion of the conditional use and maintain Mr. Robers' portion was made by Supervisors Weber and Brandl. The motion carried 6 – 0.**

Discussion/Possible Action – Communication from Mary Beth Gibbons-Adams, Daughter and Legal Guardian for Virginia Gibbons, concerning the new state mandate regarding the fee on A-1 rezones (3:43:40 – 3:45:56) This item was referred to the CZA from the September 9, 2010 County Board. Michael Cotter said this regards the farmland preservation fee that has been mandated by the State of Wisconsin on lands rezoned from A-1. Mr. Cotter said we do not have any mechanism to give Ms. Gibbons-Adams relief. He suggested that we could forward her letter to the State of her behalf. **A motion and second to do so was made by Supervisors Brandl and Weber. The motion passed 6 – 0.**

Discussion/Possible Action – Town of Spring Prairie request for consideration to amend A-4 conditional use criteria (3:45:56 – 3:50:50) This item was referred to the CZA from the October 12, 2010 County Board. Mr. Cotter called upon Jim Simons, the Spring Prairie Town Chair. Mr. Simons said this concerns farm separations and farm family businesses. He referred to Lynn Lein (Yuppie Hill Poultry) whom he said is earning a living as a farmer on seven acres by adding value to her products raised on this parcel. Mr. Simons would like to see an ordinance amendment to the A-4 conditional use criteria of the ordinance. **A motion and second directing staff to draft an ordinance amendment to the A-4 section to be discussed at the November 18<sup>th</sup> CZA meeting was made by Supervisors Weber and Redenius. The motion carried 6 – 0.**

Discussion/Possible Action – Town of Whitewater requested discussion with Chairman Ron Fero regarding band saw/sawmill use under C-2 zoning and maintenance facility noise (3:50:50 – 4:57:19) Matt Weidensee said staff has been working with Camp Joy regarding a band saw/sawmill that is on their property and complaints that have been received regarding noise. Staff asked the property owner to write a description of how they operate the band saw on their property so it could be determined what kind of use it is and if they needed additional approvals. Their first narrative made it sound like they were running a sawmill. They went with that narrative to the Town and the Town concluded that you cannot have a sawmill in a C-2 zoned district. The Town denied them approval for a sawmill. After that, the property owner came back to the zoning office with a new narrative that eliminated all of the terms with regards to taking logs from offsite or shipping any of the boards that were cut onsite to other people. They were saying that the portable sawmill was just going to be used to cut trees that were on their property to make boards to fix buildings that were on their property. Based on the second narrative, staff would have to conclude that the property owner owns a band saw, and no sawmill activities are taking place, and therefore, would not need a conditional use. Ron Fero, the Town of Whitewater Chair, was present and said the Town disagrees and says they are operating a sawmill. The neighbors have complained about the noise. Mr. Brady Frederick, a neighbor, spoke and said the saw is a commercial piece of equipment and it is used outdoors in an area that is designated for a picnic area and horses. He complained about the intensity of use. He said he is in construction and knows what noise is. Scott Hatchett was present to represent the camp. He asked if his lawyer, who was present, could ask some procedural questions. Atty. Mike Beam, Waukesha WI, commented that his understanding is that this was styled in a letter from Mr. Fero as a narrow appeal of an administrative zoning decision. He feels that this narrow

decision would be more appropriate before the Board of Adjustment. He said what actually is going on here, it appears to be far more than an appeal of a narrow zoning decision, but rather an actual petition of imposition of a completely new condition on this property owner's conditional use permit. Mr. Beam also suggested that this requires a more plenary procedure and notice to the property owner of what actually are the issues and what the actual request is so they can provide a response rather than responding ad hoc to a number of allegations. He also is asking if the request from the Town was made after a meeting in compliance with the open records request. Mr. Scott Hatchett said their camp's maintenance facility has been in the same place for the last 48 years. He said their conditional use approval granted in 2005 did include a maintenance facility and a maintenance building. They did make provisions in the future if need be that they could operate a horse program there, but they never have. It has always been their maintenance facility for the last 48 years.

Citizen Member Jim Van Dreser arrived at 4:21 p.m.

Mr. Hatchett said the band saw has been operated for 15 years. He said he has tried to work with the neighbors to accommodate them. He said he doesn't want to become a sawmill operation. Matt Weidensee said the camp's attorney, Mr. Beam, did make a point about the interpretation going to the Board of Adjustment. He said the reason this item was on the agenda is for the noise. **A motion and second to TABLE until the November 18<sup>th</sup> CZA meeting for further discussion and review was made by Richard Kuhnke and Supervisor Redenius. The motion carried 7 – 0.**

Discussion/Possible Action – Chapter 65 – Wind Energy (4:57:19 – 5:1:44) Michael Cotter said that the Public Service Commission (PSC) is making some changes to the wind energy ordinance making it necessary for Walworth County to make changes to our Wind Energy Ordinance to comply with their rules. Spring Prairie Town Chair Jim Simons asked that the towns be kept in the loop regarding wind energy ordinance changes. No action took place on this item. This will appear as a discussion item on a future CZA agenda.

### **Old Business**

Tonyan Trust (Cindy Tonyan Dixon/Threatte Family Ltd. Partnership (Warren Hansen, App.), Town of Darien, Rezone 9.1 acres from A-1 to C-2 and one acre from C-2 to C-4 (5:01:44 – 5:13) Mr. Cotter said this item was tabled a couple of months ago in order for Citizen Member Kuhnke to listen to the recording of this hearing as he was not present for the original hearing. **A motion to approve was made by Supervisor Weber.** Matt Weidensee informed the committee that during the hearing it was stated that the property owner did not provide proper legal descriptions for the wetland delineation portion of the rezone request. Staff recommends that if the committee does act on this item that they only act on the A-1 to C-2 portion and require the property owner to provide a legal description of the wetland boundary so that we know what area is going to C-4 from C-2. Mr. Weidensee said the reason for this is that ultimately the acreage that will result in C-2 is going to be really close to 25 acres and it may come down to the question when they develop the property whether they will get a sixth lot or not, or whatever number, depending on the acreage there. **A second for discussion purposes was made by Supervisor Wardle.** Jim Van Dreser said when the committee talked about this a couple

months ago he made a motion to deny because the rezone was not consistent with the Land Use Plan. Matt Weidensee said this application was submitted prior to the County adopting the new Smart Growth Plan, and they created a policy that says that any applications that were pending before Smart Growth would be reviewed under the old 2020 Plan and any applications made afterwards would be reviewed under Smart Growth. Supervisor Brandl said he thinks we should be looking at Smart Growth because the owner did not have total control until July of this property. Mr. Van Dreser said that he agrees and that under the old land use plan this was set aside as ag land. The new plan is consistent with the old plan and both stated that it was to be used as ag land. He said the applicant still has an opportunity to go back to the town to change the plan. Supervisor Weber said his feelings are in support of the Town Board. Richard Kuhnke called for the question. Those in favor of approval were Weber, Stacey and Wardle (3). Those voting to deny were Brandl, Redenius, Kuhnke, and Van Dreser (4). The rezone was **DENIED** 4 – 3. Denial was based on the reason that it is not consistent with the Land Use Plan and it is agricultural land.

A motion to recess until 5:30 p.m. was made by Supervisors Brandl and Weber. The motion carried 7 – 0.

Chairman Stacey called the meeting to order at 5:30 p.m. All committee members were present.

Michael Cotter described the public hearing process to the audience.

### **New Business**

#### Amendment of Multi-Jurisdictional Comprehensive Plan Map for Walworth County 2035

Dean Chudy (Town of Bloomfield, App.), Town of Bloomfield, Amend the 2035 Land Use Plan Map (approximately 4.5 acres) from Urban Density Residential (less than 5.0 acres per dwelling) to Industrial land use category (5:35:19 – 7:26:00) Matt Weidensee described the property as located in Section 13, Town of Bloomfield. The Town has approved the request. He also stated that the application indicates: The Land Use Map amendment is being request for a commercial business use related and necessary for the growth and service to current clients of Chudy Gifts and Gallery located in Bloomfield Township. A 40,000 square feet warehouse and operations building is proposed with docks, sprinkler system, fire access and street access to Powers Lake Road over a cross access easement over adjoining M-1 zoned lands owned by the petitioner. An extension of an existing pond used for storm water and fire sprinkle supply is also proposed. He further said The County will need to make a Land Use Plan consistency determination regarding the proposed rezone prior to a decision on the rezone request. The majority of the area proposed to be rezoned is identified on the County 2035 Land Use Plan as Rural Density Residential. A smaller portion at the rear of the lot, in the location of the proposed stormwater basin, is identified as Isolated Natural Resource Area. The purchase of the property occurred prior to the Smart Growth development of the 2035 Land Use Plan. The property owner has indicated that the R-1 area was purchased with the intention that the area would someday be used for expansion of the existing business. It was the owner's intent to someday expand the industrial business into the neighboring lot however this was not discussed with the Town and County during the Land Use Plan update and adoption. Town Attorney Brian Shuk explained that this item was properly

published and noticed and the change is requested because the Town discovered that this is an island of residential. Warren Hansen represented the owner and said this is consistent with the Smart Growth Plan. It is the same plan that was initially presented to the committee at Mr. Chudy's rezone hearing a few months ago. He said the existing truck traffic is limited to about 4 ½ trucks per day. They travel about 20 mph. He said this was part of the old Honey Bear Farm that was zoned B-5. In 1985 a development group rezoned it to R-1. The growth has been basically an infill. He said no water drainage goes into the lake. Speaking in favor of this amendment was Dean Chudy. He said this is the third time he has been before the committee to rezone and his company is growing. Jim Van Dreser said that some of the concerns were with the traffic. He asked how products are shipped. Mr. Chudy said they fill up a truck. He said probably two percent of his business is UPS or RPS. Duane Chudy, Dean Chudy's brother, said he has lived in Powers Lake for eight years and three years ago he built a new house. He also started a new business, TCG, in Powers Lake. He said we are not here to pollute the lake. Also speaking in favor were Matt Nossinger who works for TCG who said we provide employment and the Chudys are committed to the area. Others in favor were Mike McKay, Neville Dow, Matt Deneke, Greg Huff, Troy Schultz, Richard Cohen, Steve Christensen, Megan Smith, Sid Johnson, Bill Griggs and Town Chair Ken Monroe. Mr. Monroe said this business has been here 14 years and until this proposal came up, we did not hear anything about the truck traffic. He said we don't know how this became R-1.

In opposition was Atty. Mary Beth Peranteau who said we are talking about a plan amendment for the future of the County that will be light industrial on out. So, if Mr. Chudy decides that business is so good that he's going to sell this location and move to a very huge place, he can sell it to somebody who can use it for a variety of light applications. This particular parcel was purchased separately after Mr. Chudy purchased the larger one. This proceeding to amend the comprehensive plan is not a rezone. A protest petition has been filed with the County with signatures from three sides of the parcel to be rezoned and that is greatly in excess of the fifty percent that would be required. What that does is that it triggers a three-quarters super majority vote requirement with the county board. Some think this is a correction to the plan. This proposal was denied unanimously by the Town when the Town was under county zoning. Seven months later Mr. Chudy came back. This parcel-by-parcel amendment is shooting little holes in the plan and causing it to crumble. This is making a mockery of all the work that went into making this document.

Also speaking in opposition was Jim Michaels, Chairman of the District of Powers Lake, saying they believe this is inconsistent with the predominant and adjacent neighboring land use and has irreversible long-term consequences. Nancy Michael, also on the District, asked the committee to please not ignore all the work their colleagues have done in the Smart Growth Plan. Neal Kuhn, also a member of the District of Powers Lake, said the road was not designed for 18-wheelers. Jonathan Bass said he refutes the amount of traffic that was spoken about. He said he bought his house in 2006 and Mr. Chudy's business has increased and so has the traffic. He is against the request. Thomas Powell said there are a lot of trucks and there are safety issues. Powers Lake Rd. has no shoulders. The Town removed the 'no trucks' sign before this matter. John Dickman said trucks cannot stay in their lane. The road in question is used by walkers, hikers, bicycles, etc. Christine Boris has issues with the truck traffic. Jim Boris said there a lot of alternative sites. Keith Keating was concerned about the impact on real estate and has

concerns about the culvert. Madeline Brady said the outcome of the amendment to the Comprehensive Plan would nullify the research and work that went into the Comprehensive Plan and their lake management plan. Diana Powell is concerned about the impact on neighbors. Dan Adams said he would like to see the business in a more appropriate location. It will bring more truck traffic. Vincent Chiara said he is opposed for all reasons stated so far. Ed Bollock said he is opposed. Jay Hobman agrees with previous statements of opposition. Stephanie Ready has issues with the truck traffic. Ron Giametti said the truck traffic has increased. He said they bought at that end of town because it was secluded. He is opposed. Tom D'Amico is opposed for all reasons stated. Brook Jensen said this is the tip of the iceberg. This will get worse. Dan Kilkenny who is on the County Board and was Chair of the Smart Growth committee said it is important to note that the Comp Plan is about land use planning, not about anti-business sentiments. This is an important decision and sets a precedent. He said he is concerned that if this was such a clear appropriate use that it wasn't brought up during our five-year planning process. The plan goals indicate that industrial and business uses should be in urban areas and not rural areas. He does not see a compelling reason to change the Comprehensive Plan at this point to provide for a warehouse transportation center in this spot. I think it's reasonable to ask the applicant to look at other areas that are appropriately zoned or are indicated on our land use maps as appropriate for M-1.

In his rebuttal, Warren Hansen said this manufacturer has invested millions of dollars and it's not so easy to pick up and go somewhere else. He said drainage was considered many times in the last 10 years that he has grown there. It does not go to the lake. He said the lots across the street were part of Honey Bear Farm and were developed in the early '90's. Half of these facilities were already there. Mr. Hansen said he agrees that the trees and the growth that's making a canopy over this road makes it difficult in some areas to see, but in reality, the road is 21-22 ft wide and that's the basic town road standard. There's 60-66 ft. right-of-way, some variations in there. There's another 20 ft. or 25 ft. on each side that could be trimmed up and opened up and cleaned up. Not clear cut, but trimmed up. The driveways on the road have restricted access onto Powers Lake Rd. One of the reasons the town put the first submittal aside and voted to delay it was there was a comprehensive plan coming up and they wanted to look at it closer. He said there are logs that show there is not a lot of truck traffic. He said the Smart Growth Plan has specific language that talks about supporting local business and growth of local business. **A motion and second to APPROVE was made by Jim Van Dreser and Supervisor Weber. The motion carried 5 – 2 with Supervisor Redenius and Richard Kuhnke voting 'no'.**

The committee took a five-minute recess to allow the room to clear.

Discussion/Possible Action – Dean Chudy (Warren Hansen, App.), Town of Bloomfield, Rezone 5.58 acres of R-1 to M-1 (7:26:00 – 7:27:53) Mr. Weidensee said this item was referred back to the CZA from the August 10, 2010 County Board. The committee has already discussed it. **A motion and second to send it back to County Board as APPROVED was made by Jim Van Dreser and Supervisor Weber. Supervisor Brandl said this would be contingent upon County Board approval of the Comprehensive Plan Map Amendment heard prior to this item. The motion carried 7 – 0.**

James and Randi Wirtz (Town of East Troy, App.), Town of East Troy, Amend the 2035 Land Use Plan Map (approximately 5 acres) from Rural Density Residential (at least 5 acres per dwelling) to Urban Density Residential (less than 5 acres per dwelling) and Industrial (7:27:53 – 7:42:01) Mr. Weidensee described the property as located in Section 4, Town of East Troy. Mr. Weidensee further stated the Town approved the map amendment for a small area of Rural Density Residential (at least 5 acres per dwelling) to be mapped Industrial. The Town Chair indicated by phone that the Town was fine with the remainder of the parcel being Rural Density Residential even through the portion of the lot mapped residential would be slightly less than 5 acres after the small industrial area was added to the lot. The total lot would still be five acres. The proposed Industrial Land Use category is being requested in order to bring an existing cabinet shop into compliance with the County 2035 Land Use Plan and later the Zoning Code by allowing a 107 foot by 107 foot area of Industrial Land Use to be mapped on an existing Rural Density Residential lot. A new 48 foot by 60 foot single story steel pole building would be constructed on the industrial site to replace existing portions of buildings that are currently being used in the setbacks. The business is a home improvement company with an in-house cabinet shop specializing in kitchen and bath remodeling. The Town nor applicant were present at the hearing. There was no one to speak in favor. Speaking in opposition was Dale Roble. Mr. Roble said this would be creating an island of zoning for one person. He said Mr. Wirtz has violated local zoning for the past 15 years by operating a business in C-2 zoning. He said the parcel is surrounded by residential. He also questions the A-5 request and said this is not rural residential. Mr. Wirtz could relocate in another area. There will be semis arriving at 5:00 a.m.. How long will they stay? There is also loud equipment. An industrial park is a better alternative for Mr. Wirtz. **A motion and second to DENY saying the present zoning is appropriate was made by Richard Kuhnke and Supervisor Redenius. The motion carried 7 – 0.**

#### Rezones with Conditional Uses

Shaw Partners LP, Town of Richmond, Rezone 70.96 acres of C-2 to B-5 and Conditional Use for a Planned Campground, a Public and Private Campground, and a single-family caretaker's residence (7:42:01 – 8:18:20) Mr. Weidensee described the property as being in Section 2, Town of Richmond. The Town has approved both requests. Mr. Weidensee said the property owner is requesting a rezone of 70.96 acres of C-2 to B-5. The rezone is being requested in order to allow for a large portion of an existing campground in an area proposed as a Planned Campground Development to be brought into compliance with the County Zoning Ordinance without having to remove numerous decks, patios, sheds and other accessory structures located on property. The request for a conditional use for a Planned Campground Development includes a caretaker's residence in an existing dwelling within the campground, new bath houses, an activities pavilion, and a playground and volleyball court. A smaller portion of the site would continue on as a Public Private Campground for use with camping units only with no other structures. The total campground would be composed of 213 Planned Development sites and 19 existing Public Private Campground sites for a total of 232 sites. The plan would result in a reduction of 34 sites from the existing conditions. In addition, the plan would result in the removal of 19 existing sites from the exterior setbacks and construction of a segment of boundary fencing providing greater privacy to neighboring properties. The plan proposes to allow limited area expansion within and outside of the existing campground foot print and mostly outside of the corridor. There would be expansion of new roadways and waterlines to

serve these areas. The owner is requesting until December 2015 to complete the transition from Public Private Campground to Planned Campground because of the creation of new sites, roadways, water facilities and restrooms. Priority would be given to relocation of campsites in the exterior setback. Removal of 13 of the 19 sites from the exterior boundary would occur by December 31st, 2010. The remaining 6 sites in the exterior setback would be relocated after a designated expansion area is created by June 1<sup>st</sup>, 2012. The construction of the fencing would be completed by April 1<sup>st</sup>, 2011.

The existing campground has evolved in a clustered fashion on the less steep slopes. The proposed Planned Campground Development allows for clustering of camp sites and would allow the property owner to maintain the existing clustered camp sites off of the steep sloped areas substantially outside of the environmental corridor at a density below the allowable camp site numbers provided for in the Zoning Code. Encroachments of road access in the exterior perimeter yard buffer area have been held to a minimum and allowed only to avoid steep topography in accessing useable portions of the campground. A yield plan created for the campground following the current zoning code would allow a maximum of 328 sites across the entire property including the steep wooded slopes in the environmental corridor in addition to the 50 grandfathered Public Private campsites for an estimated total of 378 sites if requested and approved. This is far greater than the currently requested 232 camping sites.

Atty. Bob Leibsle appeared before the committee with the owner, Julie Michaels. He said this proposal is consistent with the 2035 Land Use Plan. It has been in existence since the early 1950's and owned by this family since 1996. Speaking in favor of the requests was Julie Michaels. Also, Ed Bauschke who said they have been living next to the campground for close to 25 years. Speaking in opposition was David Redmond whose second home is near the campground. He said he is not opposed to the campground, but, rather the expansion. His concern is the number of people that would be in the area from the expansion. This would bring extra traffic, pollution, noise and the possibility of additional crime. Mr. Weidensee said this would be a reduction in the number of people who would use the campground, if you include the entire property. Supervisor Redenius questioned the reduction in numbers of users. Staff rephrased the statement saying a reduction would occur if you include all camp activities currently occurring on site. Also speaking was Mark Weinzimmer who said his property touches the campground. He is not really opposed. He does not want people coming on to his property. He said this year has been much easier to live with them. He said if everything that was agreed to at the Town of Richmond is so, he is in favor. Wayne Redenius, Richmond Town Chair, said he was the person who voted against the proposal at the Town. He said the reason for his vote was to bring a more detailed application to the committee. In his rebuttal, Atty. Leibsle said there are security officers on duty at all times and it is a family campground. **A motion and second to APPROVE was made by Supervisor Weber and Jim Van Dreser. The motion carried 7 – 0.** The conditional use is subject to the related rezone passing County Board and the following conditions:

1. The Conditional Use for a Planned Development Campground with a portion of existing Public Private Campground and a caretaker's residence is approved as per the plan submitted with all additional conditions.

2. This approval is for a broad scoping master conditional use for the entire campground as a whole including 213 planned campground sites and 19 public private campground sites for a maximum of 237 campsites. There shall be no more than 232 campsites on the subject property as per the Town.
3. The campground use shall be in compliance with all State, Federal and local regulations including but not limited to State Chapter DHS 178 Campgrounds.
4. The property owner shall provide a copy of the Chapter DHS 178 State Campground permit for the conditional use file.
5. The planned campground sites may contain associated structures and the public private campground sites shall not.
6. There shall be no camp operations allowed in the perimeter yard buffer areas with the exception of the public private units in the specified 200 foot by 400 foot grandfathered area and the planned units listed in condition #43. All perimeter yard buffer vegetation shall be maintained according to County Ordinance standards. Camping operations shall include parking of boats and garbage dumpster locations.
7. The cabins shall be occupied for transient use only.
8. The County may take enforcement actions for violation of this conditional use against the campground owner and the campsite/cabin users.
9. Use of the grounds shall be limited to normal camping use as stated in the plan of operations.
10. The Campground shall be used for seasonal camping from April 1<sup>st</sup> to October 31<sup>st</sup> of each year. Campsite check in hours shall be from 8:00 a.m. to 11:00 p.m.
11. The property owner shall implement quiet hours after 10:00 p.m. until 8:00 a.m. every day as per the Town.
12. The campground shall be used by registered campers and their guests as campers only. Use of the campground by camping guests shall be limited as stated in the "Seasonal Campers Rules and Regulation Manual". Use of the campground shall be limited by the number of off-street parking spaces available within the campground.
13. The capacity of the campground shall not exceed six (6) camp users per campsite. The capacity cap of 6 camp site users per camp site may be exceeded if the users of a camp site are members of an immediate family as specified by State law.
14. After hours check in shall be discouraged and allowed by the owner on emergency basis only. The property owner shall be required to keep record of all emergency check in activities and shall submit the record to the County during the annual review and upon

any additional request for review by the County. After hours check in records shall state the reason for allowing the check in.

15. The camping sites and camp units on site shall not be used as a permanent residence or become permanent residential homes.
16. There shall be no day camping during the period when the camp is closed. Camp site users may schedule emergency off season maintenance visits to the camp units with camp owner's approval. Scheduled emergency off season maintenance visits shall be discouraged and only allowed by the property owner to insure human health and safety and for weather protection of private property. Off season emergency maintenance visits shall be limited by the camp owner to one maximum two day emergency visit per Planned Development campsite containing an overwintering private camp unit. The property owner may request additional emergency visits to a camp site beyond the allowable two day visit from the County Zoning Office. The property owner shall be required to keep record of all emergency visits made when the camp is closed for each camp site and shall submit the record to the County during the annual review and upon any additional request for review by the County. Scheduled off season maintenance visits records shall include a statement regarding the purpose of the proposed maintenance visit.
17. The property owner shall submit a plat of survey for a lot line adjustment combining all parcels covered by this conditional use into one parcel and record the document within 6 months of this approval. Ownership of the campground may not be transferred without an access easement for the portion of the front gate access road located on adjacent tax parcel DSR-1.
18. Use of the common area, shall be restricted to those identified in the plan of operations and the approved site plan. There shall be no camping allowed off of the camp sites as located.
19. The master conditional use plan shall identify 300 foot service rings from all water service and 400 foot service rings from all restroom service. All campsites shall be required to be located in at least one of both types of these service rings. However, camping units with self contained toilet facilities may be located outside of the 400 foot restroom service rings and campsites with on-site water spigots may be outside the 300 foot water service rings. Proposed future sites outside of the required service rings shall not be used until water, restroom, roadway and pathway access, services are provided consistent with all required codes. The master conditional use plan shall show the exterior boundary of each campsite and the location of all structures within each campsite. All roadway and pathway access to the campsites shall be shown on the plan.
20. The transition area shall not be allowed to transition from public private campground use to planned campground use until all sites within the transition area are brought up to the specifications necessary.

21. The property owner shall be required to submit written verifications that the services have been provide for County Land Use and Resource Management Department staff review and approval prior to any new camping use in the proposed expansion and or transition areas.
22. Each campsite shall abut upon a minimum of at least one roadway access or pathway access leading to the roadway.
23. The master conditional use plan shall provide for off street, and on premise parking for all camping areas in the ratio of not less than one parking space for each camping unit, plus one additional parking space for each motor vehicle operating in connection with such camping. Parking may not be located in any required yard. In addition, parking for motorized vehicles shall be restricted to a maximum of 2 vehicles per campsite as per the Town. Parking may not occur on any roadway. All parking shall be identified on the plan. All parking shall be in compliance with County requirements within 60 days of approval.
24. Parking and storage will not be allowed in the Town right of way, with exception for the ski shows as per the Town.
25. Campsites T-7 through T-12 and SR-1, SR-5, SR-33, SR-37, SR-46 and SR-48 shall be removed/relocated by December 31<sup>st</sup>, 2010. (The owner may request to move the deadline to June 1<sup>st</sup>, 2011.)
26. Campsites BR-2, BR-3, AR-10, AR-12, AR-14 and AR-16 shall be relocated by June 1, 2012.
27. The property owner shall construct a five (5) foot high chain link fence, elevated one (1) foot above ground level and three (3) foot from the property line as located on the approved plan as per the Town. Installation of the required fence shall be complete by April 1<sup>st</sup>, 2011 contingent on County approval and weather conditions as per the Town. All perimeter fencing shall be maintained as identified on the project plan.
28. 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. The property owner shall keep the trees above the roadways trimmed to a height of 14 feet for fire and safety equipment access.
29. There shall be no alterations of the shoreland setbacks or wetlands without obtaining County and State required approvals.
30. As per the Town, all existing roads show on the plan as greater than 12 foot wide shall be maintained at the existing width or a minimum of 16 feet. All roads less than 12 feet wide on the plan shall be widened to 12 foot wide with the exception of Arrowhead Ridge (due to steep sloped terrain). If Arrowhead Ridge remains at a width of less than 12 feet then a minimum of two (2) vehicle pull-offs spaced approximately 200 foot apart

along the roadway shall be installed. All proposed future roadways in the expansion areas and transition area shall be a minimum of 16 feet wide. All road maintenance shall be conducted as agreed to and specified in the plan of operations. The roadway near campsites T-8 through T-12 and the recreational area shall not be allowed to encroach into the required perimeter buffer yard. The property owner shall show all historical off-street parking for the cabins in the shoreland area by the lake.

31. Campers' golf carts may not be parked or operated on the public roads as per the Town. ATVs shall not be allowed to operate on site except for the property owner's private use of ATVs.
32. The activities pavilion may contain vending machines but shall not be converted into a retail store or contain outside vendors (retail sale persons).
33. All septic waste treatment and storage facilities must be approved by the County and or State agencies. The property owner must assure that septic waste loads will not increase over time without providing necessary capacity.
34. All existing and new structures shall be required to meet the standards of the County Zoning Ordinance and have required permits and inspections. No additional structures shall be added to the plan without obtaining County zoning permit approval. Structures to be placed on individual Planned Campsites by the site user shall be added to the master conditional use plan for the campground upon zoning permit approval. The owner shall attach a photocopy of the updated master plan showing any new structure to the required zoning permit application. The Zoning Office prior to issuance of a zoning permit shall further review all structure locations. All zoning permit applications shall be signed by the property owner.
35. This permit does not include conditional use approval for any structure (decks, additions, porches, sheds, etc.) or use that is not specifically identified on the master plans for the entire campground as approved and/or amended.
36. Any proposed special event use outside of specified activities for the registered camp users shall require additional conditional use approval or amendment.
37. 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 as common areas to be maintained by property owner. 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.
38. The applicant shall submit an outdoor lighting plan for review and approval prior to construction. All lighting shall be shielded and directed on site. There shall be no additional lighting allowed on site except as required by ordinance as per the Town.

39. The seasonal campground is approved subject to the owner maintaining a "Seasonal Campers Rules and Regulation Manual" consistent with all conditions of this conditional use. The property owner shall be held solely responsible for addressing all rules and or restrictive covenants beyond those enforceable by County, State or Federal regulations. The "Seasonal Campers Rules and Regulation Manual" shall be submitted to the County Land Management Department for review for consistency with County ordinances and requirements and the conditional use approval. Any wording of the rules within the "Seasonal Campers Rules and Regulation Manual" for operation of the campground which in the opinion of the County Land Management Department are inconsistent with County approvals including the plan, amended narrative, ordinances or requirements will require County conditional use review and approval.
40. The master conditional use plan for the campground shall identify the building envelope on each individual campsite within the development and all existing structures meeting the required setbacks prior to approval. A typical envelope diagram shall not be acceptable.
41. The property owner shall locate (stake) the corners of each camping unit pad on each Planned Campground site. A zoning permit shall be required for each camping pad within the Planned Campground sites. Camping units may be replaced within the camping unit pad once a zoning permit is issued so long as the new camping unit fits within the pad as staked. The camping unit located on a Planned Campground site shall be required to be located within the boundaries of the staked camping unit pad. The unit pads shown on the master conditional use plan submitted for the hearing are not approved by this conditional use. All unit pads shall be approved upon review and or issuance of the required zoning permits.
42. The County will review the master conditional use plan and require all structures that have not received zoning permit approval obtain an after the fact zoning permit if they comply with the required zoning regulations. Zoning permits shall be applied for by July 1<sup>st</sup>, 2011 . If structures identified on the plan do not meet the required zoning regulation or have not obtained a zoning permit, the County will send notice to the property owner indicating that the structures will be required to be removed or brought into compliance with the zoning regulations in the time frame agree to by the Land Use and Resource Management Department. Failure to bring the individual structures into conformance with County ordinances and this approval shall result County enforcement actions as specified by ordinance. The chart attached to exhibit H is here by eliminated from the application and this approval.
43. Camping units 2 through 16 and 21 through 23 may be reconstructed in the same foot print and envelope. However, decks, sheds, and or additions to these camping sites shall only be allowed if proven to the Land Use and Resource Management Department that the additional structures were constructed legally and prior to 1974.

44. The applicant must phase construction substantially in compliance with this approval and the plan of operations as approved. Any changes to phasing, or specified use within each phase must be added to the approved master conditional use plan and plan of operations and reviewed by the Land Management Department. The owner shall provide the Town and County with current "Expansion and Transition Construction Phases" and notify the Town and County in advance of any and all intended construction and improvements.
45. It shall be the property owner's responsibility to assure that all pets are limited to a maximum of three per camp site and all pets shall meet the definition of a household pet as specified in the County Zoning Ordinance.
46. 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.
47. Sufficient adult supervision must be present at all times when the camp is used by children. The property owner shall provide security personnel as specified in the plan of operations.
48. The property owner shall maintain adequate liability insurance for the campground activities and structures and keep the insurance current during the life of this conditional use.
49. The property owner shall immediately notify the County Land Use and Resource Management Department if the caretaker's residence is no longer occupied by a caretaker.
50. This conditional use shall be subject to an annual campground operational permit issuance by the County staff.
51. 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.
52. The County reserves the right to rescind this conditional use upon any violation of County regulations.
53. There shall be no additional tree cutting other than that specified in the "Seasonal Camper Rules and Regulations or as specified on the approved master conditional use plan.
54. There shall be no campground related use on adjacent properties under the same ownership.

William A. Gates Trust/Charlotte L. Gates Trust, Town of Sugar Creek, Rezone 4 acres of A-2 to B-4 and Conditional Use for a single-family residence outside of the principle business structure on lands proposed to be zoned B-4 (8:18:20 – 8:24) Mr. Weidensee described the property as being located in Section 12, Town of Sugar Creek. The Town has approved the requests. The owner/applicant desires to amend a portion of existing A-2 property (3.75 acres) to B-4. The owner will thereafter subdivide the entire property via a certified survey map to create 2 lots so that the B-4 can be transferred to the Wisconsin DOT. The Wisconsin DOT will eventually use the B-4 parcel for the installation of a round-about at the intersection of Hwy 12 and County Trunk A. The property owner is requesting to obtain a conditional use for a caretaker's residence outside of a principle business structure so the existing residence on site would not have to be removed until the Wisconsin DOT constructs the proposed round-about. Atty. Scott Christian represented Mr. and Mrs. Gates. He said the Wisconsin DOT will be doing some traffic improvement at the intersection of Hwy. 12 and A. This will take place in 2016. The rezone is necessary to create a parcel that can be sold to the DOT. There was no one to speak for or against these requests. **A motion and second to APPROVE was made by Supervisors Weber and Wardle. The motion carried 7 – 0.** The related conditional use is subject to the rezone passing County Board and the following conditions:

1. Approved as per plan submitted for a caretaker's residence outside the principle business structure with all additional conditions.
2. The applicant shall be required to obtain sanitary approval prior use of the caretaker's residence.
3. Use of the residence shall be limited to use by a caretaker's and shall be removed from premises at the time it is no longer needed in connection with the operation or when the Wisconsin DOT expands the road right of way as proposed.
4. If the residence is no longer used for housing a caretaker, the applicant must notify the Walworth County Zoning Office.
5. The residence must meet with County, State, Federal and local regulations.
6. 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.
7. 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.

### Rezones

Keith M. Carlson and Dale E. Carlson (Keith M. Carlson, App.), Town of Bloomfield, Rezone 11.12 acres of C-4 to C-2 (8:24 – 8:28:22) Mr. Weidensee described the property as located in Section 27, Town of Bloomfield. The Town has approved the request. The property owner is requesting to rezone the property to correct the wetland boundary to match existing field conditions. The site contains non-wetland soils, which means the delineation was done correctly. Keith Carlson appeared before the committee and said they have owned the property for 60 years. It was the family home. Matt Weidensee indicated that the wetland delineator is in the process of getting DNR wetland assurance listing approval. 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 7 – 0.**

### Conditional Uses

Steven S. Walter, Town of Darien, Conditional Use for temporary storage of wastewater from various permitted sources within a slurry storage tank on lands zoned A-1 (8:28:22 – 8:45:45) Mr. Weidensee described the property as located in Section 21, Town of Darien. The Town has approved the request. The application states that Mr. Walter would like to construct a 2-million gallon Slurrystore wastewater storage structure to temporarily store wastewater prior to land-application on WDNR-approved fields. Walter also intends, as a portion of his business, to periodically accept wastewater from other waste haulers. Walter desires to expand wastewater services to include hauling and/or disposal of additional industrial sources, septage/holding tank waste, and/or restaurant grease-trap waste. The property owner obtained a contractor storage yard and office conditional use permit on a small area of A-4 zoning on tax parcel B D-21-5A allowing for a septic hauling business with one additional employee and two pumping trucks. County aerial photos indicate that Steve Walter has been knowingly using substantial larger area that is zoned A-1 outside the A-4 for the septic hauling business. The property owner has applied to obtain a rezone of the additional A-1 area being used to the A-4 zone district and to obtain a new conditional use for the hauling business. The hearing for the rezone and conditional use for the business expansion will be held next month. Atty. Timm Speerschneider represented Mr. Walter. He said Mr. Weidensee summarized the request correctly, however, they have some concerns with the general conditions. Discussion took place regarding the conditions. 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 Richard Kuhnke. The motion carried 7 – 0.** Approval is subject to the following conditions:

1. This facility is approved per plan submitted as a temporary wastewater storage facility for waste to be applied to agricultural land with all additional conditions.
2. Use of the site shall be strictly limited to the materials specified in the plan of operations. All materials stored on site must be permitted for land application.

3. The hours of operation shall be set from 7:00 a.m. to 5:00 p.m. Monday thru Sunday or after 5:00 p.m. for emergencies.
4. The owner/operator must comply with all Federal, State, County and local regulations or mixed waste regulations, whichever apply. 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 temporary wastewater storage facility and not as a contractor storage yard for waste hauling equipment for the operator or other slurry tank users.
16. The property owner shall be required to obtain separate approvals for any future use of the site for bio-gas production.
17. The property owner must prepare a spill prevention plan, complying with USEPA and WDNR standards as per the County Conservation Office.
18. The property owner shall meet all terms of the Slurrystore Operations Agreement approved by the Town of Darien Board of Supervisors on August 3, 2010.
19. The property owner must record the lot line adjustment combining the parcel along Hwy 14 to the rear parcel where the tank shall be constructed so the property has legal road frontage prior to this conditional use being valid and the County issuing a zoning permit for the Tank.

The County Board of adjustment has approved the industrial waste storage facilities for land application of waste as an unspecified use allowable with conditional use approval in the A-1 zone district. The proposal is therefore consistent with farmland preservation statutes.

Nelson's Friendly Corner LLC, Town of Darien, Conditional use for outdoor food and beverage on lands zoned B-4 (8:45:45 – 8:49:13) Mr. Weidensee described the property as located in Section 8, Town of Darien. The Town has approved the request. The property owner is wishing to replace an existing deck on the side of the bar/restaurant for use by smokers and food and beverage service. Hours of operation would be from 11:00 a.m. to 10:00 p.m. Jim Conroy, the contractor for the project, represented the owner. He said the Nelson's have owned the bar since 2006. The existing structure is in poor condition. The prior owner had not obtained a conditional use permit or a building permit. The owners want to bring the place up to code. There was no one to speak for or against this item. **A motion and second to APPROVE was made by Richard Kuhnke and Supervisor Weber. The motion carried 7 – 0.** The conditional use is subject to the following conditions:

1. The Conditional Use for seasonal use of a deck/patio for outdoor food and beverage consumption 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. The outdoor deck shall be use from May 1<sup>st</sup> to October 31<sup>st</sup> of each year. Hours of operation on the deck/patio shall be 10:00 a.m. to 10:00 p.m.
14. All outdoor seating and all outdoor food and beverage consumption must be on the deck/patio.
15. The deck must meet with the commercial building code including all proposed lighting. Open flame tiki torches may not be used as lighting.

Michael L. McFarlin, Town of Sharon, Conditional Use for outdoor food and beverage with entertainment and a tent for special events twice a year on lands zoned B-2 (8:49:13 – 8:58:16)

Mr. Weidensee described the property as located in Section 6, Town of Sharon. The Town has approved the request. The owner is requesting conditional use approval for outdoor food and beverage for an existing business which would include a tent for housing entertainment with two special events per year for bands. In the past the property owner has held different types of events that would not be considered just a band with outdoor food and beverage (IE ultimate fighting events) in the area proposed for outdoor food and beverage. The committee may wish to inquire what types of events the property owner intends to have on site. Michael McFarlin appeared before the committee and asked if he was limited to one-day event. He said normally he has a three-day event and he has been doing that for the past 11 years with no problems. Supervisor Brandl said Mr. McFarlin does a lot for the community in the way of auctions and fundraisers for people with terminal illnesses or who have been injured. There was no one to speak for or against this item. **A motion and second to APPROVE was made by Supervisors Brandl and Weber. The motion carried 7 – 0.** Approval is subject to the following conditions:

1. The Conditional Use for seasonal use of a patio for outdoor food and beverage consumption 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 keeps 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. The outdoor patio shall be use from May 1<sup>st</sup> to October 31<sup>st</sup> of each year. Hours of operation on the patio shall be 10:00 a.m. to 10:00 p.m.
14. All outdoor seating and all outdoor food and beverage consumption must be on the patio.
15. The an structure including a tent must meet with the commercial building code including all proposed lighting. Open flame tiki torches may not be used as lighting.
16. The outdoor food and beverage area shall be fenced with control access from inside the bar so the owner has control of access to the site by all patrons.
17. The number of special outdoor entertainment events shall be limited to two 3-day events and six single-day events per year.

Scott Wilson, Town of Spring Prairie, Conditional Use for a hog operation in excess of 500 animal units on lands zoned A-1 (8:58:16 – 9:05:30) Mr. Weidensee described the property as located in Section 26, Town of Spring Prairie. The Town has approved the request. He said the applicant is requesting to construct a naturally ventilated curtain hog barn which when populated with hogs will increase the number of animal units on the farm to greater than 500 but less than 1000 animal units. The barn would house a wean-to-finish 10# to 230# hog operation. Scott Wilson appeared before the committee and stated this is a five-generation farm. The neighbors are at least one-half mile away. There was no one to speak for or against this item. **After the appropriate findings were made as required by State Farmland Preservation Program 91.75(5) a motion and second to APPROVE was made by Richard Kuhnke and Supervisor Brandl. The motion carried 7 – 0.** Approval is subject to the following conditions:

1. Approved as per plan submitted with all additional conditions as a commercial animal feed lot for a total of 692 animal units.

2. Hours shall be 24 hours per day. No animal waste spreading, pick-up or deliveries shall occur between 6:00 p.m. and 6:00 a.m.
3. The site must meet all applicable Federal, State, County and local regulations including any State well or water supply requirements.
4. The applicant must obtain the required zoning permit prior to construction.
5. Applicant must obtain approval of a nutrient management plan from the County Land Conservation Office. The plan must meet with all requirements of the County and the Wisconsin Dept. of Natural Resources. The applicant must comply with all recommendations of the approved nutrient management plan and livestock siting rules. Updates to the nutrient Management Plan will be provided to the Land Use and Resource Management Department on an annual basis.
6. The applicant must install and maintain safety fencing around the manure storage facility if required by the manure storage ordinance.
7. The applicant must provide adequate manure storage. Storage shall be available for at least 4 months on site in order to allow storage during the winter months when manure will not be able to be incorporated to reduce odor. All manure from County approved storage facilities must be incorporated in the ground within 24 hours of spreading in order to limit odor from the farm operations. The storage facilities must be emptied within two weeks of any time that spreading begins. The applicant shall keep a record of the date that spreading begins and the date on which the storage facility has been emptied. If the applicant cannot empty the manure storage facility in the required time frame using existing equipment and farmland then the applicant may need to make arrangements with a commercial manure disposal company.
8. All outside lighting must be shielded and directed on site.
9. The applicant will be responsible for cleaning tracked soil or manure resulting from the farm operations off the Township or County Roadways on a daily basis.
10. If the Land Management Department determines that changes in either the character of the use or the intensity of the use are not consistent with this approval, then those changes must be brought before the County Zoning Agency for approval.
11. Failure to actively exercise this conditional use within three years of the approval date shall result in automatic dismissal without prejudice. The property owner may request a time extension for actively exercising the conditional use. A time extension for actively exercising the conditional use must be requested in writing during the original three year period. Any extension requested during the three year active exercise period greater than one year beyond the original three year period shall require additional Town and County committee approvals.

Specific:

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

Having greater than 500 animal units on a farm is consistent with the Farmland Preservation statutes.

**Adjournment – A motion and second to adjourn was made by Supervisors Brandl and Wardle. The motion carried 7 – 0. The meeting was adjourned at 9:05 p.m.**

---

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



**Walworth County Board Finance Committee  
MEETING MINUTES  
October 21, 2010**

**DRAFT**

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

The meeting was called to order by Chair Russell at 9:33 a.m.

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

**Board members present:** Kathy Ingersoll.

**County staff present:** David Bretl-County Administration/Corporation Counsel; Nicki Andersen, Aimee Hemmer, Jessica Lanser-Finance; Linda Seemeyer-Health & Human Services; John Orr-Information Technology; Shane Crawford, Kris McGill-Public Works; Kurt Picknell, Janeen Mehring-Sheriff's Office; Kathy Du Bois-Treasurer's Office.

**Public in attendance:** Chris Schultz, *Lake Geneva Regional News*.

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

**Approval of minutes of last meeting(s)** — September 23, 2010 — **Grant/Schaefer moved to approve 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 requested that item 8B be pulled for separate discussion. **Stacey/Schaefer moved to approve the remainder of the consent items; carried 4-0.**

**Budget amendments**

Human Resources

- CA01 — Offset anticipated increase in Workers' Compensation claims

Health & Human Services (HHS)

- HS016 — Reflect increased State funding for the Women's, Infants and Children's (WIC) program

Public Works

- PW010 — Reallocate routine maintenance agreement (RMA) funds for State interstate and non-interstate work

Sheriff's Office

- SH003 — Redistribute payroll budget to reflect overtime in the corrections division
- SH004 — Reflect award of alcohol grant funds

**Bids/contracts**

- Award sale(s) of tax foreclosure property — Crawford stated that parcels MPLA 00081 and MPLA 00082 were offered in a previous sale. The bids are less than appraised value, however, the committee can now sell for less than appraised, if they wish. Staff recommend accepting the bids.
  - MPLA 00081 — The parcel is appraised at \$1,350.00. The qualified highest price bid of \$100.00 was submitted by Doug and Jeff Liepins. **Stacey/Schaefer moved to accept the bid; carried 4-0.**
  - MPLA 00082 — This parcel is appraised at \$2,500.00. The qualified highest price bid of \$100.00 was submitted by Doug and Jeff Liepins. **Stacey/Grant move to accept the bid. Motion carried 4-0.**
  - J G 2500004P — The appraised value is \$12,000.00. The qualified highest price bid of \$12,100.00 was submitted by Brian Pollard. **Stacey/Grant moved to accept the bid; carried 4-0.**
  - JLCB 01730 — The parcel is appraised at \$1,105.00. Russell noted that the bid received was disqualified because the bidder did not submit a check.
  - JLCB 02723 — The appraised value is \$398.00. James Pody submitted the qualified highest price bid of \$1,111.00. **Motion by Stacey/Grant to accept the bid. Motion carried 4-0.**
  - H LG3600010B — The parcel is appraised at \$693.00. Sterlingworth Condominiums on the Lake submitted the qualified highest price bid of \$710.00. **Stacey/Grant moved to accept the bid.** McGill said this piece of land is adjacent to the condominiums. **Motion to accept carried 4-0.**
  - H G3600010G — The parcel is appraised at \$1,310.00. The qualified highest price bid of \$5,055.00 was submitted by Jackie Rumer. **Stacey/Schaefer moved to accept the bid; carried 4-0.**
  - GBW 00005 — The appraised value is \$750.00. The highest price bid of \$2,002.00 was submitted by Robert Limosani, however, he submitted only 10% earnest money and should have submitted 20%. Since the bid is at or above the appraised value, Crawford said the committee can reject the bid or ask that the additional 10% earnest money be submitted. Limosani would be given five (5) working days to do so, which would be by close of business on Friday, October 29, 2010. **Motion by Stacey/Grant to accept Limosani's bid but to require that the balance of the earnest money be paid within the specified timeframe. Motion carried 4-0.**
  - EH 00076 — This parcel appraised at \$115.00. One bid was received but was disqualified because it was less than the appraised value.

- UOP 00025 — The parcel is appraised at \$1,448.00. George and Cheryl Ackley submitted the qualified highest price bid of \$1,500.00. **Schaefer/Grant moved to accept the bid. Motion carried 4-0.**

There are approximately 18 foreclosed properties remaining after today's sale, according to Crawford. Future bids received will be presented for the committee's consideration at upcoming meetings.

### **New business**

**Discussion and possible action regarding Health and Human Services Echo software reconciliation** — Seemeyer explained that staff have been working to establish new software for her department. There are two components. Installation of the clinician's desktop, which is the medical records portion, went smoothly and staff like this software. Revenue Manager is the billing system. It is similar to what is used in a doctor's office. HHS annually bills over \$3.7 million to Medicare, Medicaid, private insurance, and so forth, noted Seemeyer. Installing this component has been a struggle. For 3 months, they couldn't get the system to bill so they would back it out and try again. The good news is that billing and receiving revenue are almost on target for where the department should be at this time of the year. The bad news is that they are having a terrible time reconciling the Echo numbers to the county's general ledger (GL). HHS, IT and finance staff have all been working towards that end. Seemeyer wanted the committee to be aware that there may be a write-off if all funds cannot be reconciled. Hopefully, it will be small but her department's end-of-year revenues could be affected. She has declared a moratorium on billings for this month to eliminate further changes in the system and allow staff to get a handle on the figures. Reconciliation is their #1 priority, other than her department's mission to keep people safe.

Both Seemeyer and Andersen said progress has been made to reconcile to the GL. Ingersoll asked what caused the difficulties. Seemeyer responded that it is a mixture of factors. For example, she doesn't think balances in the county's old AS/400 system were all brought over correctly. There were also some implementation problems. Andersen agreed. After converting records and trying to assimilate with the old system, HHS found they needed to process differently from the vendor's original explanation. There was an initial learning curve to understand how everything fits together. A few codes were attached to the wrong accounts so staff are drilling down, transaction by transaction, to determine where the records should have posted vs where they did post. Seemeyer hopes a potential write-off will have minimal impact, given HHS's overall budget.

Orr added that, a number of months ago, it was thought there might have been flaws within the Echo software. IT staff worked closely with the vendor and are comfortable that the software is working as intended. Although we did experience difficulty with implementation, on a good note, HHS staff have now developed detailed policies and procedures to ensure this doesn't happen again. Seemeyer was appreciative of how HHS, IT and finance worked together to resolve the problems.

**Discussion and possible action regarding proposed Wisconsin Municipal Mutual Insurance Company (WMMIC) Bylaws** — Andersen explained that the proposed changes to WMMIC's Bylaws will bring them in line with current practice. **Motion by Grant/Stacey to approve the proposed changes; carried 4-0.**

**Resolution \*\*-11/10 Establishing Official County Bond Amounts for Specified Walworth County Constitutional Officers for 2011-2014** — Grant/Stacey moved to approve the resolution. Russell wondered why the bond amounts differ. Andersen said some offices handle more funds. The clerk of courts, for example, is responsible for a significant amount of cash as well as the investments of her office. Bretl advised that the resolution be forwarded to the Board as is, for now and see what our general liability insurer recommends the next time around. **Motion to approve carried 4-0.**

**Discussion and possible action regarding Amendment A to 2011 Preliminary Budget increasing public works State transportation aids and decreasing 2011 road construction bond funding** — Grant/Stacey moved to approve Amendment A to the 2011 Preliminary Budget. The amendment relates to a notice by the State of funding for work we will be doing for them, according to Andersen. Schaefer asked about shortfalls in State funding. Crawford said they were projecting a shortfall in their routine maintenance accounts. This is a different fund, but has decreased regularly over the past few years. Andersen added that the formula is based on expenditures reported from the prior year. We did roadwork last year so there was a significant increase in our expenditures. The funding will likely decrease next year because we did not do any roadwork in 2010. **Motion carried 4-0.**

**Discussion and possible action regarding Amendment B to 2011 Preliminary Budget reducing the sheriff's office medical services budget due to new contract and increasing other post employment benefits (OPEB) liability funding** — Russell commented that we were able to move funding to help offset the OPEB liability because we received a good bid on the medical services. **Motion by Schaefer/Stacey to approve Amendment B to the 2011 Preliminary Budget; carried 4-0.**

**Ordinance 11-10 Amending Section 30-286 of the Walworth County Code of Ordinances Relative to Fees** — Andersen said the fee changes highlighted in this ordinance are in conjunction with development of the 2011 budget. Bretl added that some are required by changes in State law or were proposed by departments as integral parts of their budget. Stacey asked if revisions to zoning fees were presented to the Zoning Committee. Is there a formula to determine fee increases? Bretl said the Zoning Committee typically reviews proposed fee changes. He didn't know how each department approaches the methodology when considering an increase. Russell added that departments have a pretty good idea of the cost of providing various services. The general idea is that costs should be covered by the person requesting the service rather than the community at large. Bretl agreed. Keep in mind that departments have limited cost recovery options such that fees can't exceed our cost in providing services. However, the Board has to answer to their constituents and some of the fees are significant. If we do lower fees, we will have

to offset the budget by either raising taxes or cutting expenses. Stacey asked if departments know how many people will apply for any given service. Andersen replied that departments prepare estimates based on historical trend and on the economy.

Russell suggested requiring that all fees be reviewed periodically. She understands that some are statutory but there are other fees that have been in place for some time. We should review them on a regular basis and be consistent between departments. Bretl said departments do look at all of their fees as part of the annual budget process. Andersen added that finance sends out the fee schedule to departments each year in the late summer. They are asked to review their fees and submit proposed changes. Stacey recommended reviewing the fee schedule more closely next year. **Motion by Stacey/Schaefer to approve the fee ordinance; carried 4-0.** Andersen suggested we start bringing the draft ordinance to the committee in September rather than October. We would alert department heads so they are prepared to discuss their changes at that time. The committee agreed.

**Resolution \*\*-11/10 Adopting the 2011 Appropriation of the Walworth County Budget and CIP Plan** — Andersen said the resolution is standard language to adopt the preliminary budget. Russell added that we need to approve and move this forward to the full Board so our 2011 budget can be approved at the November Board meeting. **Grant/Schaefer moved to approve the resolution; carried 4-0.**

**Resolution \*\*-11/10 Establishing the County Tax Levy to Support the 2011 Budget Appropriation** — This resolution identifies the various taxing districts that will have specific tax levy established for them, explained Andersen. In general, the Lakeshores Library System and Children with Disabilities Education Board are separate and distinct levies because they are only levied over portions of our county. **Grant/Russell moved to approve the resolution.** Russell noted that the resolution can be amended at the November Board meeting when the budget is approved. Andersen said the figures included in this draft will, if needed, be revised to reflect any amendments approved at that meeting. Bretl added that there are three standard documents presented in November, i.e., a resolution approving the budget, one approving the tax levy, and an ordinance amending Chapter 15 which keeps our authorized table of positions on track with the budget. Typically, if there are amendments on the floor, we recess to allow staff to recalculate the levy.

Andersen commented that this is the 2010 levy to support the 2011 budget appropriation. Bretl added that the levy trails the budget by one year. We levy the tax now to be paid for next year's budget. Schaefer asked about the \$805,442 identified for the Lakeland Health Care Center. Andersen explained that they plan to call one of their debt issues early. Since they have a significant fund balance, they want to designate these funds for that purpose. It will save them money in the long term to call that particular issue. **Motion to approve the resolution carried 4-0.**

#### Reports

- Quarterly investment report — Lanser said interest rates continue to be low, which is nothing new. Mid America is one of our money market banks. We had placed \$13 million

with them for quite a while but they have now asked us to lower that amount to \$10 million, in keeping with our original agreement with the bank. In the next couple of months, about \$3 million in certificates of deposit (CDs) will be coming due, which is another large sum of money to invest. We have done a lot with our investments in the past 6-9 months. Our portfolio at Pershing, which is brokered money, has grown to \$25 million. We now have quite a bit in agency securities. Andersen added that the interim treasurer had moved nearly all our money to the Local Government Investment Pool (the Pool).

Lanser noted that we have quite a bit coming due in CDs. We are going out for bid every month, and sometimes twice a month, but getting no bids. Andersen said staff have called various banks to ask why they are no longer submitting bids and have been given various reasons. Some are flooded with liquidity and don't need money, some said the CDARS program is not lucrative for them and are not bidding with that, others don't like our policy of collateralizing. Schaefer asked what interest rate the Pool is paying. Andersen said it is 0.23%. Lanser added that it has been less than a quarter percent for the past year. Money markets are paying only 0.3%. With those issues in mind, staff are asking that we add all financial institutions, banks and credit unions in the State of Wisconsin to our list of financial institutions, up to the FDIC limit. We may be able to get better bids. Staff will ensure that we do not exceed our investment limit with any one financial institution. **Grant/Stacey moved to authorize staff to expand the list of approved financial institutions to include all financial institutions, banks and credit unions in the State, not to exceed the FDIC limits; carried 4-0.**

- Update on tax incremental financing (TIF) district(s) — Lanser said the City of Whitewater changed their timeline and moved the Joint Review Board meeting to January, 2011.
- Quarterly delinquent tax report — Du bois reported that delinquent taxes increased only \$27,000 from September 30, 2009 to September 30, 2010. Schaefer asked Bretl about equalized value and the mill rate. Bretl replied that Walworth County's equalized value, without TIFs, decreased slightly more than the state average of -3.13%. Our decrease was -3.88%, which is approximately \$500 million less in equalized value. However, those figures typically lag like everything else. As far as the mill rate is concerned, there would be different calculations because we have different levies. He commented on a recent article which headlined an 8.6% rate increase in the Rock County budget levy. Our own operating levy plus debt service would be an increase of over 7% in the mill rate. Further discussion ensued regarding equalized value. There is a tremendous diversity of properties in Walworth County, Bretl commented. We have mansions and trailer parks, with everything in between. Our equalized value was still in positive territory in 2009 but this year, we are worse than the state average.

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

**Confirmation of next Finance Committee meeting:**

- Russell noted a correction in that the agenda reflected today's meeting date rather than November's. The committee confirmed their next meeting to be November 18, 2010 at 9:30 a.m. in County Board Room 114 at the Government Center.

**Adjournment of Finance Committee**

**Upon motion and second by Stacey/Schaefer, Chair Russell adjourned the meeting at approximately 10:38 a.m.; carried 4-0.**

---

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 Health and Human Services Committee**

**MINUTES**

October 20, 2010 Meeting – 1:00 p.m.

Walworth County Board Room  
Government Center – Elkhorn, Wisconsin

---

The meeting was called to order by Chairman Grant at 1:25 p.m.

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

Others present – Linda Seemeyer, Director of Health and Human Services/Lakeland Health Care Center Superintendent; Elizabeth Aldred, Deputy Director of Health and Human Services; Juliet Young, Health and Human Services; Bernadette Janiszewski, Lakeland Health Care Center Administrator, Lori Muzatko, Health and Human Services, Roger Zierfuss, Health and Human Services, Ety Wilberding, Health and Human Services, David Bretl, County Administrator, Nicole Andersen, Deputy Counsel Administrator – Finance and Kenneth Yunker, Al Beck and Sonia Dubielzig of the Southeastern Wisconsin Regional Planning Commission

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

There were no agenda withdrawals. **Motion and second made by Supervisors Schaefer/Hawkins to approve the agenda. Motion carried 7–0.**

The Health and Human Services minutes from the September 22, 2010 meeting were approved. **Motion and second made by Supervisor Hawkins and Citizen Representative Wagie-Troemel to approve the minutes. Motion carried 7-0.**

Public comment – There were no comments from the public.

Unfinished business –

*Transportation Study – Southeastern Wisconsin Regional Planning Commission* – Ms. Seemeyer introduced Kenneth Yunker, Al Beck and Sonia Dubielzig of the Southeastern Wisconsin Regional Planning Commission (SEWRPC). The Department has asked SEWRPC to do a transportation study for Walworth County. The members for SEWRPC stated they would work on a preliminary draft of the scope of this project to present to this committee before initiating the study.

SEWRPC has been asked to examine the transportation needs, alternatives, operating and capital costs, barriers, obstacles, etc. for Walworth County residents. They study will produce a short-range plans with recommendations that will be presented to this committee.

This study will be performed under the direction of Health and Human Services staff. Along with studying the current Department's current transportation program, they will study other transportation providers in the County and how services are provided. They will also look at other county transportation programs.

SEWRPC does have federal and State funding available and there will be no charge to the County. They would be able to start working on this study in three to four months and they anticipate the study lasting for six months. The scope could be prepared during the next couple of months and presented to this committee.

Supervisor Grant asked for clarification on the timeline. Mr. Yunker stated that due to previous commitments SEWRPC will not be able to start the study for several months. Approximately nine months from this date there should be recommendations for this committee.

Citizen Representative Wagie-Troemel stated she thought this was a worthwhile project and think it will be great for the County.

**Motion and second made by Citizen Representatives Wagie-Troemel and Pious to approve the Southeastern Wisconsin Regional Planning Commission developing a scope of the project to be presented to this committee. Motion carried 7-0.**

New Business –

*Echo/General Ledger Reconciliation* – Ms. Seemeyer gave a background for the new software system that was implemented this year. The software consists of two parts, Clinician's Desktop and Revenue Manager. The Clinician's Desktop part of the software is working fine but there have been some obstacles with the Revenue Manager portion of the software package. Health and Human Services staff have been working diligently with Information Technologies and Finance to balance the general ledger accounts. While the goal is to get these accounts to balance, there may be a conversion write off. Several work groups are working to get the accounts reconciled before the auditors arrive in November.

Supervisor Ingersoll asked for an explanation of the write offs. Ms. Seemeyer explained that the work groups are trying to reconcile between two software programs; Revenue Manager and County's financial software, Munis. At some point there may have to be a write off if the two systems cannot be reconciled. Ms. Andersen added that she felt very confident that the accounts could be balanced and that there would be a zero variance but it may not happen in all areas.

Supervisor Grant asked if the goal is to get the accounts balanced before the auditors arrive. Ms. Andersen stated that the auditors will be here on November 15<sup>th</sup> and the goal is to have everything reconciled through the end of September.

Supervisor Grant asked if this is a new software system and therefore there were problems commonly associated with working with a new system. Ms. Seemeyer and Ms. Andersen stated there were some problems but mostly there is a learning curve and staff are now

learning how to work and bill with this new system. Ms. Andersen praised Health and Human Services staff for learning how to work with this new system and have a better understanding of the system. Ms. Seemeyer added that she appreciates Information Technologies and Finance for all their support and assistance.

Mr. Bretl explained the write offs in more detail. Citizen Representative Wagie-Troemel requested an updated on the Echo and general ledger reconciliation at next month's meeting.

Supervisor Grant asked if the new system should be scrapped and return to the old system. Ms. Seemeyer stated that in the long run this will be a successful program after correct procedures are in place. Ms. Aldred stated that the program is working now. Ms. Andersen added the problems are more working retroactively with items from the beginning of the year.

Reports – Ms. Seemeyer stated she has an item that was received after the deadline for this meeting. There was an audit of the Aging & Disability Resource Center (ADRC). The auditors rated the program between good and excellent in most categories. A recommendation from the audit was for the ADRC to be housed in their own location. A more detailed summary of the audit will be presented at next month's meeting.

Supervisor Ingersoll asked if the signage for the ADRC was not adequate which resulted in the finding for them to have their own location. Ms. Seemeyer stated there is a large sign outside as well as signage indoors but the auditors did not notice.

Correspondence – There were no correspondences.

Announcements –

Supervisor Grant handed out with information regarding appointments of citizen representatives to this board. This will be added to the agenda for next month's meeting.

*Functional Family Therapy News Article* – Ms. Seemeyer stated this item is for this committee's information regarding a positive article about a Health and Human Services program. There will be a presentation on this program at the December meeting for the committee to learn more about this program.

Next Meeting Date – The next meeting is scheduled for November 17, 2010 at tentatively 1:15 p.m. following the Lakeland Health Care Board of Trustees meeting. This will tentatively be a joint committee between Health and Human Services and Children with Disabilities Education Board.

Adjournment – **On motion and second by Citizen Representative Wagie-Troemel and Supervisor Schaefer, Chair Grant adjourned the Health and Human Services meeting at approximately 1:55 p.m. Motion carried 7-0.**

---

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

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

October 20, 2010 Meeting – 1:00 p.m.

Walworth County Meeting Room 111  
Government Center – Elkhorn, Wisconsin

---

The meeting was called to order by Chairman Grant at 1:10 p.m.

Roll call – Committee members present included Chairman Grant, Supervisors Hawkins, Ingersoll, Redenius, and Schaefer. 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; Juliet Young, Health and Human Services; Bernadette Janiszewski, Lakeland Health Care Center Administrator, Lori Muzatko, Health and Human Services, Roger Zierfuss, Health and Human Services, Ety Wilberding, Health and Human Services, Sandy Wagie-Troemel, Citizen Representative Health and Human Services, Ella Eva Pious, Citizen Representative Health and Human Services, David Bretl, County Administrator, Nicole Andersen, Deputy Counsel Administrator – Finance

Public in attendance – There three member of the public present.

There were no agenda withdrawals. **Supervisor(s) Hawkins/Ingersoll moved to approve the agenda. Motion carried 5–0.**

The Lakeland Health Care Center Board of Trustees committee minutes of the September 22, 2010 meeting were approved. **Motion and second made by Supervisor(s) Hawkins/Ingersoll to approve the minutes. Motion carried 5–0.**

Public Comment – There were no comments from the public.

Unfinished Business – There were no items of unfinished business.

New Business –

*2010 Annual Survey* - Ms. Janiszewski explained that the survey started on September 22<sup>nd</sup> and went for four days. She stated that the LHCC will return to doing mock surveys to better prepare staff for this intense procedure. There were nine deficiencies in clinical and eleven regarding the building.

Supervisor Ingersoll asked if the standards have changed from previous years. Ms. Janiszewski explained that they have since the federal government is more focused on several states including Wisconsin.

Several of the deficiencies were minor items such as not totaling posted hours. Medication errors were at 13%; however the surveyors used a small batch so there were just 6 errors.

Most errors were due to staff nervousness. The goal for next year is have more relaxed and prepared for the survey. Ms. Janiszewski would like to state she is not making excuses for staff, only that the violations were minor.

Some of the findings are being disputed. For example the size of the shredding room was listed as a violation but is actually under the size limit. For the other discrepancies Ms. Janiszewski is working with the Department of Public Works to work on some of the other issues. A safety committee will also work on staff education and audits to avoid other safety issues. Ms. Janiszewski felt overall the survey process was a good learning experience. None of the discrepancies warranted a fine.

Supervisor Grant asked if these are federal regulations, why hasn't the State adopted them? Ms. Janiszewski explained it is up to the State of Wisconsin needs to make a final determination on some of these items before adopting them into law.

The vendor that installed the smoke detectors will fix those problems at their own expense.

Supervisor Grant commented on the intensity of survey. He asked what is the appeal process? Ms. Janiszewski explained the issues were submitted to the independent group for a desk review and there should be an answer by November 1<sup>st</sup>. Four of the building discrepancies are being disputed.

#### Reports –

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

Ms. Janiszewski also handed out a sheet regarding the position changes per a request from a last month's meeting.

Ms. Janiszewski also reported that the October golf outing was advertised in three papers and on one radio station.

Supervisor Grant asked if the golf outing was a success. Ms. Janiszewski stated that it was a success with a \$7,500 profit. Supervisor Grant asked if this more or less from last year's golf outing. Ms. Janiszewski stated last year the outing made a profit of \$8,300.

Correspondence – There were no correspondences.

Announcements – There were no announcements.

Next Meeting Date – The next meeting is tentatively scheduled for November 17, 2010 at 1:00 p.m.

**Adjournment – On motion and second by Supervisor(s) Hawkins/Redenius, Chair  
Grant adjourned the meeting at approximately 1:23PM. 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 Board of Supervisors**

**Public Works Committee**

**MEETING MINUTES**

**Monday, October 18, 2010**

**Walworth County Government Center, County Board Room 114**

**100 West Walworth Street, Elkhorn, Wisconsin**

---

Chair Nancy Russell called the meeting to order at 4:04 p.m.

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

Others present:

County staff: County Administrator David Bretl; Deputy County Administrator-Central Services Shane Crawford; Deputy County Administrator-Finance Nicki Andersen; Public Works Superintendent Larry Price; Purchasing Manager Peggy Watson; District Attorney Phil Koss; Captain Jay Maritz, Sheriff's Office; Linda Seemeyer, Director of Health and Human Services

Members of the public:

Margaret Downing; Paula Hocking, Walworth County Child Advocacy Center Coordinator; Mark Lyday, Director of Child Advocacy and Protection Services, Children's Hospital and Health Services

**Agenda withdrawals/approval**

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

**Supervisors Stacey and Wardle moved to approval the September 20, 2010 meeting minutes as prepared. The motion carried 5-0.**

**Public Comment period**

No one in the audience asked for recognition from the Chair in the period allotted for public comment.

**Ongoing/unfinished business**

**Update and possible action concerning Walworth County Children's Advocacy Center/occupation of space in the Government Center**

Deputy County Administrator Shane Crawford referred to the letter in the Agenda packet from Health and Human Services Director Linda Seemeyer in support of leasing space in the Government Center for the Children's Advocacy Center. District Attorney Phil Koss and Mr. Mark Lyday, Director of Child Advocacy and Protection Services, Children's Hospital and Health Services, addressed the Committee on the progress and plans for the Center. Mr. Koss distributed a list of talking points for reference. He added that the Center is supported by the Sheriff's Office, all of the regional police departments, Corporation Counsel, the Association for Prevention of Family Violence, the "SANE" program at Aurora Healthcare, Walworth County Department of Health and Human Services, and the District Attorney's office. Koss said he realizes that the Center is asking to lease county space, which is at a premium; however, the space on the second floor, west wing, south end of the Government Center is vacant and could be renovated. The group had Kehoe-Henry Architects draw preliminary plans for the space. The Center would pay for improvements as rent, plus interest. Should the Center vacate the space, everything would revert back to the County, improvements included, with no remuneration owed by the county. Even though Magill Construction has provided extensive free service to the Center in planning the space, Koss said that the construction would be bid according to County policy. Unfortunately, the initial

participant organizations in the Center have dwindled and the Center cannot justify asking for land for a building at this point. In addition, the Health and Human Services Center would regain badly needed space when personnel from the Center are relocated. The connection with Children's Hospital is quite prestigious, he said, and has proven extremely helpful and cooperative in assisting with victims. For example, Koss said, they just finished a sexual abuse trial involving children ages 4 and 6 that was initially reported in 2006 and reported again in 2009. Paula Hocking, forensic interviewer with Children's, performed all of the interviews with the involved children, was at court for the entire trial, and provided expert testimony, which greatly aided in obtaining a conviction. Supervisor Ingersoll asked if the Center was going to lease all of the space, and Crawford replied that they were asking for all of it except approximately 1,800 square feet. Chair Russell asked Administrator Bretl about the funding for the renovations. Bretl said the county needed to be careful in this process, as we haven't budgeted for it, it has to be bid publicly, and acceptable lease terms would have to be negotiated with the county as the landlord. Bretl added that this concept has been presented and considered several times by this committee, and at this point, having a paying tenant is preferable to permanently giving up land for a building. Mark Lyday, Director of Child Advocacy and Protection Services, Children's Hospital and Health Services, stated they were optimistically hoping to open in the summer of 2011. Crawford added that preliminary project estimates were between \$250,000 and \$300,000. Supervisor Schaefer asked about funding. Deputy County Administrator-Finance Nicki Andersen replied that the funding source couldn't be from tax exempt bonds, as bonding is an issue with the county as landlord. Most likely, the general fund would have to be used. **The draft lease will be presented at the next regularly scheduled committee meeting.**

#### **Discussion/possible action concerning "Welcome to Walworth County" signs**

Public Works Superintendent Larry Price presented pictures of the "Walworth County" signs. He found and removed one other sign that still had the zoning statement. He noted that some other counties still had the zoning appendage on their signs. There are 17 signs on state highways, 16 on county roadways, and two in the City of Whitewater (which they maintain). Waukesha and Racine Counties have similar signage, and he showed a sign for McHenry County, Illinois, that was crowded with other signage. The County green standard signs meet State highway requirements. Supervisor Schaefer stated that street signs are going to be required to be uniform in the near future. Crawford said that the uniform sign issue is an agenda topic for the October 26 Intergovernmental Cooperation Council meeting. Price added that four of our signs were faded and have been replaced. Price said that if the Committee wished to erect more elaborate signs on state roadways, we probably would have to rent space from a private owner, off state right-of-way. **Discussion ensued, the Chair polled the members, and they concurred that the regulation green "Walworth County" signs are sufficient.**

#### **Regular Business**

##### **Sheriff's Office squad car replacement schedule**

Administrator Bretl said the question of the 12 month replacement of marked squads was raised during the CIP approval process. He directed attention to his memo which was included with the Agenda packets; in which he offered some points for consideration by the Committee. He reminded committee members that they set the policy, and stated that this is an important issue, as the squad cars are an integral part of the Sheriff's operations. Capt. Jay Maritz of the Sheriff's Office said first of all, the mileage on the marked squads the committee looked during the CIP review was not representative of the average miles per year put on the squads because the prior year squads were ordered late in the year and didn't have a full 12 months of use. As a result, the older squads deputies were driving before delivery of the 2009 squads were beginning to have a lot of costly maintenance issues. Marked squads typically have 105,000 – 120,000 miles when they are sent to auction. Unmarked squads are kept multiple years, and are typically traded in on the basis of age as opposed to mileage. Maritz and staff meet with Public Works mechanics annually and review the equipment maintenance records to see which unmarked squads need replacement. The 18-month replacement proposal was discussed, and Maritz questioned the effectiveness of such a schedule and compatibility with manufacturer and dealer schedules. In addition,

with the amount of use and wear on the vehicles, when the mileage on the marked squads approaches 100,000, there typically are costly problems with transmissions and exhaust systems. Maritz said if the committee wished, they could use a marked squad for 18 months as a pilot project to see how the vehicle held up, document repairs, etc. He said that some other counties assign deputies a take-home squad. Typically those take-home vehicles are better taken care of, and since they're only driven one shift per day, they are in service much longer. The Sheriff's Office has looked into this practice; however, the downside is the one-time huge expenditure to implement it. Supervisor Stacey asked if there are warranties that can be purchased for 200,000 miles. Maritz replied that costs would probably escalate, but that he would investigate this with Purchasing staff. Maritz said the Michigan State Police perform a study every year on the new law enforcement vehicles. He added that 2012 will be a turning point to see what Ford does with the body size on the new vehicles, as it may affect our light bars, cages, etc. Supervisor Wardle suggested using at least two marked squads as pilots for an 18-month schedule. He said that the test vehicles would have to be "overhauled" as needed because of the mileage to remain safe, and suggested that money could be set aside up front to accomplish that. Discussion ensued. Bretl said as the squad replacements are an annual expense, it is good to spend time to investigate this in depth and consider other options. The take-home vehicle option is a valid point to ponder, he added. **The Chair polled committee members, and committee consensus was to defer a decision on the squad car replacement schedule until the 2012 cycle.**

### **Report on Public Works Department restructure**

Crawford said that his memo outlining his proposed changes in positions in the Public Works Department was in the packets. The Business Office Manager has left for other employment, and he proposes not to re-fill that position, but to merge those duties with the duties of the Purchasing Manager. Peggy Watson, the Purchasing Manager, has been with the county for many years, formerly in the Finance Department, and he is confident she can handle the responsibilities of both jobs, with assistance from his experienced staff. One of the Assistant Superintendents-Highway Division announced his retirement, and Crawford asked to re-fill that position. Even though the department's workforce numbers are down, he said his proactive management team has helped compensate with contracted labor. He would like to re-fill the Assistant Superintendent from within the department crew and subsequently eliminate the position vacated by the person posting for the Assistant Superintendent job. Next, Crawford said he plans on changing Larry Price's position from Superintendent to Director of Operations. As Director of Operations, all superintendents would report directly to Price. Price has managed both Facilities and Highway operations in the past. Crawford proposes to promote Nick Cramer from Buyer to Senior Buyer. Cramer is an excellent employee, Crawford said, and giving him more responsibility will assist Peggy Watson with her workload. The last portion of the restructure is to change a Clerk IV position to Accounting Assistant. The purpose of this is to transfer that position from the union to allow the employee to perform payroll duties and work on confidential matters with the Public Works Office/Purchasing Manager. As a result of the reorganization, the proposed cost savings in 2011 will be approximately \$138,000 next year, and \$12,375 through the end of this year. He asked that \$40,000 of the savings be set aside for future contracted services. He proposed the savings be used to reduce the road construction bond amount by \$100,000. There was also discussion about using the savings to offset the tax levy, which Bretl said could be discussed and/or changed at the November 1 budget hearing. Crawford reported that approval of the reorganization would be decided at the Human Resources Committee on Wednesday, the 20th. Supervisor Schaefer expressed concern that Peggy Watson would be properly compensated for her additional duties. Chair Russell commented that Watson was transferred from a position in Finance to Purchasing and her wages weren't cut at that time. Deputy County Administrator-Finance Nicki Andersen commented that Watson is currently in the M9 pay range in the pay for performance plan and that the Business Office Manager position was a lower pay range, an M6 or M7. Supervisor Ingersoll concurred with Schaefer, stating that she asked the same question regarding Watson's compensation for additional responsibility. Supervisor Stacey expressed concern that the Public Works Department not end up understaffed, in either the crew or the office/administration sectors. Crawford said he has a contingency plan in place to proactively deal with workforce shortages. As there

is no guarantee on future State funding, he is in favor of potentially contracting work out as needed. In reply to the Chair's concern about not having enough labor to clear the roads in the winter, Crawford replied that he has a list of supplemental drivers from Mann Brothers, and that he has developed a prequalified list of limited term employees to use as well. **Crawford said he would put the plan for winter operations on the next regular meeting agenda for discussion. Supervisors Stacey and Wardle moved to approve the Public Works Department restructure plan. The motion carried 5-0.**

#### **Change order requests**

##### **Government Center thermal curtain wall project - GC-CW-006, \$1,935**

This is for the purchase and installation of 6 additional panels over two doors, which were not originally included in the project. The contractor damaged some flashing, but credited the county \$500.

##### **Cold Storage Conversion project – CS-TN-001, \$-0- net impact.**

This is to deduct the allowance for the sewer ejector pump, originally priced at \$9,000, which was not required because of site conditions. The final building grade determined a drainage system design at \$5,850, and cost for the adjusted grades was \$1,350, so the net cost was zero.

**No formal action is required on the change orders, as they are under the \$5,000 approval threshold.**

#### **Next regularly scheduled Public Works Committee meeting dates and times:**

**Special committee meeting Monday, November 1, 2010 at 5:15 p.m. Regular committee meeting Monday, November 15 at 4:00 p.m.**

#### **Adjournment**

**Supervisors Stacey and Schaefer moved adjournment. The motion carried 5-0 and the meeting adjourned at 5:45 p.m.**

Minutes recorded by Becky Bechtel, Public Works Department

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

Walworth County Land Conservation Committee

MINUTES

DRAFT

Monday, October 18, 2010 at 1:30 p.m.

Walworth County Board Room 114  
Elkhorn, WI 53121

---

The meeting was called to order by LCC Chair Kilkenny at 1:32 p.m.

Roll call - Committee members present included: Supervisors Kilkenny, Grant, and Citizen Member Burwell. A quorum was declared. Hawkins and Henningfeld were excused.

County staff present – David Bretl, County Administrator; Michael Cotter, Director of Land Use & Resource Management (LURM); Louise Olson, Deputy Director, LURM; Fay Amerson, Urban Manager, LURM; Olson, Recording Secretary.

Also in attendance –. Nancy Russell, Walworth County Board Chair, David Terrall, USDA/APHIS, Shirley Grant and Maggie Zoellner, KMLT.

Approval of the Agenda – Supervisors Grant and Burwell moved and seconded approval of the agenda. **Motion carried 3-0.**

Approval of the Minutes – Citizen Member Burwell and Supervisor Grant moved and seconded approval of the September 20, 2010 LCC meeting minutes as presented. **Motion carried 3-0.**

Public Comment – None

Crop Prices determined for Wildlife Abatement Claims - David Terrall, USDA/APHIS distributed 2010 Crop Prices for Walworth County. Walworth County price proposal were based on state averages and for claims on wildlife damage. Supervisor Grant wondered about apple orchards, those are usually handled through fencing paid for are separate issues as explained not addressed through the claim process. Burwell amended the damaged price proposal for the following: corn price from \$3.48/Bushel to \$4.00; soybean price from \$9.11/Bushel to \$11.00; thus leaving the remaining prices as set forth as submitted by USDA/APHIS. **Citizen Member Burwell and Grant moved and seconded as amended. Motion carried 3-0.**

A copy is on file.

Price County Resolution No. 37-10- Supporting the Legislative Council Study on Managed Forest Land Program; referred from the Walworth County Board of Supervisors – Forest land not being taxed to cover costs of county and educational services and that should be studied further for fairness related to taxation. **Supervisors Burwell and Grant moved and seconded to support this resolution to study these concerns. A resolution will be forwarded onto the County Board of Supervisors. Motion carried 3-0.**

2010 WLWCA Annual Conference Business Meeting Registration and Proxy Form - Louise Olson indicated that the conference begins on December 9 and end on the 10<sup>th</sup> of 2010, with registration deadline being November 5, 2010. Dorothy Burwell, as representative, would be required to obtain approval from the Land Conservation Committee, Chair to submit a voting proxy. **Supervisors Grant and Kilkenny delegated authority for a voting proxy to be submitted to the WLWCA Board. Motion carried. A copy will be submitted to WLWCA prior to December 9-10 Conference. Motion carried 3-0.** Silent Auction items for this conference can be obtained and given to Dorothy Burwell as LCC representative.

WLWCA Recommended Bylaw Amendments - Supervisor Burwell review some of the WLWCA amendments as highlighted in the packet, making note of the fact the County that hosts the Conservation Farmer of the Year and Conservation Observance Day will have their dues waived for that year. **Supervisors Burwell and Grant moved to support these Bylaw Amendments. Motion carried 3-0.**

Farmland Preservation Plan Update - Fay Amerson updated the committee on the plan status and provided additional statistics that need to be considered as part of the plan context. The information was provided through "*The Land Use Tracker*", *Volume 10, Issue 2, Fall 2010*. Ms. Amerson will follow up how these statistics were obtained. The NEW Farmland Preservation Plan will include agriculture supportive industries and specialty crops. Several training sessions are scheduled throughout the state, staff will be attending the Jefferson session to insure the county's farmland preservation plan is on the right track. Supervisors were given a listing of date, time and place of the various training locations. A copy is on file.

Next Meeting Date – Monday, November 15, 2010, 1:30 p.m.

Adjournment – **On motion and second by Supervisor Grant and Burwell, Chair Kilkenny adjourned the meeting at 2:01 p.m. Motion carried 3-0.**

---

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

**Walworth County Board of Adjustment**

**MINUTES**

October 13, 2010 - Hearing – 9:00 AM

October 14, 2010 – Meeting – 9:00 AM

County Board Room

Government Center – Elkhorn, Wisconsin

---

A hearing and decision meeting of the Walworth County Board of Adjustment was held on October 13 & 14, 2010, in the County Board Room of the Government Center in Elkhorn, Wisconsin. Those present on October 13, 2010, were Chair John Roth, Vice-Chair Mark Bromley and Secretary Ann Seaver. Deb Grube, Senior Zoning Officer, and Wendy Boettcher, recording secretary of the Land Use & Resource Management Department were in attendance. Those present on October 14, 2010, were Chair John Roth, Vice-Chair Mark Bromley and Secretary Ann Seaver. Deb Grube, Senior Zoning Officer, and Wendy Boettcher, recording secretary of the Land Use & Resource Management Department were in attendance.

The October 13, 2010, hearing was called to order by Chair John Roth at 9:00 A.M. Wendy Boettcher conducted roll call and verified that there was a quorum. Those present were same as listed above. **Ann Seaver motioned to approve the agenda as printed. Seconded by Mark Bromley. Motion carried. 3-favor, 0-oppose. Mark Bromley motioned to approve the September 8 & 9, 2010, Minutes and dispense with the reading. Seconded by Ann Seaver. Motion carried. 3-favor, 0-oppose. After testimony of all cases, Mark Bromley motioned to recess until 9:00 A.M. on Thursday, October 14, 2010, in order to view the properties in question. Seconded by Ann Seaver. Motion carried. 3-favor, 0-oppose.** The October 13, 2010, hearing went into recess at approximately 10:41 A.M.

On October 14, 2010, at 9:00 A.M., Chair John Roth called the decision meeting to order. Wendy Boettcher conducted roll call and verified that there was a quorum. Those present were same as listed above. **Ann Seaver motioned to approve the agenda as printed. Seconded by Mark Bromley. Motion carried. 3-favor, 0-oppose. After the decisions were completed, Mark Bromley motioned to adjourn until the November 10, 2010, hearing at 9:00 A.M. Seconded by John Roth. Motion carried. 3-favor, 0-oppose.** The October 14, 2010, decision meeting adjourned at approximately 9:20 A.M.

Three variance hearings were scheduled and details of the October 13, 2010, hearings and the October 14, 2010, decisions are on a recorded disc which is on file and available to the public upon request.

**New Business – Variance Petitions**

Disc #1 Hearing - Count #9:04:18 – 9:15:38 / Disc #2 Decision – Count #9:01:08 – 9:04:09  
**The First Hearing** was Sandra R. Hamilton Trust & Sandra R. Hamilton, Trustee, owners / Sandra R. Hamilton, applicant – Section(s) 36 – La Grange Township

Applicants are requesting a variance from Section(s) 74-167 / 74-181 / 74-221 / 74-232 of Walworth County's Code of Ordinances – Shoreland Zoning to permit the location of a deck.

**REQUIRED BY ORDINANCE:** The Ordinance requires a 64.15' shore yard setback (average).

**VARIANCE REQUEST:** The applicants are requesting a 56.7' shore yard setback. The request is a variance from Section(s) 74-167 / 74-181 / 74-221 / 74-232 of Walworth County's Code of Ordinances – Shoreland Zoning to permit the location of a deck.

**BOARD OF ADJUSTMENT DECISION:** The Walworth County Board of Adjustment, during the meeting on October 13 & 14, 2010, for the petition of Sandra R. Hamilton Trust & Sandra R. Hamilton, Trustee, owners / Sandra R. Hamilton, applicant, voted to **APPROVE** the request for a 56.7' shore yard setback to permit the location of a deck.

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

**BOARD OF ADJUSTMENT FINDINGS:** The Board found the fact that the deck has existed since the early 1970's to be a unique property limitation. The Board found the deck to be the same size as the 1971 zoning permit indicated. The Board found hardship in the change in the zoning ordinance requirements and measurement techniques since 1971. The Board found to require the owner to remove the deck would be unnecessarily burdensome. The Board found to approve the variance request would cause no harm to public interests as the owner is not proposing any change in size or configuration of the deck. There was one letter of support from the Town of La Grange. There was no opposition.

Disc #1 Hearing – Count #9:15:39 – 9:52:50 / Disc #2 Decisions – Count #9:04:10 – 9:11:47  
The Second Hearing was Linda D. Friedman, owner – Section(s) 35 – La Grange Township

**REQUIRED BY ORDINANCE:** The Ordinance requires all structures to maintain a 75' shore yard setback.

**VARIANCE REQUEST:** The applicant is requesting a patio with an 11.7' shore yard setback. The request is a variance from Section(s) 74-167 / 74-181 / 74-221 of Walworth County's Code of Ordinances – Shoreland Zoning to permit the location of a patio in the shore yard.

**BOARD OF ADJUSTMENT DECISION:** The Walworth County Board of Adjustment, during the meeting on October 13 & 14, 2010, for the petition of Linda D. Friedman, owner, voted to **DENY** the request for an 11.7' shore yard setback to permit the location of a patio in the shore yard.

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

**BOARD OF ADJUSTMENT FINDINGS:** The Board found the property owner did not prove exceptional or unique circumstances to the property not generally found on other neighboring

properties rather than considerations personal to the property owner. The Board found no unnecessary hardship as the patio was constructed without Walworth County permit review and approval. The Board found the patio to be a structure by definition of the zoning ordinance and the ordinance does not permit structures within 75' of the shore yard. The Board found no visible signs the patio was necessary to prevent runoff. The Board found the owner can work with Zoning and Land Conservation staff to find code compliant solutions to minimize surface runoff. The Board found to approve the variance request would undermine the purpose and intent of the zoning ordinance and would set a precedent. The Board found the variance request did not meet the criteria necessary for approval. There was one letter of support from a neighboring property owner. A neighboring property owner spoke in support. There was a letter of opposition from the Walworth County Land Conservation Department.

Disc #1 Hearing – Count #9:52:51 – 10:37:11 / Disc #2 Decisions – Count #9:11:48 – 9:16:37  
The Third Hearing was Lynn M. Lein, owner / Attorney Anthony A. Coletti of Sweet & Maier & Coletti, S.C., applicant – Section(s) 16 – Spring Prairie Township

**REQUIRED BY ORDINANCE:** The Ordinance permits the separation of farm structures from farmland provided the parcel is not less than 40,000 square feet in lot area nor greater than the larger of either 5 acres or acreage necessary to maintain the minimum setbacks.

**VARIANCE REQUEST:** The applicants are requesting to permit a farm separation parcel to exceed the minimums for a total parcel size of approximately 7 acres. The request is a variance from Section(s) 74-51 of Walworth County's Code of Ordinances – Zoning to add lands to a farm separation parcel.

**BOARD OF ADJUSTMENT DECISION:** The Walworth County Board of Adjustment, during the meeting on October 13 & 14, 2010, for the petition of Lynn M. Lein, owner / Attorney Anthony A. Coletti of Sweet, Maier & Coletti, S.C., applicant, voted to **APPROVE** the request to add lands to a farm separation parcel which would permit a farm separation parcel to exceed the minimums for a total parcel size of approximately 7 acres.

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

**BOARD OF ADJUSTMENT FINDINGS:** The Board found the original farm separation that created the unusual configuration of the parcel is a unique property limitation. The Board found to deny the variance request would unreasonably prevent the property owner from using the property for a permitted purpose. The Board found to deny the variance request would cause unnecessary hardship in requiring the owner to relocate the existing hog operation to allow for placement of the proposed chicken structure. The Board found the application and conformity with the zoning requirements is unnecessarily burdensome. The Board found to approve the variance request would accommodate the Town of Spring Prairie's smart growth plan and cause no harm to public interests. The Board found the variance request did meet the criteria necessary for approval. The Chairman and a Supervisor of Spring Prairie Township, and a neighboring

property owner spoke in support. There was no opposition.

**Other**

- A. Mark Bromley announced his resignation from the Board of Adjustment effective December 1, 2010. Mark has accepted employment as an Assistant Attorney General for the State of Wisconsin.
- B. The change in start time for the Board of Adjustment hearings / meetings, as moved at last months meeting, from 9:00 A.M. to 8:00 A.M. effective January 2011 has been posted on the County website.
- C. Reimbursement for Board of Adjustment alternate members who attend the hearings / meetings may be considered.

**Staff Reports**

- A. Court cases update
  - 1. None
- B. Distribution of reports, handouts and correspondence
  - 1. None

**Proposed discussion for next agenda**

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

- A. Court cases update
- B. 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 Human Resources Committee**

**MINUTES**

September 22, 2010 – 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 and Dave Weber; David Bretl, County Administrator; Suzi Hagstrom, Labor/Employee Relations Director; Nicki Andersen, Deputy County Administrator – Finance; Dale Wilson, Payroll/Benefits Manager; Kurt Picknell, Undersheriff; David Graves, Sheriff; Linda Seemeyer, LHCC Superintendent/HHS Director; Bernie Janiszewski, LHCC Administrator; Liz Aldred, Deputy HHS Director; Stacie Johnson, Budget Analyst; John Orr, Information Technology Director; Shane Crawford, Deputy County Administrator – Central Services; Scott McClory, Captain; Dave Gerber, Lieutenant; Tracy Moate, Director of Special Education; Sheila Reiff, Clerk of Courts; Jessica Lanser, Comptroller; Kathy Du Bois, Treasurer; Ann Weber, Deputy Treasurer; Jay Maritz, Captain; Chris Jordan, Veterans Service Officer; Rich Colbert, Applications Supervisor; Kevin Williams, Captain; Mark Vetter, Buelow Vetter.

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

Approval of the August 18, 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.

Discussion and possible action regarding audit findings (employee handbook). Hagstrom explained that the committee had discussed what information is distributed to employees at orientation. The packet included the script of what HR staff says during orientation. The packet also included a mock-up of what we could post on the department's webpage to help employees locate information. Vice Chairperson Grant had a question on random drug testing. He questioned whether the employee should be made aware that if they are in an accident, they will be sent for a drug test as soon as possible. Hagstrom stated that language is in the ordinance explaining that, but it could certainly be added to the

*DRAFT*

orientation information as well. Vice Chairperson Grant felt that it should be included. Hagstrom clarified that orientation takes place in person with one of the HR Assistants, usually in the conference room in the County Board suite. Once HR finishes with their portion of orientation, staff walks the new employee(s) down to Finance for their portion of the orientation. Vice Chairperson Grant commented that the information was very thorough. Hagstrom stated that if the mock-up of the webpage looked okay, it could be put out on the web. Andersen asked about putting links to the administrative procedures on the page. Hagstrom stated that the administrative procedures could be added on the page as well.

**Vice Chairperson Grant and Supervisor Brandl moved and seconded approving the employee resources page in lieu of an actual employee handbook. The motion carried 5 – 0.**

Hagstrom asked for approval of the calendar for reviewing all of Chapter 15.

**Vice Chairperson Grant moved and Supervisor Wardle seconded approving the calendar for reviewing Chapter 15. The motion carried 5 – 0.**

Personnel appeals to administrator's budget. Bretl explained that this item pertains to the 2011 budget. Hagstrom stated that with the 2010 budget, many of the special education aide positions were eliminated effective August 1<sup>st</sup>. This was due to those positions transitioning to the district. There was one student who had been at a school in the district who moved to Lakeland School for the 2009-2010 school year, and the student's aide came with the student. That one special education aide position should not have been transitioned out to the district because of this. The aide is currently working with the student at Lakeland School, so we have an unauthorized FTE. Vice Chairperson Grant questioned whether or not it was certain that the student would be staying at Lakeland School. Moate stated that they were fairly certain that the student would remain at Lakeland School, but if the student were to move to the district, the aide would go with the student.

**Vice Chairperson Grant and Chairperson Ingersoll moved and seconded approving the personnel appeal related to the Special Education Aide position. The motion carried 5 – 0.**

Ordinance Amendment Creating Section 15-18 of the Walworth County Code of Ordinances Relating to Overfilling of Authorized FTEs. Bretl suggested that the committee wait to discuss this item until after discussing the un-freezing of positions. He added that he is supportive of this amendment. Bretl suggested deferring items b, c, e and f until after item 9.

*DRAFT*

**Supervisors Wardle and Redenius moved and seconded moving items b, c, e and f to after item 9. The motion carried 5 – 0.**

Discussion and possible action regarding staffing in the Veteran's Services Office. (This item was discussed as part of the "frozen" position discussion).

Update and discussion on staffing at Public Works. Crawford explained that he will be presenting a small reorganization at next month's meeting. Sandy Kulik, the Public Works Office Manager, recently took another position outside of the county. Crawford is not going to refill that position yet. Right now, he would like re-distribute the office manager duties to other staff. Essentially, Crawford, Peggy Watson and Larry Price will take over the duties. Crawford is confident in their abilities to take on these additional tasks. Watson previously worked in the Finance Department and worked with budgeting. Chairperson Ingersoll questioned whether or not a reclassification would be necessary. Crawford will work with Hagstrom on that. Price's position may need a reclassification. Also, they may need to upgrade an employee in the purchasing department. Crawford is hoping to bring a proposal back next month.

**The committee did not take any action on this item**

Amending Section 15-17 of the Walworth County Code of Ordinances Relating to Relating to Elimination and Creation of Positions in the Information Technology Department. (This item was discussed as part of the "frozen" position discussion).

Amending Section 15-17 of the Walworth County Code of Ordinances Relating to a Special Education Aide Position at CDEB. Moate explained that this item goes back to what the committee had voted on earlier in terms of personnel appeals. The Committee had voted to put one special education aide position back in the 2011 budget. However, we need to amend 15-17 to put that position back in the ordinances as of August 1, 2010.

**Vice Chairperson Grant and Chairperson Ingersoll moved and seconded approving the amendment to 15-17 relating to the Special Education Aide position at CDEB. 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. Dave distributed a memo about the hiring freeze. He explained that shortly after he started with the county, he had asked for the ability to implement a hiring freeze. This is something that the county needs to start taking a look at. Even before the recent recession, there was animosity toward public employees due to pay and benefits. Take, for example, when we

*DRAFT*

had a van driver vacancy and went out for bid to refill the position. In wages and benefits, we were paying van drivers nearly \$70,000 per year. The bids came back at half that cost. The county board gets blamed for the high cost of labor, but that anger is misplaced. Unlike with the van drivers, there are certain job classifications that you cannot contract out, like correctional officers for example. This is a long-range issue, and Bretl is concerned about 2012 and beyond. The operating rate is 6-8%, and no one thinks a 6-8% levy increase would be a good idea. In the course of the budget cycle, between August and November, we could eliminate positions or put positions at risk, but we already have fewer positions left in the county. We can outsource work if we don't layoff employees to do so. We recently outsourced food service at the jail. There had been 6.5 employees providing that service. Those employees were union employees, so they could not simply be let go, so they were moved to other positions in the county. Many of those people are still here working as janitors, etc. There are simply some instances when you have to have a public sector version of an employee. Bretl went over a matrix he had put together as a tool in deciding whether or not a position should be unfrozen. One question was how we compare to other counties in terms of how we provide service. Bretl urged the committee to be consistent. He stated that they may develop their own criteria if they wish. He urged the committee to get the information they need and not to hesitate to hold a decision. The matrix Bretl provided covered four broad categories for refilling positions. The committee needs to answer questions like: what flexibility do we have? Can we eliminate the position? (Non-represented positions are easier to eliminate). What is the turnover in the department? Is it a large department? How easy would it be for us to move an employee to another department or position? If I was running a business, would hiring someone impact my bottom line? Would you hire someone or do something else? Is there an alternative to hiring a public employee? (Bretl pointed out that sometimes, there is a penalty for leaving a position vacant). Has the department tried operating without the position? What happens if the position is not filled?

- Veteran's Office. Jordan explained that the Veteran's Office is a two-person office (the Veteran's Service Officer and an Administrative Secretary). The current administrative secretary is retiring after 17 years. Jordan would definitely be looking to have the position refilled. They will need to get the new person up to speed because when Jordan is gone, that person runs the office. The employee will need to have a broad knowledge of all of the programs the office offers. Longevity in the position has been a key to stability. It takes a long time for someone to feel comfortable sitting at the front desk alone. As far as staffing in other counties, the northern counties usually have a two-person office also. However, those counties may also have only half of the veterans that Walworth County has. Bretl explained that one of the reasons for the

*DRAFT*

request for overfilling the position was that it would be the most efficient way to do it. With the exception of the lunch hour, two people keep the doors open all of the time. The incumbent is very dedicated to what she does. It will take some time for the new person to learn the ropes, so some overlap is desirable. Jordan is requesting that the committee approve the unfreezing of the position and the overlapping for the new person to come in and be trained. October 18<sup>th</sup> would be the earliest the position would be filled. The incumbent is leaving January 7<sup>th</sup>. Vice Chairperson Grant asked if that would allow enough time to teach the new employee. Jordan said no, but it was the best shot they have. Supervisor Wardle questioned if the vacancy had to be filled as a union position. Bretl said yes; if a position doesn't fall in the category to be a non-represented position, then it has to be a union position. Vice Chairperson Grant asked if that was the case with this position even though they would handle confidential records. Bretl clarified that confidential in the sense of a union versus non-union position meant that the person would have access to labor relations strategies. **Vice Chairperson Grant and Supervisor Wardle moved and seconded unfreezing the administrative secretary II position in the veteran's office and allowing for the overstaffing of the position (this includes approval of the Amendment Creating Section 15-18 of the Walworth County Code of Ordinances Relating to Overfilling of Authorized FTEs). The motion carried 5 – 0.**

- Information Technology Department. Orr explained that over the years, IT has been the department responsible for essentially the entire computer infrastructure for the county. The department went from a department who created their own software to a department who purchased software and brought it in. In doing this, the support needs have changed over time from having programmers on staff who write systems to having people who are integrators. Orr was looking at ways to restructure the department. He looked at the analyst – programmer position to determine how the department is going to support the environment as we move into the future. Orr is proposing to eliminate one analyst – programmer position and create one application development/support specialist. This position would assist the advanced team in the integration of software. This change would result in a cost savings both for the remainder of this year and for next year as well. Orr is continuing to look at the organization and how we can support the technical environment better. We need to look at what it will take to support department needs. Bretl added that the department currently outsources, but the outsourcing is much more expensive. Orr added that the department uses outsourcing to

*DRAFT*

help with certain needs. The main problem with outsourcing is that you hire someone who can do the job well, but then they leave, and their knowledge goes with them. In response to whether or not this position could be outsourced, Orr stated that it could absolutely be outsourced, but it would cost significantly more. He added that it takes two years to bring someone up to speed on applications. Vice Chairperson Grant asked about contracting services. Orr explained that they would contract with a company, and they might send a different person each time the county needs someone. They are not guaranteed one particular person for the duration of the contract. It was pointed out that as departments reduce positions, they call on IT more and more to support them. **Vice Chairperson Grant and Supervisor Wardle moved and seconded approving the request.** Hagstrom added that the elimination and creation was included in the 2011 budget, but they are requesting to do this now. **Vice Chairperson Grant clarified that his motion was to approve of restructuring the position and unfreezing it so that it can be filled.** Supervisor Russell suggested recommendation of this position because people in the IT department have to have knowledge of all of the other county departments and their terminology. We wouldn't get this sort of knowledge if we brought in contracted employees. Chairperson Ingersoll asked about GIS. Orr explained that GIS is the county's interactive mapping system. Many of our comparable counties don't have GIS included in their IT departments. Supervisor Wardle asked what would happen if the position was not filled at all. Orr explained that the position is responsible for the creation of applications and the integration of systems. Every system we bring in requires individuals to support those systems. Without this position, those systems would suffer. The department wouldn't be able to respond quickly to problems with systems. Seemeyer added that the HHS department has been in the process of implementing a medical records billing system. The department had bought the system, but they need IT's help to make it work for them. She doesn't know what they would do without IT. Technology is the key for us all working better and smarter. Picknell added that IT has done a great deal for the Sheriff's Office as well. The Sheriff's Office is working on a new records management system, and IT has been a very integral part of that. Andersen added that technology is a way to reduce staffing overall. Chairperson Ingersoll stated that she could see how this would affect the county's bottom line. **The motion to unfreeze and restructure carried 5 - 0.**

*DRAFT*

- Sheriff's Office. The sheriff distributed a staffing study that had been performed by Northwestern University in 2006. The study had recommended that the Sheriff's Office hire 22 people. Instead, they have done other things to rearrange/reorganize the department and get more deputies on the road. Picknell stated that some of the positions they were looking to unfreeze are anticipated vacancies. Picknell explained that one of the lieutenant positions is currently open. **Vice Chairperson Grant and Supervisor Redenius moved and seconded unfreezing and refilling the vacant lieutenant position.** Picknell stated that Lieutenant Kevin Williams had been promoted to captain as of August 30<sup>th</sup>, leaving the emergency management position vacant. As of right now, Captain Williams has been learning his new job while also continuing to handle the duties of the emergency management director. Captain Jay Maritz has also been doing double duty. The emergency management position is state mandated, but the rank of the employee holding that position is not. Vice Chairperson Grant pointed out that while this means a patrolman could be the emergency management director, when an emergency comes along, it may be best not to have a patrolman telling the captains and lieutenants what to do. Picknell added that there is lots of overtime with this position, and because patrolmen are union members, you would be paying out that overtime. Bretl added that they could have a civilian employee as the Emergency Management Director. In any case, Captain Williams would be supervising the new position. Picknell stated that the Sheriff's Office accepted this position when it moved from HHS in 2002. It had previously been held by a civilian employee. The Sheriff stated that these are all sworn positions and questioned how Act 28 comes into play. Bretl explained that Act 28 has to do with the maintenance of effort based on tax levy dollars. This means that the county must levy as much in 2011 as we did in 2010 for emergency services. If the county decides to eliminate enough positions, this could become an issue. Vice Chairperson Grant questioned whether or not one lieutenant could take on both the lieutenant duties for the one position and the emergency management duties for the other position. The Sheriff did not think it would be possible for one person to take on both roles. Captain Williams explained that when emergency management came over to the Sheriff's Office, there had been more than one health and human services employee handling the duties. Most of our comparables have double staffing at least for emergency management. With homeland security grants, Captain Williams has helped to bring in over \$12 million to the county. The Sheriff added that in the past, there had been clerical assistance for this position, but now, the emergency management director uses staff from the

*DRAFT*

Sheriff's Office when necessary. Captain Williams handles most of the clerical duties himself. The emergency management position is funded in part (about 50%) by grants, and the state has been increasing this funding. There is no indication that the state is looking to eliminate this funding. Captain Williams added that the grant funding covers things like training and travel. **Vice Chairperson Grant's motion to unfreeze and refill the vacant lieutenant position carried 5 – 0.**

Chairperson Ingersoll requested that the committee discuss the patrol positions next. **Supervisors Brandl and Redenius moved and seconded unfreezing and refilling two deputy positions.** Picknell explained that one of the vacancies was due to a promotion from patrol to lieutenant. The other vacancy was due to a retirement. Hagstrom clarified that one of those positions is still technically filled and is not vacant just yet. They are waiting to hear back from the state on the retirement. Vice Chairperson Grant clarified that they would then need approval for one of the positions now and approval of the second one once the retiring employee is no longer on the payroll. Chairperson Ingersoll asked where the county is at in terms of percentage of population increase. The Sheriff stated that they go by calls for service, not population. The department looks at what they are called to do. The Sheriff's Office has set goals regarding how many minutes it takes them to respond to a call. The Sheriff added that he has been doing this for 38 years, and this is the busiest year he has ever experienced. Picknell referenced the 2006 staffing study which suggested adding seven deputies. Supervisor Wardle asked how many deputies would be on at one time during a 24-hour cycle. Captain McClory explained that there are shift minimums (set by the Sheriff), and they depend on the day, the shift, and the calls for service. On Friday and Saturday night, there are eight people on second shift, six or seven on third shift, and eight on day shift. Picknell stated that the patrol division has 52 slots. There are 2 sergeants each shift and 45 deputies on patrol. If the two deputy positions aren't filled, that will leave them with 43 deputies. Chairperson Ingersoll asked what the office had in 2006. The Sheriff said that they have the same amount as now. They haven't added a patrolman in a long time. Supervisor Brandl asked how much overtime has been put in. Staff did not have those figures. **Vice Chairperson Grant stated that based on his past experience and knowledge of how things work, he would move that the positions be approved and refilled with the exception of not refilling the second position until the retiree is off the payroll. Supervisor Redenius seconded Vice Chairperson Grant's motion.** Supervisor Wardle feels

*DRAFT*

that the response time and service we have is exceptional. He stated that the question is, as we go forward, what level of service can we afford continuously? The Sheriff doesn't ever want to get to a place where it takes two hours to get to a call. The level of service we provide is good, and we want to keep it that way. Chairperson Ingersoll clarified that the patrolman is an entry level position. The Sheriff said yes. Chairperson Ingersoll pointed out that this could mean that they hire someone at 22 years old, and that person might stay with the county for many years. Captain McClory stated that the position costs \$97,000 with benefits. This does not include overtime. Picknell added that when you talk about response time and staffing, another component is officer safety. Many times, calls might need two officers. Since deputies ride alone, this would require two squad cars to answer the call. However, not all calls require two deputies. Bretl pointed out that there is heavy turnover with deputies, so these positions could be refilled and there might still be retirements later. Captain McClory added that if they need eight deputies tomorrow morning, and only six are scheduled, they have to call in two and pay overtime. Chairperson Ingersoll and Supervisor Wardle would like to see the overtime amounts for patrol. **The motion to unfreeze the patrol positions carried 3 – 2. (Supervisors Brandl and Wardle opposed).**

Communications officer. **Vice Chairperson Grant and Chairperson Ingersoll moved and seconded unfreezing and refilling the vacant communication officer position.** Captain Jay Maritz is retiring in January and is training Captain Williams. Vice Chairperson Grant asked what happens if the communication officer position doesn't get filled. Captain Maritz explained that there is a vacancy on third shift currently. Dispatchers are doing some triage right now on calls. They need to have a minimum of three dispatchers on each of the three shifts. The current vacancy is due to an employee being terminated after failing to complete the training. Chairperson Ingersoll questioned how the three-person minimum is met if one person is gone on a shift. She asked if overtime is utilized. Captain Maritz explained that there are 18 communication officers total, and right now, there are only five people total on third shift. Those five people work a rotating schedule. When the schedule gets to the three-day cycle, only two of the five dispatchers are actually working, which creates almost automatic overtime. Captain Maritz may have to deny someone vacation to ensure that three people are on third, or he may have to fill with overtime. Chairperson Ingersoll asked about Emergency Medical Dispatch. Captain Maritz explained that this is something that is becoming more recommended. Many of our surrounding counties already

*DRAFT*

do this. Dodge County has been doing this for years. Captain Maritz explained that currently, if you call 911 because your child is not breathing, the dispatcher is only allowed to tell you to stand there and wait, and they will send an ambulance. Dispatchers are currently prohibited from telling callers what to do. With EMD, there are guide cards the dispatcher can look at to advise the person on phone. For example, the guide cards would enable a dispatcher to talk a caller through CPR. With EMD, dispatchers could provide a level of care that citizens expect. Picknell stated that the staffing study had recommended three more positions so that there were six dispatchers on each shift. The county dispatches for many municipalities. Supervisor Brandl asked how many times they are hitting overtime on third shift. Captain Maritz stated that they are hitting overtime at least two days a month, but rarely three. They have already approved vacations and things, so they are encountering additional overtime now. Supervisor Brandl asked if someone gets pulled off of first to cover overtime on third. Captain Maritz stated that employees can volunteer for overtime, but beyond that, they have a chart that mandates whose turn it is to stay for overtime. Supervisor Russell pointed out that with the county's benefit structure, it is less costly to pay overtime than to hire a new person. Vice Chairperson Grant stated that you don't want these employees fatigued. Captain Maritz stated that it is a balancing act. They don't want to have too many positions remain vacant. When they have been short three dispatchers, they found that overtime gets very old quickly, and sick leave increases dramatically. There are times, however, when it makes sense to fill in with overtime, like during concerts at Alpine, Fourth of July and Labor Day. **The motion carried 5 – 0.**

Vice Chairperson Grant suggested that the Sheriff's Office come back next month to request the unfreezing of the anticipated vacancies in the lieutenant and captain positions.

(The committee took a short break at 4:55 p.m. and returned at 5:00 p.m.).

- Lakeland Health Care Center. Bretl suggested dealing with just what is open, which would be the specific CNA positions. **Vice Chairperson Grant and Supervisor Wardle moved and seconded unfreezing and refilling the vacant CNA positions.** Janiszewski stated that for certain departments at LHCC, it made sense to outsource, like housekeeping. They are also outsourcing the linen department, and soon, the dietary department, which would include food service and cooks. Outsourcing

*DRAFT*

becomes very difficult with the nursing department. There are currently 14 part-time CNA positions open that they are requesting to have unfrozen. Part-time employees aren't eligible for benefits, so it is less costly to hire our own staff, especially in the memory care department where continuity is important. They could eliminate the three vacant casual positions. Some of the 14 vacant CNA positions have been vacant as long as January. They have been covering those positions with other staff, overtime and temp services. If a 0.20 FTE can cover, there is no overtime incurred. Supervisor Brandl wanted to know how much the 14 part-time positions would cost compared to the overtime incurred. Janiszewski explained that employees get burned out with overtime, and it is not going well. She added that it is more cost-effective to hire part-time employees than to outsource. If full-time positions became available, then they might look at contracted services. Supervisor Brandl would like to see the savings. Bretl stated that if the county is going to be in the nursing home business, it does not make sense to outsource all of the positions, and the committee should look at filling the part-time positions. With, for example, janitorial positions, the facility wouldn't suffer because of outsourcing. Bretl pointed out that with contracted employees, you are not always getting the same people back. Janiszewski reiterated that it is more cost-effective to have our own employees cover the shifts. Chairperson Ingersoll feels that the continuation of the same employees is important. Janiszewski stated that right now, for contracted services, they have to go from a list from purchasing. They could have a staffing service help, but they would want the same core people. She is hesitant to try a pilot program on the memory care unit until they see if it works on the medical unit. Janiszewski is suggesting blanket approval for the unfreezing and refilling of part-time positions that are, or may become, vacant. The committee could limit that to part-time positions that are 0.5 FTE or below. **Vice Chairperson Grant amended his motion to allow the refilling of part-time positions that are 0.5 FTE or below. He again amended the motion to allow only the 14 currently vacant part-time positions to be unfrozen and refilled. The motion carried 4 – 1. (Supervisor Brandl opposed).**

- Clerk of Courts. Reiff is requesting that a Clerk II and Clerk IV be unfrozen, which will be vacant as of October 4<sup>th</sup>. **Vice Chairperson Grant and Supervisor Wardle moved and seconded unfreezing the two Clerk of Courts positions.** Reiff explained that she is always looking at ways to reorganize the department. In terms of the number of employees in the office, they are on the low end compared to other

*DRAFT*

counties, and the office is very busy. They have been utilizing two temps from Adecco. She pointed out that the department has collected \$6 million in revenue, \$2 million of which stayed in the county. She has controlled overtime, but they are having to use it because they are short-staffed. She explained that even the Clerk II position at the front counter has to walk the thin line of giving legal advice versus not giving legal advice. Everyone has been cross-trained to back other up. She pointed out that there are no judicial assistants for judges. Reiff has Calendar Clerks who go to court because they had agreed that they didn't need the additional layer [judicial assistant]. The amount spent by the department on court-appointed attorneys has been substantially reduced. By July 1, 2011, the public defender will be responsible for defending those who cannot afford it. Supervisor Brandl asked how many people there are in the office. Clerk of Courts has 29.6 FTEs, which includes high school students, bailiffs, etc. There is a certain level of knowledge required with the two vacant positions. They have to handle all types of cases. There has to be a clerk in court to handle the minutes and the exhibits. Reiff explained that these two positions are union positions, and they would be offered to union and county employees first. The Clerk II is an entry level position, so they might have to go to the outside for that. Computers have helped the department keep staffing levels in tact. Supervisor Wardle didn't have a problem with the position itself, but rather the cost with benefits. Chairperson Ingersoll asked if they have created any new positions in the department. Reiff said that they have not added positions, but rather eliminated. Supervisor Brandl asked what happens if the positions don't get filled. Reiff stated that they are using overtime time now. Overtime comes in to play particularly when trials run over, or when they are doing the paperwork. The department has lots of reports to catch up on. Staff has been coming in on the weekends or coming in early and staying late during the week. Hagstrom stated that the committee could recommend that the positions only get posted internally if they are concerned about hiring someone new. The internal posting process doesn't take long. Reiff pointed out that by doing it this way, however, she has to wait even longer to fill the positions. Supervisor Wardle asked if there is savings in filling these in-house. Hagstrom stated that it would mean moving someone around, leaving a vacancy somewhere else in the county. **The motion to unfreeze and refill the Clerk of Courts positions carried 5 – 0.**

- Children with Disabilities Education Board. Moate explained that there are currently two aide vacancies at the school, both of which are full-time.

*DRAFT*

These are not new positions. They are vacancies due to resignations. **Vice Chairperson Grant and Supervisor Brandl moved and seconded unfreezing and refilling the vacant special education aide positions.** Moate explained that the aides at the school are personal aides who are assigned to a particular student. The student might have specific medical needs and unpredictable behaviors, and the continuity of care is critical. Right now, they have substitutes coming in to help. They sent 11.82 FTEs back to the districts recently. It is very important to make sure that they have people who are trained properly and can step into unpredictable, often stressful, situations. Lakeland must compete with the school districts to try and recruit licensed, specially trained employees. The turnover rate is low. The staff members that are leaving the school are people who had teaching licenses and got teaching positions in the districts. Supervisor Wardle asked if these positions are specifically to help two students. Moate said that right now, these aides are specific to two kids. They are directed to high-need kids. Supervisor Wardle asked if there was any practicality in hiring four part-time aides instead of two full-time. Moate pointed out that continuity is very important. These students really need consistency. There would have to be collaboration time among part-time aides. It would not be in the best interest of the kids. Chairperson Ingersoll asked about IEPs. Moate explained that an IEP is an individual education plan which sets forth goals and objectives for the student for a particular school year. When they dip below the level of care as prescribed in the document, the student's parent has legal recourse to say that their child is not getting the needed care per their IEP. **The motion to unfreeze and refill the special education aide positions carried 5 – 0.**

Parameters/guidance for wage and insurance re-opener for the second year of AFSCME collective bargaining agreements expiring on December 31, 2011. Chairperson Ingersoll read the closed session language. Supervisors Brandl and Wardle moved and seconded going into closed session. At approximately 5:51 p.m., the committee convened in closed session pursuant to the exemption contained in Section 19.85 (1)(e) of the Wisconsin Statutes, "Deliberating or negotiating the purchasing of public properties, the investing of public funds, or conducting other specified public business, whenever competitive or bargaining reasons require a closed session." At approximately 6:18 p.m., on motion and second by Vice Chairperson Grant and Supervisor Brandl, the committee reconvened in open session.

**The committee did not take any action on the closed session item.**

# ***HONEY LAKE***

**Protection and  
Rehabilitation District**

**P.O. Box 565**

**Burlington, WI 53105**



Commissioner's Meeting.

Sept. 21, 2010

Chairman Lutz called the meeting to order at 7:00 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 Aug. 2010 meeting were read. A motion to approve the minutes was made by Michael Weinkauf, seconded by Roy Lightfield and carried.

The minutes of the Special Called meeting on Aug. 22, 2010 to assign positions was read. A motion was made by Michael Weinkauf to leave the commissioners in the same position: Chairman, John Lutz; Secretary, Judith Correll; Treasurer, Gerald Schwarten. The motion was seconded by Robert McIndoe and carried.

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

## **OLD BUSINESS**

Chairman Lutz called Bienemann Tree Service regarding the removal of the tree stump by Del Monte Drive that they left last year. Mr. Bienemann stated that he hired and paid someone to remove the tree. It is still there. He will contact this person:

The trees by the north beach have been put on hold waiting to see if WE Energies would possibly remove them because there are power lines running near there.

Amber Kolosso did about 25 hours of community service work for her school and did a very good job. She might come back and do some more.

Sept. 21, 2010 Page 2

Did not contact the Rochester Fire Chief regarding the emergency action plan.

We made the payment to the Town of Spring Prairie for the black topping of the roads, which will leave one payment in 2011. We will have to decide with the Town of Spring Prairie how the snowplowing will be done.

The HLIA questioned whether the roads and properties were legally transferred over to the HLPRD. Commissioner Schwarten will check on this.

The meeting with the county officials regarding the bridge replacement on Hy. DD over Sugar Creek was held on August 24, 2010. There are plans showing the replacement project. The engineers asked that the lakes be lowered by mid August 2011 to allow the work to be done on the pillars. There were some concerns that Chairman Lutz brought up that was not thought of by the engineers. They will give these concerns more thought.

We received one bid for the paving of Shervin Drive. Asphalt Contractors, Inc. bid \$9,970.00. A motion was made by Roy Lightfield to accept the bid from Asphalt Contractors, Inc. for \$9,970.00 to pave Shervin Dr., seconded by Michael Weinkauff and carried.

#### NEW BUSINESS

The snowplowing bids will be in the paper for two weeks due back by October 17, 2010 so we can approve one at the October meeting.

We need to check the piece of land behind Mr. Hinds' property to make sure the deed is in the district's name.

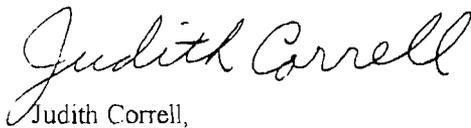
BILLS SUBMITTED AS FOLLOWS:

Comm. Comp.	John Lutz	\$ 175.00
" "	Judith Correll	\$ 150.00
" "	Gerald Schwarten	\$ 150.00
" "	Roy Lightfield	\$ 25.00
" "	Robert McIndoe	\$ 25.00
" "	Michael Weinkauf	\$ 25.00
W E Energies	Del Rio Light	\$ 18.78
Cutting Edge Lawn Care	Mowing & Trimming 8-13 & 8-27	\$ 250.00
Bulletin Office Supplies	Copies for Annual Meeting, paper & letterheads	\$ 117.20
Southern Lakes Newspapers	Annual Meeting Notice	\$ 112.38
Kwik Trip	Gasoline	\$ 12.72
Walworth County Lakes Assoc.	Annual Membership <del>fee</del> for 2010 & 2011	\$ 100.00
John Lutz	Reimbursement for paint & supplies from Menards	\$ 33.90

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

A motion to adjourn, subject to recall, was made by Robert McIndoe, seconded by Roy Lightfield and carried at 8:09 P. M.

Respectfully submitted,



Judith Correll,

Secretary, HLPRD

**WALWORTH COUNTY METROPOLITAN SEWERAGE DISTRICT  
MINUTES OF REGULAR MEETING  
September 14, 2010  
1:30 P.M.**

**CALL TO ORDER**

The Regular Meeting was called to order at 1:32 p.m. by Commissioner Logterman.

**ROLL CALL**

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

**OTHERS PRESENT**

Karla Eggink, P.E., Administrator  
Cindy Moehling, Assistant Administrator  
Susan Hartwell, Confidential Secretary  
Thomas Johnson, Collection System Service Manager  
Ron Altmann, Operations Manager  
Timothy Fenner, Axley Brynelson  
Leslie Sammon, Axley Brynelson  
Saul Glazer, Axley Brynelson  
Edward Nevers, PE Professional Engineer, Donohue & Associates  
Larry Teunissen, PE President, Donohue & Associates

**VISITORS COMMENTS**

None

**APPROVAL OF MINUTES OF REGULAR MEETING, August 10, 2010**

Commissioner Henriott made a motion to approve the revised minutes of the Regular Meeting of August 10, 2010, pertaining to the Annual Goal Setting & Administrator Review. Commissioner Eck seconded and the motion carried.

**ADJOURNMENT TO CLOSED SESSION: Motion for consideration of a closed session pursuant to the provisions of Section 19.85 (1)(e) and (1)(g), Wis. Stats. where bargaining reasons require a closed session, for the purpose of negotiating a resolution of a design/construction contract dispute with Donohue and Associates, Inc. and for the purpose of conferring with legal counsel for the Commission who is rendering oral and written advice concerning strategy to be adopted by the Commission with respect to litigation in which the Commission is or is likely to become involved concerning the contract dispute with Donohue and Associates, Inc.; and pursuant to Section 19.85 (1)(e), Wis. Stats., for the purpose of deliberating and formulating strategy with respect to negotiation of a successor collective bargaining agreement with Local 2171 and pursuant to Section 19.85 (1)(b) and Section 19.98 (1)(c), Wis. Stats., for the purpose of considering dismissal, demotion, licensing or discipline of a public employee over which the Commission has jurisdiction or exercises responsibility and for the purpose of**

**considering employment, promotion, compensation or performance evaluation of a public employee over which the Commission has jurisdiction or exercises responsibility; pursuant to section 19.85 (1)(g), Wis. Stats., for the purpose of conferring with legal counsel for the Commission who is rendering oral or written advice concerning strategy to be adopted by the Commission with respect to litigation in which it is or is likely to become involved (Dismissal, Demotion or Discipline of a public employee)**

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

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

The closed session convened at 1:36 p.m.

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

Commissioner Eck made a motion to reconvene into Open Session at 3:25 p.m., seconded by Commissioner Johnson and roll call as follows:

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

No action taken.

#### **ADMINISTRATOR'S REPORT**

Administrator Eggink presented the Administrator's Report that included:

1. Year 2010 Maintenance Projects Status Report. These reports contain a description of projects scheduled for the year 2010. The costs outlined in the project summaries are estimates based off of past experiences or actual estimates. First quarter projects are almost complete. Second and third quarter projects are developing and are not expected to exceed the budget.

Staff and consultants are teaming together to obtain the County "O" easement. Money has been set aside in the amount of \$100,000 for the purchase of the County "O" easement.

September 14, 2010

Administrator Eggink contacted the City of Delavan and has an understanding of the time lines for the reconstruction of Fourth Street.

2. WWTP Expansion Update – A closed session was held to discuss outstanding items related to the construction project.
3. Permit Compliance Update - Administrator Eggink presented that the District met 100% compliance for the month of August.
4. Staff Training Activities - Administrator Eggink attended the Municipal Environmental Group (MEG) in Stevens Point, and Ron Altmann, our Operations Manager, attended the Southeast Regional Meeting in West Bend.
5. Purchase of new confined space air monitoring equipment –New MSA Altair 4x meters were purchased for a total price of \$3,858.22.

#### **RECEIPTS AND DISBURSEMENTS REPORT**

Commissioner Eck made a motion to approve the Receipts and Disbursements Report. Commissioner Shortenhaus seconded and the motion carried.

#### **ACCOUNTS PAYABLE LISTING**

Commissioner Johnson made a motion to approve the Accounts Payable Listing in the amount of \$115,187.05. Commissioner Henriott seconded and the motion carried.

#### **OLD BUSINESS**

##### **a. UPDATE ON SEPTEMBER 11, 2010 OPEN HOUSE**

Administrator Eggink commented on the open house and what a successful event it was. Staff and vendors were applauded for their donations, time, and effort in making our open house a success. Staff formally thanked: Faith Technologies, Omni Glass & Paint, Inc., J.F. Ahern Co., Miron Construction Co. Inc., Donohue and Associates, Inc., and the UW Extension.

#### **NEW BUSINESS**

- a. **STREAM GAGING STATION** - A decision to discontinue the station was agreed upon after reviewing several details and costs associated with the stream gaging station. The equipment could be reinstated very easily should WalCoMet decide to begin collecting data again. Commissioner Eck made a motion to approve to discontinue use of the gaging station. Commissioner Johnson seconded and the motion carried.
- b. **MAIN ELECTRICAL SYSTEMS TESTING AND MAINTENANCE 2010** – Electrical contractors bi-annually submit proposals to service the main electrical systems to ensure the service is safe and reliable. Commissioner Eck made a motion to approve High Voltage Maintenance Corporation to perform the work for the

September 14, 2010

treatment facility in the amount of \$13,520, and that Electrical Energy Experts Incorporated perform the work at the lift stations in the amount of \$2,218. Commissioner Shortenhaus seconded and the motion carried.

- c. **2011 PRELIMINARY BUDGET REVIEW** – Staff prepared the 2011 budget and shared their projections. Staff was directed to analyze, review the budget, and trim back where possible. As presented the budget represented a 0.9% increase. Commissioners set a goal of 0.5%.

Staff will prepare a revised budget to meet the guidelines set by the Commissioners.

- d. **ACCEPTANCE OF THE FOCUS ON ENERGY'S GRANT** – Focus on Energy has awarded WalCoMet a matching grant to perform a feasibility study. This grant would allow WalCoMet to conduct a study on methane utilization. Commissioner Johnson made a motion to accept the Focus on Energy's Grant and allow for the study to be performed in 2010. Commissioner Eck seconded and motion carried.

#### **ADJOURNMENT**

Commissioner Eck made a motion to adjourn, seconded by Commissioner Henriott and the Regular Meeting adjourned at 4:03 p.m.

---

Tom Eck, District Secretary

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

# Wisconsin River Rail Transit Commission

Full Commission Mtg – Friday, 10 Sept 2010 @ 10am • Dane Co. Hwy, 2302 Fish Hatchery Rd, Madison, WI

1. Karl Nilson, Chair, called the meeting to order at 10:02 a.m.
2. Commissioners present for all or part of the meeting:

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

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

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

Amy Seeboth (SWWRPC / WRRTC Administrator); Frank Huntington (WisDOT); Ken Lucht (WSOR); Alan Anderson (Pink Lady RTC); Eileen Brownlee (WRRTC Legal Counsel)

3. Motion accepting Seeboth's certification of Public Notice. Van Schwartz / F. Ruf- passed unanimously.
4. Motion accepting the Agenda, prepared by Seeboth. Following changes noted: date of meeting and data of draft mintes. Dorscheid / Cornford - passed unanimously.
5. Motion approving the draft Aug. Minutes. Manke / Gustina – passed unanimously.
6. Public Comment – None
7. Correspondence & Communications – Seeboth shared notice of tax assessments on WRRTC Property in Illinois. Van Schwartz spoke about his recent trip to China.

## REPORTS & COMMISSION BUSINESS

8. WRRTC Financial Report– Jim Matzinger, Dane County CPA / WRRTC Accountant was not present at this meeting. He left copies of the financial report and checks.
  - Motion accepting payment of bills for August and acknowledging receipt of treasurers report- Gray / F. Ruf– passed unanimously
9. Wisconsin & Southern Railroad's Report on Operations – Ken Lucht, WSOR, reported on the following:
  - Monthly Maintenance Activities – WSOR has completed their weed control program for 2010. They have also brush cut every mile that WRRTC oversees and have been running the rail defect test car, during which they have found a number of defects on this rail. WSOR plans to run this car on the prairie sub later this fall. Lucht added that they will continue to conduct normal general track inspections.
  - Update on 2009 & 2010 Capital Rehab Projects - 2009 capital projects are underway. WSOR has been installing welded rail between Milton Junction and Edgerton. They have laid 8.2 miles so far and have another 7 miles of rail on sight that will get them just south of Stoughton. They have ordered a second rail trail to get them to Stoughton. The WSOR has invited the Rock County Board of Supervisors out to the site to see the installation. Lucht also said that they are working with a company that is moving into Milton and is interested in rail. They

also know of a company that is exploring the option of using rail in Middleton. WSOR is still seeking about 10-12 engineers.

- 10. Approval of Wisconsin & Southern Railroad’s 2010 Capital Project and Funding Strategy.** Lucht said that WSOR has not yet heard back from WDOT on which projects were awarded funding and therefore he has no report on this item. He said that it is likely that WSOR will be asking the Commission to help fund the next phase of the Madison sub welded rail project.

Chairman Nilson paused to introduce a new member to the Commission- Ivan Farness was recently appointed to the WRRTC on behalf of Grant County. Farness has been a County Board Supervisor for 20 years, as well as on the local school board and Muscoda Village Board.

- 11. WRRTC Administrator’s Report** – Amy Seeboth, SWWRPC Transportation Planner, reported her organization recently underwent some structural changes and while she has taken on new duties at her office, she will continue to work with the Rail Transit Commissions.
- 12. WDOT Update** – Frank Huntington reported that the WDOT is in process of finalizing evaluation of FRIPP and FRAP loan and grant programs. They have about \$30 million that will be awarded, and have received about \$55-60 million in funding requests. He said that he is not yet able to say which projects are funded, but hopes this delay has not upset the budget’s of other organizations.
- 13. Clarify and amend WRRTC/WSOR 2000 Passenger Rail Service Agreement no. 0490-40-48(e) to add the Madison to Watertown line segment to subsection 1(k) and extend the term for at least 20 years under Art. 2**  
Huntington provided some history on this agenda item- in 2000 the Commission entered into the passenger intercity rail agreement with WSOR. Since that agreement, a number of segments have been added to WRRTC and the Commission needs to expand this original agreement with WSOR to cover this additional segments (including Watertown line). WSOR needs this update in order to sign the agreement with Amtrak as related to the passenger rail plans between Madison and Milwaukee.

Changes made in this amendment add the Watertown line in item 13, item 14 adds the Badger Ammunition Plant, 16-19 add the Janesville track. Item 3 extends the term for another 20 years, to accommodate the agreements that WSOR is entering into. Service is required for 20 years. Both WDOT and the Commission will have to review the contract between WSOR and Amtrack before it is approved.

*Motion to approve the amendments as stated– Van schwartz / terry Thomas – roll call vote:*

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

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

*Motion passes unanimously.*

**14. Review and possible concurrence with installation of fiber optics between Boscobel and Blue River, WI along WDOT Railroad property.**

The Commission was updated on a possible utility request along the rail line in northern Grant County. Utility permits are covered under Trans 29- the WDOT has to approve this request, not WRRTC. Huntington explained that the WDOT permitting fees are nominal; WDOT views utilities as a public service and they must be installed to a correct specification and standard and it shouldn't cause any trouble to the rail corridor. Utilities carry the liability if a derailment etc breaks the fiber optics.

**15. Update on Sauk County Rails to Trails Stakeholder Meetings and identification of WRRTC representatives for next meeting.**

*After some discussion, the Commission nominated Forrest Van Schwartz to be the primary WRRTC representative of the WRRTC in this effort. The Commission decided that it was good to have a representative at the meeting, but wanted someone local (rather than Seeboth traveling regularly to these meetings on behalf of the RTC).*

- **Motion electing Commissioner Van Schwartz as primary WRRTC representative in Sauk County Rails to Trails Stakeholder Meetings- Gustina / Thomas – passed with two no votes (Commissioners Sinklair and F. Ruf)**

**16. Review and possible adoption of letter of support in favor of WSOR "TIGER II" application for "shovel-ready" projects.** Earlier this month, Seeboth provided a letter to WSOR stipulating that the WRRTC would likely support their Tiger II grant at this meeting. *Fritz / Scallon - passed unanimously.*

**17. Review and possible amendment to wording for MH Materials, Inc., WRRTC private crossing, Janesville, WI.**

MH Materials expressed some concern that the minutes from their crossing request has said there is no risk that the crossing will ever become public. The crossing actually abuts a public roadway. The Commission decided this was not significant since the City of Janesville would need to apply for a permit at that time. The Commission agreed to not change the minutes.

**18. Motion adjourning the meeting at 11:22 p.m. - Cornford / Sinklair - passed unanimously.**

# **HONEY LAKE**

**Protection and  
Rehabilitation District**

**P.O. Box 565**

**Burlington, WI 53105**



**Special Called Meeting to Appoint Positions**

**August 22, 2010**

Chairman Lutz called the meeting to order at 2:52 P. M. A motion was made by Robert McIndoe to have the commissioners remain in their present positions. John Lutz, Chairman; Judith Correll, Secretary; Gerald Schwarten, Treasurer. The motion was seconded by Roy Lightfield and carried.

A motion to adjourn was made by Robert McIndoe, seconded by Gerald Schwarten and carried at 2:55 P. M.

Respectfully submitted,

Judith Correll

Secretary, HLPRD

# HONEY LAKE

Protection and  
Rehabilitation District

P.O. Box 565

Burlington, WI 53105



Commissioner's Meeting

August 17, 2010

Chairman Lutz called the meeting to order at 7:01 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 July 2010 meeting were read. Commissioner Schwarten questioned that he usually does not second the treasurer's report. For some reason he did. A motion was made by Michael Weinkauf to approve the minutes, seconded by Robert McIndoe and carried.

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

Michael Weinkauf reported that there is \$30,074.00 in the Rochester Road Fund. Commissioner Schwarten reported that the road fund money from The Town of Spring Prairie has been received but the tax money has not.

## OLD BUSINESS

We sent the property owner on the corner of West Lakeshore Dr. and Cty. Rd. DD a letter stating that he was mowing district property and had a tree planted on district property. He found the stakes between his land and the district's land and has moved the tree to his land and will stop mowing the grass.

Bienemann Tree Service will remove the oak tree stump by Del Monte Dr. that they took down last year. The cost for removing the five trees by the north beach that are hanging over a house is \$1,100.00. Will contact the electric company to see if they will take them down.

**PLEASANT LAKE PROTECTION AND REHABILITATION DISTRICT PLEASANT LAKE PROPERTY OWNER ASSOCIATION, INC.**

SATURDAY, August 14, 2010 9:00 am

Town of La Grange, Town Hall

Present for the District: Bob Arnold, Ozzie Mohr, Doug Behrens, Rick Callaway, Dave Stamm,  
Absent for the District: None

Present for the Association: Ozzie Mohr, Peter Schuler, Marcia Sahag, Petra Stoik, Cheri Scharbach and Ted Slupik.  
Absent for the Association: Jim Allen, Butch Meyer, Phil Holland and Kevin Smith.

Motion to approve agenda with #7 moved to the end was made by Rick Callaway and seconded by Doug Behrens. Motion carried.

Motion to accept revised agenda made by Marcia Sahag and seconded by Cheri Scharbach. Motion carried.

**Election of Commissioners:**

Dave Stamm moved to appoint Ozzie Mohr as Chair of District. Seconded by Bob Arnold. After much discussion, Bob Arnold withdrew his second of the motion. Rick Callaway moved to nominate Dave Stamm as Chair and Ozzie Mohr as Treasurer. Motion carried.

Discussion ensued with the need to increase the District from 5 people to 7.

Marcia Sahag and Petra Stoik will research need for both the Association and District.

Motion to approve the minutes for the District made by Rick Callaway. Motion seconded by Bob Arnold. Carried.  
Motion to approve the minutes for the Association made by Ted Slupik and seconded by Peter Schuler. Carried.

Ozzie Mohr gave the Treasurer's report for the District. The total is \$71,169.52. Doug Behrens moved to approve Treasurer's report, seconded by Rick Callaway. Motion carried.

There was no Treasurer's report for the Association.

**Drain Project Update:**

Dave Stamm and Doug Behrens gave a brief report on the status of the drain. Dave suggested that we talk to the DNR and Crispell-Snyder Civil Engineers regarding augmenting the drain as it is not keeping up with water level (i.e. damage to sea walls, crawl spaces under homes). Doug and Dave will pursue the drain issue.

There was concern that boat traffic may be damaging the lily pads in the bay.

**Eurasian Water Milfoil Update:**

Doug Behrens gave an update - there was no milfoil detected in the main part of the lake, only in the bay area. Lake and Pond Solutions treated 2 acres from Ted Slupik's property to Jim Mueller's property.

There was no Pier Ordinance report since Kevin Smith was absent.

Ozzie Mohr suggested that our current survey for Aquatic Plant Management be considered as our source for treatment this year.

**Environmental Study:**

Peter Schuler and Butch Meyer will change wording on the signs for the lake and get them appropriately placed as we now have an ordinance.

The Highway 12 proposed "Red Line" was discussed.

The next regular board meeting will be on November 13, 2010.

Ted Slupik will bring up Directors at the next meeting.

Bob Arnold moved to adjourn for the District. Seconded by Rick Callaway. Motion carried.

Marcia Sahag moved to adjourn for the Association. Seconded by Cheri Scharbach. Motion carried.

Meeting adjourned.

FOR THE DISTRICT,

Doug Behrens

