

**Walworth County Human Resources Committee**

**MINUTES**

March 21, 2011 – 5:00 p.m.

County Board Room 114 – Government Center  
Elkhorn, Wisconsin

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The meeting was called to order at approximately 5:00 p.m. by Chairperson Ingersoll.

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

Others present – Supervisor Nancy Russell; David Bretl, County Administrator; Suzi Hagstrom, Labor/Employee Relations Director; Nicki Andersen, Deputy County Administrator – Finance; Linda Seemeyer, LHCC Superintendent/HHS Director; Bernie Janiszewski, LHCC Administrator; Tracy Moate, Director of Special Education; Sheila Reiff, Clerk of Courts; Vicki Blakeslee, CDEB Teacher.

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

Public comment period – There was no public comment.

Discussing strategy with respect to collective bargaining in light of adoption of the State Budget Repair Bill. Chairperson Ingersoll read the closed session language. Supervisors Brandl and Wardle moved and seconded going into closed session. At approximately 5:02 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 6:21 p.m., on motion and second by Vice Chairperson Grant and Supervisor Wardle, the committee reconvened in open session.

**Vice Chairperson Grant and Supervisor Brandl moved and seconded directing staff to proceed as discussed in closed session. The motion carried 5 – 0.**

Chairperson Ingersoll did not have any reports or announcements.

The next regular meeting of the human resources committee was confirmed for April 27, 2011 at 3:00 p.m.

Adjournment. On motion and second by Vice Chairperson Grant and Supervisor Redenius, Chairperson Ingersoll adjourned the meeting at approximately 6:23 p.m.

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

Lake Benedict/Tombeau District  
P.O. Box 668  
Genoa City, WI 53128

## **LAKES MANAGEMENT DISTRICT**

### **Minutes for the 1<sup>st</sup> quarter meeting March 19, 2011**

#### **Pledge of Allegiance**

**Meeting Called to Order:** By: Tom Datallo 9:00 am

In attendance Larry Belenki, Rose Badame, Bob Meyer, Dan Schoonover Bloomfield supervisor, and several lake district members.

Mike Halverson, Bob Gerhing and Rose Nolan, Randall Town Supervisor's, were in attendance.

#### **Secretary's Report:**

1. Reading of Minutes from fourth quarter meeting November 20, 2010, minutes were approved.

#### **Treasures Report:**

1. Larry Belenki provided an update in regards to the Lake Districts current financial status. Current balance \$16,080.74

#### **Dam Update:**

1. Water Levels. 828.6 The 6 inch board is not at this time.
2. The Boards continues in discussion with the Town of Randall for no wake authorization procedures.

#### **Water Quality:**

1. No current report

However the Board will be testing for SECI, E coli and phosphorus.

#### **3. Nippersink Bowl project**

Discussion occurred in respect to The Nippersink Bowl project. Several district members voiced their concern regarding the projects potential to have an adverse effect on Lake Benedict.

A motion was made to request that the Town of Randall prohibit pumping of the bowl until question regarding water quality and flow rates can be answered. The motion was approved and seconded

A second motion was made requesting that the Town of Randall consider two alternative

1; Return the natural flow

2: Drain water into the Nippersink Creek

**County Zoning Agency**  
**MINUTES**  
March 17, 2011 – 4:00 p.m.  
100 West Walworth Street  
Elkhorn, Wisconsin

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

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

County Staff present – Land Use and Resource Management Department Director Michael P. Cotter, Planner Matt Weidensee, Senior Zoning Officer Deb Grube, Code Enforcement Officers Nick Sigmund and Darrin Schwanke.

A “sign-in” sheet listing attendees on March 17, 2011, is kept on file as a matter of record.

Details of the March 17, 2011, meeting are on a recorded disc which is on file and available to the public upon request.

**Rich Brandl motioned to approve the agenda as printed. Second by Dave Weber. Motion carried. 7-favor 0-opposed.**

**Russ Wardle motioned to approve the February 17, 2011, Minutes. Second by Rich Brandl. 7-favor 0-opposed.**

Disc Count #: 3:05:42 – 3:06:02 / Zoning Enforcement / no questions

Disc Count #: 3:06:14 – 3:07:06 / Ordinance Amendment

**Jim Van Dreser motioned to approve. Second by Dave Weber. Motion carried. 7-favor 0-opposed.** The Amendment to Sec. 74-264 Floodplain appendix of the Walworth County Code of Ordinances will move on to the April 19, 2011, meeting of the County Board for discussion / possible action.

Disc Count #: 3:07:07 – 3:43:32 / Request to amend Condition #16 for existing conditional use for public assembly for Dick and Pam Kraus, Town of Whitewater, Tax Parcel #D W 1600002

Richard Kraus spoke. There was a letter of support from the Town of Whitewater. There was no opposition.

**Richard Kuhnke, Sr., motioned to approve. Second by Dave Weber. Motion carried. 7-favor 0-opposed.**

The Conditional Use request approved April 15, 2003, will be amended to allow public assembly on site for one additional weekend a year, or a total of six weekends a year.

County Zoning Agency Minutes – March 17, 2011

Original approval on April 15, 2003, and subsequent amendments are subject to the following conditions:

A conditional use permit for the expansion of an existing retail store and restaurant, including expansion of the hours of operation and public assembly uses in the retail building #4 and trailers as depicted on the amended site plan approved December 16, 2010 as specified in Chapter 74, Division 4, Walworth County Code of Ordinances, Walworth County, Wisconsin, on lands zoned B-4 Highway Business District, and described as follows:

Part of Tax Parcel #D W 1600002

Has been APPROVED subject to Land Use and Resource Management Department staff receiving all the needed information discussed at the February 16, 2006 public hearing, all conditions required at the July 12, 2000 hearing being met, and the following conditions:

1. Approved as per plan submitted and amended 3/17/11 with all additional conditions.
2. There shall be no outside storage of stock or trade for sale. All sales must be located as identified on the approved operations plan, except as shown on the approved plan.
3. All cars shall be parked in the marked spaces as identified on the approved plan of operations. Use capacity of the site shall be restricted by the cars capable of being parked in the marked spaces as identified on the plan. Parking must meet with requirements of the county zoning ordinance. All parking must be setback 25 feet from the roadway. The off street parking area shall be graded and surfaced so as to be dust free and properly drained. All parking areas shall be clearly marked. All parking must be in compliance with County requirements within 60 days of this approval. Parking for retail use shall be calculated based on the retail area currently constructed and being used. The property owner shall notify the County Land Use and Resource Management Department prior to expansion of retail activities into the unused areas on the site plan and the additional parking shall be installed. There are 75 parking stalls shown on the site plan for a total of 61 stalls required for the retail space in orange and 14 parking stalls available for public assembly. The public assembly uses approved as specified shall be limited to a total of 70 people based on 14 parking stalls with 5 people per stall.
4. All outside lighting shall be shielded and directed on site. No additional lighting shall be allowed in the street yard setback areas.
5. The applicant must provide a landscaping plan for approval by staff or the County Zoning Agency.
6. The project must meet all applicable Federal, State, County and local regulations.

County Zoning Agency Minutes – March 17, 2011

7. The applicant must obtain a sign permit from the County Zoning Office.
8. Any changes to the character, intensity or use of this site not capable of being discerned by the Land Management Department as consistent with this approval must be brought before the County Zoning Agency for additional conditional use review.

Specific:

9. Hours of operation shall be Friday and Saturday 9:00 a.m. to 11:00 p.m. and Sunday through Thursday 10:00 a.m. to 11:00 p.m.
10. The business structures must meet all commercial building code requirements applicable to use of the structures for retail purposes. No additional expansion to the existing business shall be allowed until all State, Federal, and local codes are met. The County shall accept no liability for operation of a commercial business on site without meeting the required State commercial building code.
11. The applicant must obtain the required septic permit approval prior to use of the restrooms on site.
12. The property must be deed restricted so the rezoned area may not be separated from the farm parcel as required by the original approval.
13. Sales allowed on site shall be limited to the businesses identified on the plan as approved by the County. Sales on the site shall be limited to the following: vegetables (pumpkins, Indian corn etc.), meats (beef, turkey, chicken etc.) handmade crafts (quilts, dolls, baskets, sweatshirts etc.) Plant bedding, Plants, antiques, food products and giftware.
14. The owner must obtain a variance from the Walworth County Board of Adjustment prior to reducing the number of parking stalls below the requirements of the County Zoning Ordinance.
15. No adult entertainment shall be allowed.
16. Public assembly shall be allowed on site six weekends a year for Halloween haunts, car shows, craft & art shows, fashion shows, toy shows and food shows. Public assembly uses are limited to gatherings of people for meeting and viewing of exhibits but shall not include sales or other uses specifically listed in the zoning code. The public assembly uses shall be limited to the use of the existing trailers and building #4 shown on the approved plan. The property owner shall provide a schedule of public

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assembly events to be held each year to the County Land Use and Resource Management Department prior to assembly on site.

Disc Count #: 3:43:33 – 4:01:14 / Request to amend existing Conditional Use for increased shows and attendance at a commercial stable for Kevin & Heidi Jo Dawson, Town of Lafayette, Tax Parcel #K LF3600005

Heidi Dawson spoke. There was a letter of support from the Town of Lafayette. There was no opposition at the hearing.

**Jim Van Dreser motioned to approve. Second by Rich Brandl. Motion carried. 7-favor 0-opposed.**

The Conditional Use approved July 11, 2006, will be amended to allow the total number of boarded horses on site to be 50 and the total number of horses allowed on site for special events would be 100 and 2) special event horse shows shall be limited to twelve per year and the property owner shall keep a log documenting the number of shows held each year and the log should be made available to the County upon request and that the capacity of horse show clinics shall be no more than 100 people and parking must be available on site in the existing paddocks during the horse show clinic events and 3) sanitary facilities shall be provided on site during special event meetings meeting the requirements of the County Sanitation Ordinance.

**Rich Brandl motioned to approve the new amendment allowing 50 additional horses for special events. Second by Dave Weber. Motion carried. 7-favor 0-opposed.**

Original approval on July 11, 2006, and subsequent amendments are subject to the following conditions:

NAME: ~~GARY AND JEAN MERMAL~~ KHD Investments Kevin & Heidi Jo Dawson

TOWN: LAFAYETTE

A conditional use permit for a commercial horse stable as specified in Chapter 74, Division 4, Walworth County Code of Ordinances, Walworth County, Wisconsin, on lands proposed to be zoned A-2 Agricultural Land District, and described as follows:

Tax Parcel #K LF3600005

Has been APPROVED subject to the related rezone passing County Board and the following conditions:

1. Approved as per plan submitted and amended 3/17/2011 with all additional conditions.
2. Retail sales shall be allowed on site to customers of the horse operation only. The tack shop will not promote off street traffic sales.

County Zoning Agency Minutes – March 17, 2011

3. Any changes in the proposed use of the property will require additional County approvals.
4. Business hours shall be from 6:00 a.m. till 8:00 p.m. with extended hours from 6:00 a.m. to 10:00 p.m. during daylight savings time. On site horse care shall be allowed on a 24-hour basis during emergencies.
5. The site must meet all applicable Federal, State, County and local regulations.
6. Applicant must obtain approval of a nutrient management plan from the County Land Conservation Office. The applicant must comply with all recommendations of the approved nutrient management plan.
7. The applicant shall obtain a Walworth County sign permit prior to placement of any sign on site.
8. Any changes to the character, intensity or use of this site not capable of being discerned by the Land Management Department as consistent with this approval must be brought before the County Zoning Agency for additional conditional use review.

Specific:

9. The total number of boarded horses allowed on site shall be 50. **The total number of horses allowed on site for the special events shall be 100.**
10. This approval shall include only the commercial horse stable, tack shop of on site horse boarders and shall not include a caretaker's facility.
11. ~~Only one special event (horse show) or clinic shall be allowed per month.~~ **Special events (horse shows/clinics) shall be limited to 12 per year. The property owner shall keep a log documenting the number of shows held each year. The log shall be made available to the County upon request.** The capacity of the horse shows/clinics shall be no more than 100 people. Parking must be made available on site in the existing paddocks during the horse show/clinic events.
12. The property owner shall remove the dwelling from the horse stable within 60 days of this approval or apply for a separate conditional use for a caretaker facility. The caretaker facility shall be removed from the site if a conditional use is not granted.
13. **Sanitation facilities shall be provided on site during the special events meeting the requirements of the County Sanitation Ordinance.**

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Disc Count #: 4:01:15 – 4:01:51 / Board of Adjustment 2010 Annual Report

Committee members received a copy of the Walworth County Board of Adjustment 2010 Annual Report.

**Dave Weber motioned to recess until 5:30 p.m. Second by Rich Brandl. Motion carried. 7-favor 0-opposed.**

Chairman Rick Stacey called the meeting to order at 5:30 p.m.

County Staff present – Land Use and Resource Management Department Director Michael P. Cotter, Planner Matt Weidensee and County Administrator David Bretl.

Disc Count #: 4:30:48 – 4:33:10 / Rezone 1.75 acres of A-5 to A-1, Dwayne Deakins, Town of Lafayette

The property owner is requesting to rezone the A-5 parcel to A-1 so the existing residence may be split off from the entire farm along with the adjacent farm buildings as an approximately five acre farm separation parcel. The rezone request is accompanied by a lot line adjustment and a farm separation application.

Sabrina Hansen appeared for Dwayne Deakins. There was a letter of support from the Town of Lafayette. There was no opposition.

**Rich Brandl motioned to approve. Second by Dave Weber. Motion carried. 7-favor 0-opposed.**

Findings: The rezone would allow the owner to combine an existing dwelling parcel to land adjacent with farm buildings to allow for creation of a farm separation parcel.

This request will go before the County Board on April 19, 2011, for possible action.

Disc Count #: 4:33:11 – 4:46:26 / Conditional Use for a 4-Lot Planned Residential Development on lands zoned C-2 & R-2, Benjamin Smith, Town of East Troy

Benjamin Smith spoke. There was a letter of support from the Town of East Troy. There was no opposition.

**Dave Weber motioned to approve. Second by Russ Wardle. No vote taken.**

After discussion condition #13 was stricken.

**A friendly amendment to approve was made by Dave Weber. Second by Russ Wardle. Motion carried. 6-favor 1-opposed.**

Approval is subject to the following conditions:

General:

1. Approved as per plan submitted as a four lot Planned Residential Development (PRD) with all additional conditions.

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2. The owner must obtain a Land Disturbance, Erosion Control & Stormwater approval from Land Conservation Office prior to construction. All grading must be conducted consistent with the approved Land Disturbance Erosion Control and Stormwater Management plan. All topsoil generated from the site must be evenly distributed back onto the site on the areas from which it was removed or in areas in need of the topsoil. The quantity of topsoil generated from one lot may not be located on another lot within the development at the expense of the lot from which the topsoil was generated. No materials may be removed from the site.
3. The owner must obtain all required zoning and sanitary approvals prior to construction.
4. The owner must meet all Town and County access requirements.
5. The project must meet all Federal, State, County and local Ordinances.
6. The owner must provide a tree cutting and restoration plan meeting ordinance requirements for review and approval. Tree cutting shall be limited to that specified on the approved plan of operations.
7. The governing covenants for the PRD shall be submitted to the County Land Management Department for review for consistency with County ordinances and approval requirements. Any changes to the restrictive covenants that may affect this approval must obtain additional County conditional use review and approval. The property owner shall be held solely responsible for addressing all restrictive covenants or rules beyond those enforceable under County ordinance and regulations.
8. The proper preservation, care and maintenance by the original and all subsequent owners of the design of the PRD and all common structures, facilities, essential services, access and open spaces shall be assured by deed restriction referencing the C.S.M and shall be recorded meeting standard document format as per 59.43(2m). All property within the PRD must remain as part of the PRD and may not be removed from the PRD without County approval.
9. The County reserves the right to rescind this conditional use upon any violation of County regulations.
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.

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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. The property owner must provide a road maintenance agreement specifying each lot owner's responsibility for road upkeep for review and approval. The road maintenance agreement and associated Home Owners Association regulations for formation shall be recorded along with the plat. The regulations for formation of the Home Owners Association shall be date specific.

Adjournment

**A motion was made by Rich Brandl to adjourn. Second by Dave Weber. Motion carried. 7-favor 0-opposed. The meeting was adjourned at 5:47 p.m.**

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Submitted by Wendy Boettcher, Recording Secretary.

Minutes are not final until approved by the committee at its next meeting.

**Walworth County Human Resources Committee**

**MINUTES**

March 16, 2011 – 3:00 p.m.

County Board Room 114 – Government Center  
Elkhorn, Wisconsin

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

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

Others present – Supervisor Nancy Russell; David Bretl, County Administrator; Suzi Hagstrom, Labor/Employee Relations Director; Nicki Andersen, Deputy County Administrator – Finance; Michael Cotter, LURM Director/Deputy Corporation Counsel; Linda Seemeyer, LHCC Superintendent/HHS Director; Dale Wilson, Payroll/Benefits Manager; Bernie Janiszewski, LHCC Administrator; Tracy Moate, Director of Special Education; Liz Aldred, Deputy HHS Director; John Orr, Information Technology Director; Shane Crawford, Deputy County Administrator – Central Services; Sheila Reiff, Clerk of Courts; Chrissy Regester, UW-Ext Department Head.

Approval of the agenda was moved and seconded by Supervisors Brandl and Redenius, with no withdrawals, and carried 4 – 0.

Public comment period – There was no public comment.

Market study – Review of changes to position matches and committee consideration of unresolved issues on position matches. Hagstrom distributed revised information for IT and HHS to replace those sections in the market study. She explained that Finance staff had met with her and Shane on Friday with proposed changes, but Hagstrom asked for additional time to review those changes.

**Supervisors Wardle and Brandl moved and seconded postponing this item until the April meeting. The motion carried 4 – 0.**

Revisit UW-Ext Clerk III Outsourcing/Unfreezing. Bretl stated that Regester is here from Extension to discuss this item. The question has been raised regarding whether or not a department can come back to the committee once they have been denied. The committee will need to decide how to handle such situations. This item was specifically brought back to the committee so that staff could report on how it [outsourcing] was going. He suggested that the committee listen to the report today, and leave the unfreezing up to next meeting if that is the case. Regester explained that when the position was frozen, the department brought in someone from Adecco, but that person did not work out. There were personnel issues as well as training issues. There is currently another person from Adecco in Extension now. Regester explained that the Clerk III

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handles clerical support for five program areas, in addition to working with the volunteer organizer. This person is at the forefront of what is going on in Extension; they deal with constituents on a daily basis. It is very difficult to train someone off the street on what is going on. The person needs to know the county system, the state system and all of Extension's programs. While someone from Adecco may be able to do the work, the concern is that the person is also looking for other opportunities and thus may not stay in the position long-term. Regester stated that it had been very difficult to train two people in the past four months. The person has to field many questions coming in from the public about the programs. Vice Chairperson Grant acknowledged that there was a need for the position, but he questioned the possibility of filling the position from within and then outsourcing a different position. Regester explained that was not possible because most of the other employees in Extension are state employees. Supervisor Wardle asked how long the first temporary employee stayed in the position. Regester stated that the person was with the department from the end of November to mid-February. Supervisor Wardle asked if the new person was from the same agency. Regester said yes. Supervisor Redenius asked what the position actually entails. Regester stated that the position handles many of the "behind the scenes" details, such as registration, etc. Supervisor Redenius didn't feel that this warranted a full-time position. Regester stated that the department does approximately 100 programs a year, and this person is responsible for getting all of the brochures, etc., ready, so as to try to make it as easy as they can for constituents. Supervisor Brandl questioned whether the department let the staffing agency know what they were looking for in terms of qualifications. Regester said yes, they do. She added that the person currently in the position is very qualified, but this position is not her passion. Supervisor Wardle struggled with the idea of a full-time union position. He asked about the total cost of the position. Hagstrom stated that an entry level position would cost approximately \$50,000 with benefits. Hagstrom reminded the committee that there will likely be program cuts throughout the county, and they may need to find positions for employees losing their jobs. She suggested that the committee may want to keep their options open at this point. Supervisor Wardle did not feel that an entry level position for a cost of \$50,000 was at all comparable to the private sector. Vice Chairperson Grant suggested that the program continue as is with the temporary employee. Regester stated that the time it takes for staff to train a new employee is taking away from actually being out in the community. Extension wants to be able to provide the highest level of programs, and as many as possible. Vice Chairperson Grant felt that things seem to be going well so far. He stated that hopefully, in the next couple of months, the county will have a better handle on what is happening with the state. Supervisor Wardle stated that he appreciated all of the training the department is having to go through. He feels that as long as the temporary employee's performance is adequate, the department should continue as they have been. The committee thanked Regester for her effort and her information.

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

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Update on proposed changes to Section 15-532 of the Walworth County Code of Ordinances Relating to Insurance Plans (mail order prescriptions). Bretl stated that an ordinance had been drafted and included on a past agenda. The idea was that with the new prescription drug program, it may be beneficial to allow mail order prescriptions to be sent to the county. However, due to the many risks, staff has decided that this would not provide a great value to the county. Bretl asked the committee to place the item on file. **Supervisors Brandl and Wardle moved and seconded placing the ordinance on file.** Bretl stated that he was concerned with who would sign for the prescriptions. Wilson explained that the new pharmacy benefit manager increased the total cost of prescriptions that would require signatures from \$1000 to \$3000, so he didn't think this would be much of an issue any more. He added that if someone has a prescription mailed to their home that requires a signature, a neighbor or someone else can actually sign for it. **The motion to place the ordinance on file carried 4 – 0.**

Review of Chapter 15, Article II. Hagstrom suggested that the best option may be to stop the review of the ordinances for right now because as of the first of the year, unions will be covered by the Code rather than by collective bargaining agreements as a result of the Budget Repair Bill (BRB). Bretl concurred with Hagstrom's recommendation. He added that Chapter 15 will be the default set of rules for virtually everyone. He would like to take a step back and see how things end up with the BRB. He would like to discuss with department heads what changes will have to be made. Bretl suggested a motion to postpone action on this item until such time that Administration deems it appropriate to re-address. Bretl stated that they will likely bring this item back toward the end of the summer. The changes will have to be put into the Code by the end of the year when the labor agreements expire.

**Supervisors Wardle and Brandl moved and seconded postponing the review of Chapter 15 until further notice. The motion carried 4 – 0.**

Discussion and possible action regarding implementing changes in wages and benefits for certain casual employees. Hagstrom stated that this item had been brought to the committee in a different format a few months ago. An ordinance amendment had originally been proposed to allow for an automatic increase to wages for casual employees. Because that amendment failed, staff is now coming back with a resolution for casuals to receive a 1% increase for 2011. Hagstrom stated that casual employees do not receive any benefits.

**Supervisors Brandl and Redenius moved and seconded approving the resolution to increase wages for casual employees. The motion carried 4 – 0.**

Amendment to Section 15-338 of the Walworth County Code of Ordinances Relating to Severance Pay Upon Layoff or Termination. Andersen explained that there were a

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couple of categories of employees that weren't covered by the current ordinance. In addition, staff hoped to simplify the rules governing severance when an employee moves from a represented to a non-represented position. The proposed amendment simplifies the process for finance and simplifies the explanation for employees. There are only a handful of employees who fall into the category in question. As employees retire or simply leave county employment, that category would go away. Bretl added that this is simply about how the rule is administered. Wilson clarified that this does actually change a benefit. If an employee elected for health credits, as a represented employee, and then the employee becomes a non-represented employee, that is when the dual benefit changes. The amendment would make it so that an employee would get the original election they made in 1998. Currently, an employee has sick credits frozen when they transfer to a non-represented position. Then, when the employee retires, they can convert those to health credits. This freezes the credits and caps them at a 90-day limit, thereby capping the county's liability.

**Supervisors Brandl and Wardle moved and seconded approving the amendment to Sec. 15-338 relating to severance pay upon layoff or termination. The motion carried 4 – 0.**

Amendment to Section 15-17 of the Walworth County Code of Ordinances Relating to the Register in Probate Position in the Clerk of Courts Office. Hagstrom explained that the Register in Probate retired last fall, and the position has remained vacant since then. Bretl added that this ordinance goes along with the unfreezing as well. Reiff stated that in the past, there had been a Clerk of Circuit Court, a Register in Probate, and a Clerk of Juvenile Court. Currently, Waukesha is the only county that still has all three as separate positions. Other counties have consolidated. When the previous register in probate retired, Reiff approached the judges to ask them to consider having the Clerk of Courts serve as the Register in Probate as well. Previously, filings would have to be stamped specifically by the Register in Probate, but now, the Clerk of Courts can accept filings from anyone. Reiff is proposing to reclassify the vacant Register in Probate position to a Office Supervisor – Courts position. This new position would handle the day-to-day supervision and office administration. The position would result in a cost savings due to the fact that it is at a lower pay grade than the Register in Probate was. Hagstrom explained that the numbers on the draft amendment show the benefits and savings for the rest of the year plus future years. Reiff is requesting to have the reorganization approved and the position unfrozen. Reiff clarified that Dela Race, the Office Manager – Courts, is her number two position. Many counties refer to that position as the Chief Deputy. Supervisor Wardle questioned how the department has been handling things since the position became vacant. Reiff stated that different things came up that prevented her from bringing this to the committee sooner. Currently, she stated that things like evaluations are getting put off. In terms of incurring overtime, she stated that as supervisors, they are salaried employees and don't get overtime. Supervisor Wardle

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asked about the qualifications of the new position. Reiff stated that the new position is at a lower level than the previous position. The new position requires a high school diploma plus two years of formal education with supervision/management experience preferred. Hagstrom stated that with wages and benefits, this position costs a total of \$86,000. Vice Chairperson Grant clarified that an additional person is not actually being added to the department. Reiff stated that it is simply a re-organization of the department and will end up saving money. **Supervisor Wardle and Vice Chairperson Grant moved and seconded approving the ordinance amendment relating to the Register in Probate position in the Clerk of Courts Office. The motion carried 4 – 0.** Vice Chairperson Grant questioned whether the committee could approve the amendment for the re-organization but not the un-freezing of the position. Bretl stated that he was not sure what the alternative would be if the committee did not approve the un-freezing. Sheila and Dela are doing the work already. Reiff stated that they have looked at many other options to try and save money. She added that they have tried hiring contract employees for supervisory positions, but it hasn't worked out well. Bretl agreed, stating that the question comes up as to how a contracted employee can supervise a county employee. Because the Clerk of Courts office deals with so many legal issues, they need someone in the office who can handle those issues. Reiff did not see any other way to handle the duties in the office. Her office has a great deal of liability, and she needs people she can trust in her office. Supervisor Brandl questioned whether filling this position now would mean looking at cutting a position elsewhere. Bretl stated that we don't know yet how the state budget will affect us. One huge variable that has changed is that employees will be paying a portion of their retirement. He added that there may be turnover in other positions, but he is not sure if that means the Clerk of Courts would be back before the committee with other vacancies. Reiff stated that there had been a lot of external interest in the position, but no interest has been expressed internally. Hagstrom stated that the committee could authorize staff to do an internal posting first. Vice Chairperson Grant asked what would happen if the position were not unfrozen. Reiff stated that technically, the re-organization has already occurred. They have taken a vacant position, and instead of leaving it where it is, they have bumped it down. Vice Chairperson Grant again asked what would happen to the situation if the position remains frozen. Reiff stated that staffing levels in the office have remained the same for 25 years while filings have increased. Reiff said that she is always looking at ways to bring in more revenue or cut expenses. Reiff did not feel that she would be able to keep the office running efficiently without this manager position. She suggested that perhaps once changes come from the State, they will be able to look at other options, but right now, they need to keep doing what they are doing. Supervisor Russell stated that while the position makes sense, the money is the issue. He questioned whether the position could be brought down another pay grade. Reiff said that the position was lowered as far as it can go. She stated that they looked at the office manager position at the Sheriff's Office, and the positions would have similar job duties. Bretl explained that they need to have a classification system that creates internal equity. He stated that they could always reduce

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the pay if they eliminate job duties or change the level of education required, etc. Bretl clarified that the committee would be approving the ordinance, but then the question comes up as to whether they want to also unfreeze the position. **(The committee clarified that the motion was to approve the re-organization ordinance only).**

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

- Clerk of Courts – Office Supervisor – Courts. Supervisor Brandl asked if this position was compared to a new employee or an employee who had been in the position for years when it was being compared to the pay range of the similar office manager position at the Sheriff’s Office. Hagstrom stated that they looked at education and experience. Where a person would fall in the range would depend on where the person came in. Supervisor Wardle asked if Hagstrom would recommend opening the position up internally first. Hagstrom said yes, her recommendation would be to post the position internally first and see what happens. She clarified that the re-organization amendment would go to the county board in April, so the position wouldn’t be posted until after that. **Supervisor Wardle and Vice Chairperson Grant moved and seconded unfreezing the position and posting internally. The motion failed 2 – 2. (Supervisors Brandl and Wardle opposed).** Due to the Chair’s absence, it had been previously discussed that any tie votes would be brought back to the committee at the next meeting for another vote. This item will be re-visited at the April 27<sup>th</sup> meeting.
- LHCC – 0.16 FTE Weekend Receptionist; 0.60 FTE CNA; 0.20 FTE CNA; 0.50 FTE CNA. Janiszewski explained that the 0.60 and 0.20 CNA positions are vacant because the employees in those positions took other positions that had been unfrozen previously. With respect to the 0.16 weekend receptionist, Janiszewski stated that there is no nursing station, so it becomes a liability issue if this position is not filled. They need to have someone in the front. She added that in 2009 when the administrative secretary resigned, they didn’t fill that full-time position. The receptionist provides office support. She stated that saving on benefits is one of the reasons to have part-time positions. She added that outsourcing is cost efficient for full-time positions, but not for part-time. Supervisor Wardle stated that when talking about nursing positions, they usually need to have a certain amount of staff. Comparing employees to beds, LHCC is 1.8 beds per employee. Among our comparables, the average is 2.1 beds per employee. He questioned what it would take for Walworth County to get down to 2.0 beds per employee. Janiszewski said

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that the problem is that LHCC has specialty units, such as the Alzheimer unit. Some of the residents require one on one care. Right now, they are staffing heavily on that unit. The needs on the rehabilitation unit depend on admissions. She was concerned that shifting the numbers would affect revenues. Vice Chairperson Grant clarified that none of the positions get fringe benefits. Hagstrom stated that the 0.5 and 0.6 would be eligible for insurance, but that doesn't mean that they would take it because of how much it costs. Supervisor Wardle asked if there is a lot of turnover with CNAs. Janiszewski stated that last year the director of nursing left the county, and there were 14 CNA positions left open. Industry-wise, there is a lot of turnover with CNAs. She did not think Walworth County's turnover was as high as at other nursing homes. **Vice Chairperson Grant moved and Supervisor Brandl seconded approving all four of the positions at LHCC. The motion carried 3 – 1. (Supervisor Redenius opposed).**

The committee took a break at 4:15 p.m. and went back into session at 4:20 p.m.

- CDEB – 0.50 FTE Special Education Aide; 1.00 FTE Cognitive Disabilities Teacher; 1.00 FTE Music/Adaptive Education Teacher. Hagstrom explained that there is currently a full-time aide on maternity leave. When that person returns, she wants to come back part-time, so Moate would like to break the position into two 0.50 FTEs, and fill the vacant 0.5 position. Moate stated that they have been looking at whether they can split positions in half and still provide the necessary services to students with two people instead of one. Many times, she would argue against that, but in the future, they may be able to look at splitting positions. She explained that there was not a great deal of savings with this position because the particular employee was not taking the insurance. Her suggestion was to try to look at types of supports the children need and then look at splitting positions in half while still providing the same level of service. Supervisor Brandl pointed out that the employee will have to start paying toward their Wisconsin retirement, so there would be some savings there. Supervisor Wardle was very pleased to see that they were looking at splitting positions, which had been discussed earlier. **Supervisors Brandl and Wardle moved and seconded unfreezing the Special Education Aide position. The motion carried 4 – 0.** Moate explained that the numbers and everything were the same for the next two positions because they are both teacher positions. She explained that the music therapist position has unique certification and qualification requirements, and no one at the school has those requirements already. She added that trying to outsource would be very difficult. There is

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currently a long-term substitute in the position. With the “no child left behind” legislation, the school will lose funding if there is not a qualified person in the position. The school has to be able to show that they are actively seeking a highly qualified person. They see it as critical to the operation. They are currently falling short on IEPs because they are not able to keep up with the musical therapy. They are able to put in CDs with activities for students, but they don’t have an actual practitioner in the classroom. Supervisor Brandl questioned how much the long-term substitute is costing. Moate stated that currently, they are paying a rate of \$85 a day, but after so many days, they have to bump that up to a first step teacher rate in the pay schedule. Supervisor Wardle asked what this person does. Moate stated that this person has to be the leader of the choir; they handle the holiday programs, graduation performances, etc. Supervisor Russell stated that she goes to nearly all of the school’s programs, and she feels that this is probably one of the most important positions at the school. Children with disabilities really respond to music. She highly recommended that they fill this position with a very qualified person. She hoped that the committee would approve the unfreezing. Moate stated that the programs are really a big deal to both the kids and their families. Many times, the students in the districts are not able to participate in the programs because they can’t stand still or can’t sing on key, etc. but they have the opportunity to participate at Lakeland. Supervisor Wardle questioned the amount for outsourcing the position through CESA. Moate stated that it would be \$140 per day. CESA would have to seek the position as well. **Supervisors Brandl and Wardle moved and seconded unfreezing the music/adaptive education teacher position. The motion carried 4 – 0.** With respect to the cognitive disabilities teacher, Moate stated that they tried to think outside of the box. This is a high school position, and the employee retired. There is currently a long-term substitute who has been in place since January who will continue through to the end of the school year. Like the other teacher position, the school risks losing the categorical aid for this position if they don’t actively seek a qualified person. With high school age, there are 9 to 15 kids in a class, and there are larger gaps in learning. She added that the younger students are more likely to be in the districts. As the children get older, the school often sees them return to Lakeland. In the districts, the students are in a classroom within a classroom. For every three students with significant needs, they probably need one adult in the classroom. If the student needs two staff members to escort him or her, for toileting, etc, that leaves one teacher with maybe 10 students. Again, the cost to outsource through CESA is very expensive. CESA can essentially set their own rate. Currently, of the 27.5 teachers in the districts, 10 of them

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hold the certification in cognitive disabilities. When teacher contracts were discussed, there were four people who expressed an interest, but they wouldn't be deemed qualified to fill the position. One of the teachers in the district had the certification but had no experience at the high school level. Supervisor Wardle stated that essentially, this position is required. Moate said yes, because they receive state and federal aid. Moate went to DPI last Friday and found out that the aid will remain the same for special education. **Supervisors Brandl and Wardle moved and seconded unfreezing the cognitive disabilities teacher. The motion carried 4 – 0.**

Vice Chairperson Grant did not have any reports.

The next regular meeting of the human resources committee was confirmed for April 27, 2011 at 3:00 p.m. Bretl strongly recommended that the committee hold a special meeting on Friday or Monday. Staff has been approached by bargaining units with the desire to re-open contracts, as a number of places have done. He stated that there are consequences to saying no flat out to the request. He thought that it was a good idea to meet as a committee in closed session to talk about this. Bretl stated that if there would be a re-opener, everything would have to be concluded by next week Friday. The committee agreed to hold a special meeting on Monday, March 21<sup>st</sup> at 5:00 p.m.

Adjournment. On motion and second by Supervisors Brandl and Redenius, Vice Chairperson Grant adjourned the meeting at approximately 4:51 p.m.

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

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

March 16, 2011 Meeting – 1:00 p.m.

Walworth County Meeting Room 111  
Government Center – Elkhorn, Wisconsin

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The meeting was called to order by Chairman Grant at 1:01 p.m.

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

Others present – Linda Seemeyer, Director of Health and Human Services/Lakeland Health Care Center Superintendent; Lori Muzatko, Health and Human Services Manager; Roger Zierfuss, Health and Human Services Supervisor; Juliet Young, Health and Human Services; Bernadette Janiszewski, Lakeland Health Care Center Administrator, Greg Digieso, Lakeland Health Care Center Food Services Manager; Ella Eva Pious, Citizen Representative Health and Human Services; Sandy Wagie-Troemel, Citizen Representative Health and Human Services; James Seegers, Citizen Representative Health and Human Services; Pauline Parker, Citizen Representative Health and Human Services; David Bretl, County Administrator; Nancy Russell, County Board Chairperson

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

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

The Lakeland Health Care Center Board of Trustees committee minutes of the January 19, 2011 meeting were approved. **Motion and second made by Supervisor(s) Schaefer/Hawkins to approve the minutes. Motion carried 4–0.**

Public Comment – There were no comments from the public.

Unfinished Business – There were no items of unfinished business.

New Business –

*New Food Services Manager* - Ms. Janiszewski introduced Greg Digieso who started on February 28<sup>th</sup> of this year as the Food Services Manager at the Lakeland Health Care Center. Mr. Digieso explained he has 20 years of service experience and his goal is to improve the quality of life for the residents. He will do this by being creative and making them feel at home.

Supervisor Schaefer asked Mr. Digieso where he went to school for food service. Mr. Digieso stated he did not go to school for food service, he majored in Recreation Management. He received food service training through Culver's food service and management training and gained experience from his catering company.

Supervisor Grant welcomed Mr. Digieso and wished him the best.

Reports –

*LHCC Administrator's Report and Financial Update* – Ms. Janiszewski reported that the LHCC is on track with regard to budget. Ms. Janiszewski noted that the number of injuries went down. There was a dip in the average number of residents in the beginning of the year but the average has gone back up in March.

Ms. Janiszewski announced the annual trip to Whitewater will happen in April. The golf outing is scheduled for October 1<sup>st</sup> and chicken instead of steak will be served in order to keep the expenses down.

The usual financial report that is presented at the meeting was not available due to the year end closing.

*State Budget Update* – Ms. Janiszewski handed out a summary how the proposed biennial Governor's budget will affect nursing home operations. She stated her department will be watching the events closely in the next few months along with getting information from the Health Care Center's membership in Wausau. The bed tax will not occur. Through the ForwardHealth Rate Reform Project, the Department of Human Services reduced Medicaid Funding for nursing homes in 2010-2011. Depending on the Health Care Center's Medicaid census and acuity level, this may be a reduction of as much as \$125,000 in 2011. Certified Public Expenditure (CPE) which was formerly IGT would continue to receive \$38.1 million in each year. Currently, the Department of Human Services could distribute \$39.1 million to facilities each fiscal year. It was hoped that the 2011-2013 state budget would include a change requiring the state to share equally the federal match dollars.

Ms. Janiszewski stated Ms. Seemeyer would talk more about the Income Maintenance portion of the proposed budget since it has a greater impact on Health and Human Services but it will have some affect on the Health Care Center. Currently it takes approximately two months for Medicaid eligibility determination at the county level. If it goes to the state level it is anticipated that it will take four to six months for the determination. This will require more monitoring of the resident's account and some write offs may occur when they change from private pay to Medicaid.

The state is also using the federal government as a model for unnecessary hospitalizations and there could be up to a 2% penalty for hospitalizations that occur within 30 days after a previous hospitalization.

Supervisor Grant as if there were any exceptions to the thirty day rule. Ms. Janiszewski stated only three types of admissions qualify. They include congestive heart, knees and one other.

Supervisor Grant asked if residents in the rehabilitation unit are counted in the overall head count. Ms. Janiszewski stated that they are included in the count.

Correspondence – There were no correspondences.

Announcements – There are some upcoming events planned for the residents.

Next Meeting Date – The next meeting is tentatively scheduled for April 27, 2011 at 1:00 p.m.

Adjournment – **On motion and second by Supervisor(s) Schaefer/Redenius, Chair Grant adjourned the meeting at approximately 1:16PM. Motion carried 4-0.**

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

**Walworth County Health and Human Services Committee**  
MINUTES

March 16, 2011 Meeting – 1:15 p.m.

Walworth County Board Room  
Government Center – Elkhorn, Wisconsin

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The meeting was called to order by Chairman Grant at 1:19 p.m.

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

Others present – Linda Seemeyer, Director of Health and Human Services/Lakeland Health Care Center Superintendent; Lori Muzatko, Health and Human Services Manager; Roger Zierfuss, Health and Human Services Supervisor; Carlo Nevicosi, Health and Human Services Manager; Juliet Young, Health and Human Services; David Bretl, County Administrator; Nancy Russell, County Board Chairperson

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

There were no agenda withdrawals. **Motion and second made by Supervisor Schaefer/Hawkins and to approve the agenda. Motion carried 8-0.**

The Health and Human Services minutes from the January 19, 2011 and February 8, 2011 meetings were approved. **Motion and second made by Supervisors Hawkins/Schaefer to approve the minutes. Motion carried 7-0.**

Public comment – There were no comments from the public.

Unfinished business –

*DHHS Citizen Representative Vacancy Filled – Welcome Pauline Parker* – Ms. Seemeyer welcome Pauline Parker back to the Health and Human Services Board. Ms. Parker will be completing Citizen Representative Ketchpaw's term and has been appointed for an additional three year term to April 30, 2014.

*Contracted Van Driver Status Report* – Ms. Muzatko gave a brief status report. Last fall a Request for Proposal (RFP) was proposed for a provider to provide up to sixty hours of contracted driver time. This Board approved the contract for six months with an option to extend it for an additional six months. Ms. Muzatko stated that the contract has been working fine. Ms. Muzatko is asking the Board to approve exercising the option to extend the contract for an additional six months.

Supervisor Grant asked when this additional extension will expire. Ms. Muzatko stated it would be at the end of 2011.

**Motion and second made by Supervisors Schaefer/Hawkins to extend the current VIP van driver contract to November 2011. Motion carried 8-0.**

New Business –

*Reappointment of Supervisor Randy Hawkins to a three year term on the DHHS Board –* Ms. Seemeyer explained that the current term for Supervisor Hawkins will expire in April. Supervisor Hawkins stated he would like to continue serving on the Lakeland Health Care Center Board of Trustees and the Health and Human Services Board.

**Motion and second made by Supervisor Schaefer and Citizen Representative Wagie-Troemel to reappoint Supervisor Hawkins to a three-year term. Motion carried 8-0.**

*Functional Family Therapy –* Ms. Seemeyer introduced Carlo Nevicosi, Mental Health and AODA Manager at Health and Human Services. Mr. Nevicosi handed out a sheet of statistics regarding Children's Services. He explained that Functional Family Therapy (FFT) was one of several new programs for children in Walworth County. Most traditional approaches and jail were not working effectively on juveniles. In May 2009 Walworth County Department of Health and Human Services (WCDHHS) launched the FFT program. There are a team of five therapists who work with juveniles in brief sessions over a couple of months.

Mr. Nevicosi stated that the program has been successful. Out of the 100 current and past families that have been involved in the program, 77% reported that their situation was significantly better, 8% reported moderate improvement and only 15% reporting no improvement. Walworth County currently has the lowest delinquency caseload in the state. Because the whole family is involved in the program there is hope that siblings of the juvenile will also benefit.

Mr. Nevicosi reviewed the statistic handout and pointed out the significant drop in costs for juvenile correction and how these savings benefit other areas in the county. Other agencies that have used the FFT program have noticed a trickle down effect for siblings. Walworth County's FFT program is too new to notice any significant effects at this time.

Supervisor Grant asked if staff need certification was required to be a part of this program. Mr. Nevicosi stated that the staff need to be credentialed to provide mental health treatment such as master's degrees and licensed by the State of Wisconsin to perform psychotherapy.

Supervisor Grant asked who refers juveniles to this program. Mr. Nevicosi stated it varies with approximately one-half coming from caseworkers in the Children's unit, 25% from Juvenile Court Intake and referrals from families and schools. WCDHHS is also working with a judge in Delavan for referrals and there has been an increase in deferred prosecution agreements for first time offenders to this program.

Supervisor Schaefer asked about the juvenile correctional institutions that will be closing this year and wanted to know if WCDHHS has many females placed at Southern Oaks. Mr. Nevicosi stated that WCDHHS has only had a few females placed in the past decade.

Supervisor Schaefer asked why there is such a significant drop in correctional placements. Mr. Nevicosi stated that WCDHHS staff have been successful in engaging families to take responsibility for their children.

Supervisor Schaefer asked why other counties don't incorporate the FFT program into their services. Mr. Nevicosi stated that he thinks the initial start costs and the amount of training is a deterrent for some counties. The program does not generate a lot of revenue so it is hard to be self-sustaining. The budget savings that occur from this program, however, does more than offset the costs.

Ms. Seemeyer stated that Health and Human Services Deputy Director Dr. David Thompson was recently at a meeting for judges and they were curious to know what Walworth County was doing to have such a drop in juvenile detention placements.

Supervisor Schaefer asked about the foster care numbers increasing. Mr. Nevicosi explained that there are many reasons that children are placed in foster care and is not always because of the child's behavior.

Supervisor Grant asked if foster care was court ordered. Mr. Nevicosi stated that most foster care placements are due to a court order.

### Reports

*State Budget Update* – Ms. Seemeyer gave a preliminary briefing on the proposed 2011-2013 biennial budget proposed by the Governor. At this time, Health and Human Services Deputy Director Elizabeth Aldred is taking part of a webinar concerning the Economic Support Program. In the proposed budget the plan to centralize the Economic Support Program and obtain the county allocation for the program would be implemented by May 2012. The Governor's plan is to contract out the work and have applications filter through approximately seven call centers located throughout the state. This would be a loss of approximately 20 staff persons at WCDHHS. Ms. Seemeyer is concerned about longer determination times for services if Economic Support is eliminated at the county level. WCDHHS has shared its concerns with other counties.

Ms. Seemeyer briefed the Board on other budget cuts that include Family Care enrollment caps which means waiting lists will return for Long Term Care services. There is a proposed 10% cut in grant programs, Youth Aids will decrease by 10% along with reductions in Medicaid spending. The SeniorCare program participants will need to enroll in Medicare Part D and specialized transportation could be cut by 10-15%. The budget is still in the early stages and nothing is firm as of yet. Ms. Seemeyer is confident that WCDHHS can probably handle most of the cuts with the exception of the Economic Support Program.

Citizen Representative Wagie-Troemel asked about counties combining resources. Ms. Seemeyer stated this would probably more in the northern counties that have smaller populations.

Supervisor Grant asked that the Board get regular updates regarding the 2011-2013 biennial budget.

Correspondence – There were no correspondences.

Announcements

*Interjurisdictional Ordinance Review Meetings* – Ms. Seemeyer announced to the Board that Dr. Thompson will be holding several informational sessions for the public regarding the new ordinance on March 24<sup>th</sup>. Supervisor Grant encouraged the Board members to attend.

Next Meeting Date – The next meeting is scheduled for April 27, 2011 at tentatively 1:15 p.m. following the Lakeland Health Care Board of Trustees meeting.

Adjournment – **On motion and second by Citizen Representatives Wagie-Troemel/Pious, Chair Grant adjourned the Health and Human Services meeting at approximately 1:55 p.m. Motion carried 8-0.**

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

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**Walworth County Board of Supervisors  
Public Works Committee  
MEETING MINUTES  
Monday, March 14, 2011 – 4:00 p.m.  
Walworth County Government Center, County Board Room 114  
100 West Walworth Street, Elkhorn, Wisconsin**

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

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

**Others present:**

County staff: County Administrator David Bretl; Deputy County Administrator-Central Services Shane Crawford; Public Works Director of Operations Larry Price; Public Works Assistant Superintendent John Miller; Office/Purchasing Manager Peggy Watson; Lakeland School Administrator Tracy Moate; Deputy County Administrator-Finance Nicki Andersen

Members of the Public: Dan Richardson, President of the Walworth County Historical Society, 3004 Elm Street, East Troy, Wisconsin, 53120; Larry Rademaker, Vice President of the Walworth County Historical Society; William Henry, Kehoe-Henry & Associates Architects

**Agenda withdrawals/approval.** Supervisors Schaefer and Wardle moved to approve the agenda as presented. Motion carried 3-0.

**Supervisors Wardle and Schaefer moved to approve the February 8, 2011 joint meeting minutes as prepared. The motion carried 3-0.**

**Public comment period.** No one in the audience asked for recognition to speak.

**Ongoing/unfinished business**

**Report/update concerning safety enhancements at “T” intersection on CTH DD and STH 11**

Deputy County Administrator Shane Crawford directed the commentary to Larry Price, Public Works Director of Operations. Price reported that he, the homeowners, Supervisor Schaefer and the engineer and an official from the Department of Transportation (DOT) met at the intersection to discuss safety improvements. A Stop sign has been placed on the left side of the road, two Stop Ahead signs with flags have been placed (in addition to the one already there), and one extra double headed Warning sign on the other side of the homeowner’s driveway. In addition, the DOT has agreed to install rumble strips if the homeowner deems it necessary in addition to the signage.

**Update from Shane Crawford on 2035 Walworth County Jurisdictional Highway System Plan**

Crawford had hoped that the County Highway plan would be ready by this meeting, but the Southeastern Regional Planning Commission (SEWRPC) has asked for an additional 30 days. City of Whitewater Manager Kevin Brunner contacted Crawford and informed him that concerned citizens wanted to attend the meeting when the Plan is adopted. **Crawford will place this item on the agenda for April or May, as soon as the Plan is ready.**

**Regular Business**

**Cover letter from Southeastern Wisconsin Regional Planning Commission concerning transmittal of Transportation Improvement Program for Southeastern Wisconsin: 2011-2014**

Crawford reported that we have received the plan for the southeast region of the state, and it is available in his department if any of the Supervisors wish to review it.

### **February 1, 2011 correspondence from Shodeen concerning Lake Prairie Development – STH 50 and CTH F**

Crawford reported that in 2005 a developer had a plan to develop that area, and the deal fell through. Subsequently, the county finished off the CTH F intersection, at our expense. Now Lake Prairie Development is interested in doing something and is asking us to apply to the Department of Transportation (DOT) for an entrance onto STH 50. Price reported that Robert Skidmore, the project manager, contacted him on February 1 and Price told him that before we would agree to do anything, the specifics of their request needed to be put in writing and addressed to the Public Works Committee. The county would have to request access to STH 50 on behalf of the development corporation. Price also informed Mr. Skidmore that the county is not willing to commit any funds to move the road, as they apparently want to terminate CTH F where it is now and turn it into a cul-de-sac. The State might be willing to signalize the intersection temporarily, but the long-range plan for that stretch of STH 50 is to construct roundabouts. Chair Russell stated she is adverse to the county participating financially.

**Consensus was to take no action until a written request is received from the developer.**

### **Bid award for 2011 County Highway Rehabilitation Projects**

Bids came in under budget, with B.R. Amon & Sons the low bid at \$8,556,543.77 (which includes the base bid and Alternates 1, 2, 3 and 4). Crawford distributed a summary of the budget for the project, which breaks down the construction, engineering, contingency and project supervision for a total of \$10,421,686. Crawford said the committee had the total discretion to choose or reject any of the alternates; however, staff recommendation is to go with alternates 1 through 4 as listed on the bid recommendation because the pricing came in so favorably. Price said in response to Supervisor Wardle's inquiry about receiving only two bids that there was a huge initial interest in the project, but some of the bigger contractors, ostensibly out of respect for their Wisconsin competitors, decided not to submit bids.

**Supervisors Schaefer and Wardle moved to accept the bid of B.R. Amon & Sons in the amount of \$8,556,543.77 (base bid plus Alternates 1, 2, 3 and 4) for the 2011 Walworth County Trunk Highway rehabilitation projects. The motion carried 3-0.**

### **Approval to add Lakeland School to Constellation Energy contract**

Crawford reminded the committee that at the last regular meeting, the committee voted to add the Judicial Center to the Constellation Energy contract. Subsequently, it was discovered that Lakeland School was also eligible to take advantage of the energy savings. The deadline for adding Lakeland School occurred before this committee meeting, and Crawford approved adding Lakeland School in order not to miss the opportunity. **Supervisors Wardle and Schaefer moved to support Crawford's decision to add the Lakeland School to the Constellation Energy contract. The motion carried 3-0.**

### **Potential effect of proposed State budget on Public Works Department operations**

Crawford distributed a summary of Governor Walker's proposed 2011-2013 budget. Our General Transportation Aids would be reduced by 10% in 2012, about a quarter of a million dollars decrease to Walworth County, and no increase in aids in 2013. At this stage, Crawford said he isn't sure how deeply that will impact his department. He will bring more information to the Committee when it becomes available.

### **Approval of design specifications for Walworth County Child Advocacy Center remodeling project at the Government Center**

Crawford drew attention to the summarized specifications provided from the architects for Children's Hospital, Henry-Kehoe & Associates Architects. Crawford said that although the county knows how much they are willing to lend the group, advising allowing them to send for bids and then react to the pricing. The Center will occupy approximately 3,100 square feet of the 4,500 vacant space in the southwest corner of the second floor of the Government Center. As an alternate, the remaining 1,400 square feet would be remodeled as an open, general office area for future occupation. The current doorway to the south would be the entrance, and a new door would be added for the vacant space.

Architect William Henry said that Children's Service Society and the Child Advocacy Center Hospital approved of the plan. **Supervisors Wardle and Schaefer moved to approve the design specifications for the Walworth County Child Advocacy Center remodeling at the Government Center. The motion carried 3-0.**

**Next regularly scheduled Public Works Committee meeting date and time: Monday, April 25, 2011 - 4:00 p.m.** Crawford added that the next meeting may need to be held at the Health and Human Services Auditorium, if the 2035 Walworth County Jurisdictional Highway System Plan is on the Agenda.

**Negotiations with Walworth County Historical Society for purchase of additional property**

Crawford introduced Dan Richardson and Larry Rademaker, President and Vice President of the Historical Society. Discussions concerning additional space for the Society started last year during administrative review of the 2011 budget. The Webster House and Doris Reinke Resource Center have no additional room for storage or display. The former funeral home (Betts) across the street is vacant and available for sale. Public Works staff toured the home and determined it is in relatively good shape, apart from the heating system, which needs replacement. Crawford said it would be a good venue for display and storage, and rather than building new on the current site, the question is whether it would be more prudent to buy the existing building. Mr. Richardson said the relationship between the Historical Society and the County goes back over 100 years, when the Society used to meet in the basement of the old courthouse. The Historical Society serves three purposes: to collect artifacts and documents; to preserve them; and to display them for the public's education and enjoyment. All work by the Historical Society is done through volunteer labor. Several people have offered to donate valuable collections, but are hesitant to do so when there currently is no space for proper display. They feel purchasing the funeral home would be a good solution, if they could obtain a zoning change to Institutional from the City, and provided the asking price isn't too high. Chair Russell said she is a member of the Historical Society and offered to excuse herself from discussion, but County Administrator Bretl said she could participate as long as she wasn't an officer on the Board. Bretl said if the committee didn't feel the request was feasible, there was no purpose in convening in closed session. If the Board agreed to the request, the County would issue the mortgage for an agreed upon term, and the Society would raise money to pay off the loan. Bretl added that we own the Webster House and the Reinke Resource Center. We appropriate \$10,000 each year for maintenance of the facilities. Richardson added that there were donors willing to give sizeable amounts, but that they don't want to commit until they know what they will be getting for their contributions.

**Supervisors Wardle and Schaefer moved to convene in closed session, pursuant to the exemption contained in Wisconsin Statutes section 19.85(1)(e). Roll call vote was conducted, with Supervisors Russell, Schaefer and Wardle voting approval to go in closed session.**

The committee continued in closed session at 4:45.

**At 5:06 p.m., Supervisors Wardle and Schaefer moved to return to open session. The motion carried 3-0. Supervisors Schaefer and Wardle moved to direct staff to proceed consistent with closed session discussion. The motion carried 3-0.**

**Adjournment**

**Supervisors Wardle/Schaefer moved adjournment. The motion carried 3-0 and the meeting concluded at 5:08 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**

Monday, March 14, 2011 at 1:30 p.m.

Walworth County Board Room 114  
Elkhorn, WI 53121

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

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

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

Also in attendance – Nancy Russell, Walworth County Board Chair; and Maggie Zoellner, Delavan Lake Water Initiative Network (WIN).

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

Approval of the Minutes – **Citizen Member Burwell and Supervisor Hawkins moved and seconded approval of the February 14, 2011 LCC meeting minutes. Motion carried 3-0.**

Public Comment – none

Model Resolution for Endorsement of the Regional Water Supply Plan for Southeastern Wisconsin: 2035 - Michael Cotter. After discussion, **Supervisor Hawkins and Kilkenny moved and seconded approval of endorsement of the Regional Water Supply Plan for Southeastern Wisconsin as it pertains to Walworth County.** After further discussion, the motion was withdrawn. **Supervisor Hawkins and Kilkenny moved and seconded to have Michael Cotter draft resolutions stating three possible positions and table until the April 25, 2011 LCC Meeting. Motion carried 5-0**

WLWCA 2011 dues – Louise Olson. **Citizen Member Burwell and Supervisor grant moved and seconded approval of payment of the 2011 WLWCA dues which are in the budget. Motion carried 5-0.**

Farmland Preservation Plan Update – Fay Amerson said we would proceed under current law. No action needed.

Delavan Lake Watershed Initiative Network Request for Staff Participation – Michael Cotter introduced Maggie Zoellner, Delavan Lake WIN who spoke on behalf of the initiative. No action was needed.

Next Meeting Date – Monday, April 25, 2011 at 1:30 p.m. (after 1:00 p.m. public hearing)

Adjournment – **On motion and second by Supervisor Grant and Hawkins Chair Kilkenny adjourned the meeting at 2:39 p.m. Motion carried 5-0.**

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

**Walworth County Executive Committee**  
**March 14, 2011 at 10:00 AM**  
**Walworth County Government Center**  
**100 W. Walworth St., Elkhorn, Wisconsin**  
*Draft Minutes*

Chairman Weber called the meeting to order at 10:00 AM.

A quorum of Executive Committee members was in attendance: Chairman Weber, Vice Chairman Kilkenny and Supervisors Brandl, Russell and Hawkins. Others in attendance included Sheriff Graves; Captain Williams, Sheriff's Communications Division; Supervisor Carl Redenius; Shane Crawford, Deputy County Administrator - Central Services; Nicole Andersen, Deputy County Administrator – Finance; Chris Schultz, reporter for the *Lake Geneva Regional News*; and, David Bretl, County Administrator/Corporation Counsel

Agenda approval was moved and seconded, with no withdrawals or changes, by Supervisors Brandl and Hawkins. The motion carried 5 – 0.

Approval of the February 14, 2011 Executive committee minutes was moved and seconded by Supervisors Russell and Brandl, and carried 5 – 0.

There was no comment during public comment period.

**Ongoing/unfinished business**

- a) *Community Development Block Grant (CDBG) emergency relief funding, 2008 flood damage.* In Emergency Government Director Ennis' absence, Captain Williams updated the committee. An agreement for the purchase of the property in Whitewater was signed recently with the homeowners. The original grant award was \$274,000 and two additional funding awards followed. Staff plans to meet with Caryn Stone, State of Wisconsin representative, to ensure the county's agreement with the homeowners is consistent with grant requirements. Williams indicated the meeting with Ms. Stone is scheduled for March 24; staff will have a clearer picture following the meeting. Mr. Bretl indicated that Supervisor Grant approached the City of Whitewater concerning possible interest in taking ownership of the property. County staff confirmed the City is interested, after the home has been razed. Once the purchase has been completed and the house has been razed, the City can take ownership. Captain Williams said no action was required today. Staff will provide an update at next month's meeting.
- b) *Jail study.*
  - i. Update regarding JAG Criminal Justice Coordinating Councils (2009) grant application. The grant opportunity was presented last month to the committee. Mr. Bretl indicated there is \$50,000 available to fund starting up a CJCC or \$100,000 is available for activities associated with an existing CJCC. Letters of support from all of the CJCC members were submitted with the grant application. The proposed use of grant funding would be to enhance current electronic monitoring, dovetailing with the Sheriff's plans

for that program. Mr. Bretl indicated the grant requires that funding that is to be used to enhance existing CJCC activities involve a study. The county proposes to use funding to allow those who couldn't otherwise qualify for e-monitoring to get on it. At the end of the study period (in 2012), the group that had not paid the full cost of monitoring would be compared to those who paid the full cost of e-monitoring and to prisoners who served their sentences in the county's work release center. The study would compare recidivism after release (not under supervision) and re-offending while on work release (under supervision). Sheriff Graves said somewhere between eight and eleven inmates had violated work release rules while on the e-bracelet. The GPS bracelet *upgrade* will allow closer monitoring of inmates on e-monitoring. Supervisor Kilkenny said the number of violations by prisoners on e-monitoring did not appear to be much worse than the number committed by those on Huber/work release. Supervisor Russell asked if the Sheriff wanted to implement the bracelet upgrade before the grant award was announced (first week of April). Graves said he planned to implement the upgrade whether or not the county is awarded grant funding for this purpose.

- ii. *Update regarding Criminal Justice Coordinating Committee (CJCC) activities.* Mr. Bretl reported that the CJCC met on March 11. The Executive Committee exercise in studying the county's jail has energized the CJCC, fostered cooperation among members of the criminal justice system and encouraged public involvement. The CJCC received confirmation of OWI court training scheduled in Holland, Michigan in June. Ten County staff plan to attend. A small group of members of the CJCC have been studying whether to include a public member on the CJCC. If the CJCC recommends this, Executive committee action would be required to amend the County ordinance relative to CJCC membership. Mr. Bretl has kept the CJCC apprised of work on and submittal of the JAG grant Criminal Justice Coordinating Councils grant. Previously the Executive committee approved proceeding with preparing a request for proposals (RFP) for assistance, on a limited term basis, to help coordinate CJCC activities. The RFP is being advertised for either an individual or consulting firm with an April 4 deadline. Mr. Bretl said he had personally observed the highest level of cooperation and participation among the various partners in the county's criminal justice system since the inception of the CJCC.
- iii. *Update concerning meeting of criminal justice officials.* Supervisor Russell provided an update. A small group of the CJCC members, including the judges, clerk of circuit court, sheriff's department (Undersheriff Picknell) and district attorney met during a regular judges' meeting on March 8. There was discussion regarding any barriers that might exist to allowing release on bond in some pretrial cases, without incarceration. There was agreement that first-time OAR (operating after revocation) non-criminal offenses could be handled as civil matters without the requirement of jail time. The group will meet again to review specific proposals. Another point of discussion was whether to incorporate the county's CATE program into the OWI court program. Supervisor Kilkenny said he felt that when correcting offenders, utilizing evidence-based solutions is very important as well as recognition by members of the criminal justice system of limited funding. He mentioned a Milwaukee Journal Sentinel article that had been provided to CJCC members on this topic. From intake to bail setting to sentencing, the criminal justice system should be guided by evidence-based research and practices, said Kilkenny. The possibility of

coordinating CATE with OWI court is being considered because CATE program success is evidence-based, said Mr. Bretl. Supervisor Russell said the OWI court training in Michigan is intense and is being attended by staff that already have busy schedules, including Judges Kennedy and Reddy. Sheriff Graves commented that the cooperative participation that has been fostered by the committee's jail study has brought to light the importance of viewing the criminal justice system as a whole without isolating the jail as the only part of the challenge. Mr. Bretl said the evidence-based CATE program brings the county to a crossroads. The program has had a small number of inmate participants. Electronic monitoring at the jail is also being done on a small scale. The return to "truth in sentencing" in the Governor's 2011-2013 biennial budget could have an impact on incarceration, but it's difficult to predict how that will impact local jails. Sheriff Graves said it would impact the State prison system more than local jails. Mr. Bretl asked whether the committee was inclined to wait to see how things progress at the CJCC before formulating any recommendations. Supervisor Russell said she is not ready to wrap up the jail study yet and does not think the committee has finished its work. Vice Chairman Kilkenny and Chairman Weber concurred. Supervisors want to wait to ensure that all members of the county's criminal justice system are in agreement regarding how to proceed. Money was appropriated in the 2011 budget for CJCC activities. County Administrator Bretl indicated that following announcement of the grant award for OWI court training in Michigan (June 2011), the State notified registrants that they should be prepared to pay for their own meals. Mr. Bretl said the announcement may be related to State budget reductions and suggested it would be reasonable for the Executive committee to authorize reimbursing staff who attend the training from the funds appropriated for CJCC activities if staff is not reimbursed by the State.

### **Appointments**

*County Administrator's nomination of Supervisor Randy Hawkins for reappointment to the Health and Human Services (HHS) Board.* The HHS Board will be discussing the nomination on March 16. The recommendation would then go to the County Board in April. Mr. Bretl indicated he had spoken with Supervisor Hawkins about serving an additional three-year term, and he is agreeable. Supervisors Kilkenny and Brandl moved support of Supervisor Hawkins serving an additional three-year term. The motion carried 5 – 0.

### **Consent items**

Supervisor Stacey's mileage reimbursement claims totaling \$34.68 were moved and seconded for approval by Supervisors Hawkins and Russell. The motion carried 5 – 0.

### **New business**

- a) *Resolution Recognizing Walworth County Volunteers for Their Service to the County.* Supervisors Kilkenny and Hawkins moved and seconded recommending County Board adoption of the resolution. The motion carried 5 – 0.
- b) *Ozaukee County resolution no. 10-66 Supporting Governor Walker's 2010-11 Budget Repair Bill.* Supervisor Russell and Vice Chairman Kilkenny moved and seconded placing the resolution on file. The motion carried 5 – 0.

- c) *Vernon County Resolution 2011-12 Rescinding Changes Made to Prevailing Wage Laws.* Changes to the state law make it more difficult to utilize local contractors on public works projects and have increased counties' costs. Deputy County Administrator Crawford indicated that some contractors have declined County projects since the law changed. In addition, counties are not doing [some] smaller capital projects because of having to pay a higher wage to workers pursuant to the law. There was brief discussion. **Vice Chairman Kilkenny said he thinks the county should request the State to rescind the changes made to the prevailing wage laws; he made a motion to that effect. The motion was seconded by Supervisor Russell and carried 5 – 0.**
- d) 2011-2012 County Board *Draft Meeting Schedule.* Deputy County Administrator of Finance Nicole Andersen indicated that the dates in the draft schedule were inclusive of all 2011-2012 budget calendar dates that have been reviewed and are supported by the Finance committee. Supervisors Hawkins and Kilkenny moved and seconded recommending County Board adoption of the schedule in April. The motion carried 5 -0.

Chairman Weber stated that he had no reports or announcements.

The next Executive Committee meeting was confirmed for Monday, April 25, 2011 at 10 AM.

**Claims and litigation.** At 10:35 AM, Supervisors Brandl and Russell moved and seconded convening in closed session pursuant to the exemption contained in Section 19.85 (1) (g) of the Wisconsin Statutes, "conferring with legal counsel for the governmental body who is rendering oral or written advice concerning strategy to be adopted by the body with respect to litigation in which it is or is likely to become involved," relative to the item(s) listed below. All members voted "aye" to convene in closed session relative to the items listed below.

- a) Third-party Summons & Third-party Complaint: Lake Delavan Land Owners v. Town of Delavan; Delavan-Darien School District; Walworth Joint School District #1 and Fontana Joint 8 School District; Walworth County; Gateway Technical College; and, Delavan Lake Sanitary District.
- b) TDS telephone pedestal damage.
- c) Property damage claim of Richard Nelson.

The committee reconvened in open session on motion and second by Supervisors Brandl and Hawkins. Supervisors Kilkenny and Brandl moved and seconded Corporation Counsel following through in regard to the Nelson property damage claim in accordance with the committee's guidance; and, County Board denial of the claim relative to damage to a TDS telephone pedestal. The motion carried 5 – 0.

**Adjournment.** Moved and seconded by Supervisors Kilkenny and Hawkins at 10:55 AM.

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

**Walworth County Board of Adjustment**  
**MINUTES**

March 9, 2011 - Hearing – 8:00 AM

March 10, 2011 – Meeting – 8:00 AM

County Board Room

Government Center – Elkhorn, Wisconsin

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

The March 9, 2011, hearing was called to order by Vice-Chair Gregory E. Guidry at 8:00 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 Roy Lightfield. Motion carried. 3-favor, 0-oppose. Ann Seaver motioned to approve the February 9 & 10, 2011, Minutes and dispense with the reading. Seconded by Roy Lightfield. Motion carried. 3-favor, 0-oppose. After testimony of all cases, Ann Seaver motioned to recess until 8:00 A.M. on Thursday, March 10, 2011, in order to view the properties in question. Seconded by Roy Lightfield. Motion carried. 3-favor, 0-oppose.** The March 9, 2011, hearing went into recess at approximately 8:52 A.M.

On March 10, 2011, at 8:00 A.M., Vice-Chair Gregory E. Guidry called the decision meeting to order. Wendy Boettcher conducted roll call and verified that there was a quorum. Those present were same as listed above. **Ann Seaver motioned to approve the agenda as printed. Seconded by Roy Lightfield. Motion carried. 3-favor, 0-oppose. After the decisions were completed, Roy Lightfield motioned to adjourn until the April 13, 2011, hearing at 8:00 A.M. Seconded by Ann Seaver. Motion carried. 3-favor, 0-oppose.** The March 10, 2011, decision meeting adjourned at approximately 8:39 A.M.

Two variance hearings were scheduled and details of the March 9, 2011, hearings and the March 10, 2011, decisions are on a recorded disc which is on file and available to the public upon request.

**New Business – Variance Petitions**

Disc #1 Hearing - Count #8:04:39 – 8:24:45 / Disc #2 Decision – Count #8:04:40 – 8:12:59  
The First Hearing was Vince & Adele Smarto, owners / Adele Smarto, applicant – Section(s) 28 – Delavan Township

Applicants are requesting a variance from Section(s) 74-162(3) / 74-167 / 74-181 of Walworth

County's Code of Ordinances – Shoreland Zoning to permit a fence in the shore yard.

**REQUIRED BY ORDINANCE:** The Ordinance permits a fence in the shore yard provided it does not exceed a height of 4 feet.

**VARIANCE REQUEST:** The applicants are requesting a fence in the shore yard approximately 7' in height. The request is a variance from Section(s) 74-162(3) / 74-167 / 74-181 of Walworth County's Code of Ordinances – Shoreland Zoning to permit a fence in the shore yard.

**BOARD OF ADJUSTMENT DECISION:** The Walworth County Board of Adjustment, during the meeting on March 9 & 10, 2011, for the petition of Vince & Adele Smarto, owners / Adele Smarto, applicant voted to **DENY** the request for a fence in the shore yard approximately 7' in height.

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

**BOARD OF ADJUSTMENT FINDINGS:** The Board found the owner did not prove exceptional or unique circumstances to the property rather than considerations personal to the property owner. The Board found the owner is permitted to have a fence not to exceed 4' in height in the shore yard. The Board found the owner has options such as the use of vegetation or 4' cyclone fencing to provide privacy and security in the shore yard. The Board found properties in the area in similar situations have used options for privacy and security in the shore yard in compliance with the ordinance. The Board found the owner was aware of the existence of the neighboring park / boat launch at the time of purchase of their property. The Board found to deny the variance request would cause no unnecessary hardship. The Board found the request to be a large increment of relief. The Board found to approve the variance request would set a precedent. The Board found to deny the variance request will protect the public's interest in navigable waters. The Board found the owner needs to contact the Walworth County Land Conservation Department to resolve permit requirement issues. There was one letter of comment from the Walworth County Land Conservation Department. There was no support. There was no opposition.

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

Disc #1 Hearing – Count #8:24:49 – 8:52:24 / Disc #2 Decisions – Count #8:13:00 – 8:33:07  
The Second Hearing was Herbert C. Smith & LuAnn Y. Beguhl, owners / Herbert & LuAnn Smith, applicants – Section(s) 7 – Walworth Township

Applicants are requesting a variance from Section(s) 74-38 / 74-52 of Walworth County's Code of Ordinances – Zoning to permit the location of 23,772 square feet of accessory structures on an

approximate 9 acre parcel.

**REQUIRED BY ORDINANCE:** The Ordinance permits a total of 6,189 square feet of accessory structures, or the established of 17,941 square feet, on a 9.473 acre parcel.

**VARIANCE REQUEST:** The applicants are requesting an additional 5,831 square feet of accessory structure to a parcel that had 17,941 square feet of accessory structure. The request is a variance from Section(s) 74-38 / 74-52 of Walworth County's Code of Ordinances – Zoning to permit the location of 23,772 square feet of accessory structures on an approximate 9 acre parcel.

**BOARD OF ADJUSTMENT DECISION:** The Walworth County Board of Adjustment, during the meeting on March 9 & 10, 2011, for the petition of Herbert C. Smith & LuAnn Y. Beguhl, owners / Herbert & LuAnn Smith, applicants, voted to **APPROVE** the request for an additional 5,831 square feet of accessory structure to a parcel that had 17,941 square feet of accessory structure.

**A motion was made by Roy Lightfield to deny the variance request. Seconded by Ann Seaver.**

After lengthy discussion, **Roy Lightfield withdrew his motion. Ann Seaver withdrew her second.**

**A motion was made by Gregory E. Guidry to approve the variance request. Seconded by Roy Lightfield. Motion carried. 3-favor 0-oppose**

**BOARD OF ADJUSTMENT FINDINGS:** The Board found the property owner did prove exceptional or unique circumstances to the property not generally found on other neighboring properties. The Board found the rezone of the property from A-1 to C-2 in 1986 and an ordinance amendment limiting accessory structures created the current limit of accessory structure square footage on the parcel. The Board found the previous owner constructed the additional 5,831 square feet of accessory structures in 1987 and 2000 without Walworth County permit review and approval. The Board found to deny the variance request would cause unnecessary hardship as the owners purchased the property in 2004 with the structures existing and cannot operate the dairy operation without the existing structures. The Board found to approve the variance request would cause no harm to public interests as the property is surrounded by agricultural land. The Board found to approve the variance request would not set a precedent. There were two letters of support from the Town of Walworth. The Town of Walworth Chair spoke in support. There was no opposition.

#### **Other**

- A. Discussion / possible action regarding filling the Board of Adjustment vacancy  
Board members received a copy of the notice sent for publication regarding filling the vacant Board of Adjustment alternate position.

## **Staff Reports**

- A. Court cases update
  - 1. None
  
- B. Distribution of reports, handouts and correspondence
  - 1. Board members received a copy of the decision regarding Hamilton Living Trust v. Walworth County Board of Adjustment. The Board of Adjustment decision was upheld.

## **Proposed discussion for next agenda**

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

- A. Court cases update – Hamilton Living Trust / La Grange Township / February 10 & 11, 2010, BOA agenda
- B. Discussion / possible action regarding filling the Board of Adjustment vacancy
- C. Distribution of reports, handouts and correspondence

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ANN SEAVER  
WALWORTH COUNTY BOARD OF ADJUSTMENT

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

**Walworth County Land Information Advisory Council**

MINUTES

March 9, 2011 – 10:00 a.m.

Finance Conference Room 116-A – Government Center

Elkhorn, Wisconsin

*Draft*

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The meeting was called to order at approximately 10:03 a.m. by Connie Woolever.

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

Others present – David Bretl, Caleb Repinski, and Dale Drayna.

Approval of the agenda was moved and seconded by Orr and Cotter with no withdrawals, and carried 9-0.

Approval of the December 1, 2010 Land Information Advisory Council committee minutes were moved and seconded by Russell and Pruess. The motion carried 9-0.

Public comment period – None.

Prioritizing the list of proposed projects listed in the Land Records Modernization Plan.

Woolever referred to page 16 of the agenda packet, which lists the proposed projects. Orr stated that the implementation of the new tax system should be first priority. Woolever stated that this project was approved to be first priority at the last meeting. Cotter asked if the old GIS system has been taken down. Drayna stated that the old GIS system has been taken offline. Woolever stated that many of the projects listed are ongoing. Orr added that these projects are being done to make the system better. He asked the council if anything should be omitted or added to the plan. He added that Drayna did update the plan with the tax parcel renumbering scheme and the new tax system.

Cotter referred to the agenda under new business regarding the scanning of the historical aerial maps, which is listed on page 18 of agenda packet. He added this can be discussed later in the meeting to talk about recent developments. Orr stated this project could be added as second priority for proposed projects. Cotter added it would make sense to make this project second priority. Orr added that he will discuss this with Cotter on what it will take to get this project going. He stated he would like to discuss the building footprint data creation, which was brought up at the last meeting. He asked Drayna, who is a GIS analyst, to come to this meeting today to discuss the building footprint data creation. Workman added that this information will be very useful. Drayna added there are two options for updating the building footprint data. He added that another flyover could be done to obtain new photos and do the outlining of building footprints. Another option, which could save the county money, would be to take the 2010

photos that were just received and have someone draw the footprints in as accurately as possible. He added we would have someone come up with a way to go through the photos to add new building footprints, which could be an intern. The 2010 flyover was done last spring. He added that there would be cost savings doing this project in house rather than sending it out. He also added that it would not be hard to do or create, but rather a matter of finding the time to do it. Williams added that what the difference between the two is that it wouldn't be as specific when doing an outline of the building. Drayna added that the concern is where the house is. It also gives people an idea of where buildings are and how far they are from other areas. Williams asked Bretl if a disclaimer would have to be put on this. Bretl stated yes there should be a disclaimer put on this. Orr added there is already a disclaimer on the GIS system. He also added that GIS is not a 100% science. Cotter asked if the surveys would be linked through GIS. Drayna stated the surveys could potentially be linked and could be set up as a layer in the GIS system. Cotter asked a technical question in regards to the flyovers when the sun casts shadows in the photos. He stated the sun can cast shadows making a building appear larger than it really is. He asked if there was a way to state on the system where the sun is along with the location of the building and its actual size. Drayna stated you would have to zoom in and do your best to get the approximate location. He added that with a flyover, they take shots from multiple angles and put the shots together to get the most accurate outline. He added that the concern is that it is not exact. Cotter asked if surveys are already linked in GIS. Drayna stated that surveys are linked in GIS to the tax parcel number, but not linked to the building outline. Williams asked Cotter if he sees a benefit of having an intern do this project or spending more money to have it done by an outside company. Cotter gave an example that if a person is building a deck, they will still need a survey to show the deck. He added the building footprint information is a general idea and would be a layer on GIS. He also added that from a zoning perspective, they would not have any value in the building footprint, and they go more by the survey and as-built. Orr added this is just a suggestion and it is a substantial cost for a flyover. Cotter stated that he didn't think it was cost effective to do another flyover. He added that if we can get an intern to do this in house, we should pursue that option. Workman added that he uses it more as a qualitative tool. He added he is looking more for roughly where the outlining of the building is located. He stated he has drawn in outlines himself where he knows buildings are located, such as in a subdivision, or where the orthophotography did not pick them up. He added he thought it would be a worthwhile savings to do this in house rather than doing another flyover. He also thought the historical photos are more important.

Woolever stated that as discussed some of the proposed projects should be in this priority order: new tax system and new tax numbering scheme as first priority, scanning of historical maps as second priority, and Item I as indicated on the list of proposed projects in the Update to Land Records Modernization Plan [Item I refers to Topographic/Building Footprint Data Creation] as third priority. Orr suggested having a motion on this. Cotter moved combining Items C and D of proposed projects [Item C refers to Implementation of a New Tax System and Item D refers to Creation of a New Tax Parcel Identification Numbering Scheme] as first priority, Item H of proposed projects [Item H refers to Historical Aerial Photo Scanning Project] as second priority, and Item I of proposed projects without a second flyover as third priority. Orr will second not doing another flyover and doing the sketching of the building footprint data in house. Workman stated he will second the motion but asked for a discussion. He asked how the topographic maps

are going to be updated. He stated he understood updating the building footprint data from aerial photos, but thought it would be more difficult to update the topographic data from aerial photos. Drayna stated the system has the topographic data and contour lines. These were created in the 1990s and the most recent are from 2005. He added he doesn't use this information that often but knows that surveyors and engineers do. He added that the problem with the contour data right now is the elevations are not attached to the lines. You currently have to have an annotation, which is a label, to see what the elevation is for a line. He added the biggest thing right now is to have the elevation attribute attached to the line so it would be a field in a table for that layer, not to create new contours. He also added before this council was created, Colbert and himself spoke with SEWRPC [SEWRPC = Southeastern Wisconsin Regional Planning Commission] about doing this. He added it is a substantial amount of money to get the labels attached to the lines. He added that the northern half of the county does not have elevation data attached, however, the southern half of the county does. He stated he doesn't think the concern is to create new topographic information, but that the county may want to consider adding the elevation attributes to the lines. He added the creation of new topographic information could be done when we do the next round of photos in 2015. When they do the flyover, they shoot down a laser which calculates the elevation. Cotter reiterated that the topographic shot for the county is out there, but will not give you the elevation data. You have to have the annotation on to get this information. Drayna added that it will be a tall task to add the elevation to each line. Cotter gave an example of when you have a kettle, the contour lines look like a funnel, and when you would click on each line it would give you an amount. Drayna added that it is not easy to see right now.

**~~Cotter and Workman moved and seconded prioritizing projects as follows:  
Combining Items C & D as first priority, Item H as second priority, and Item I as  
third priority without doing a second flyover and setting in house creation of  
building footprint data. Motion carried 9-0.~~**

Cotter stated that it should be phrased as Items C and D become Item A, Item H becomes Item B, and Item I becomes Item C of proposed projects in the plan.

Ideas/plan for updating topographic maps. Cotter stated the topographic data is out there, it is just a matter of how accessible the data is. Drayna added that the information is not as usable as it could be. He added that one area people have issues with is seeing the elevation. This aspect of the system is more difficult to use. Workman added that the problem with the existing topos, the information is all there, but when looking for the elevation you have to zoom in and scroll all the way down to find the contour line. He added that if this information can be put into an attribute table with the value all the way around, it would be very helpful. He stated that it would be fantastic to update this information without having to do another flyover. Drayna added that we do not need a new flyover. He added they have had SEWRPC look into this and they did come back with figures for updating this information. He couldn't recall the exact dollar amount they came back with. Cotter asked if we can get an amount for this to see what we are looking at. Drayna added that Colbert received the figures a couple of years ago and it was hundreds of thousands of dollars for all new topographic data.

City of Elkhorn request to house data (update). Orr stated he met with the City of Elkhorn and presented them with a service level agreement. He received news this morning that this agreement had been approved by their city council. We will be charging them \$250 per month to house their GIS data and not to exceed \$4000 to get it set up. He also added he would like to do this for other municipalities and the plan is get Elkhorn up and running, then set up a template to present to other municipalities. He added he is excited about this. Workman added he would like to know when this template is completed as he would like to see it. He added the Village of Fontana currently uses an outside engineering firm to house their GIS data, and he thinks it would be more cost effective for Fontana to have the county house their data since the information comes from the county anyways. Drayna added that the municipalities' system will have the same code base as the county's system, and will run by config files. He added these config files will be set up specifically for each municipality. Orr stated he will present the contract to Bretl for approval and then design the configuration for the City of Elkhorn's data. He added that the plan is to set up this template to present to the municipalities and set up the configuration exactly how each municipality will want it.

2012 project to purchase tax software (update). Orr stated that Colbert has worked with Du Bois on this. He added they received the impact study from them and staff is currently putting the information together. He also added they will go out for an RFI [RFI = Request for Information] in mid-to-end of April to receive this information in May. From this information, we will see what dollars we will need to have for the project in 2012.

Updated version of Land Records Modernization Plan to include the new tax software. Woolever added this was discussed earlier and referred to page 17 of the agenda packet under Item C. She also added that the cover sheet for the plan is dated February 28, 2010 and asked if this is correct. Drayna stated he will fix the date on the cover page.

Setback project. Cotter proposed that we do not pursue this project due to the possibility of errors in accuracy. He added this idea came from the chair of the County Zoning Agency. He added it is a fair idea, but once we start putting these lines on the maps and people put confidence in this information, it will lead to problems. He also added that the idea was to put notes on it through the mapping system and when you click on a parcel, it would link to the zoning code. Kroupa asked in order to get a building permit to build a deck, if owners would still need to get a survey to show the deck. Cotter answered they would still need a survey. He added again that people would put too much confidence on the setback information if available on the mapping system. He also added that the link to the zoning code will be helpful as they receive calls on this frequently. He thought it would be fairly easy to add the link to the zoning code. Drayna stated it should be relatively easy adding this link and he would just need to figure out how to link it in the application. Russell asked if this information would identify lakeshore setbacks. Cotter stated there is already a layer for the lakeshore setbacks on the mapping application.

Historical aerial map scanning. Cotter stated that he had a really good meeting with Orr, Colbert, and Drayna about this project. He added that there are racks of aerial maps from various years in the Land Use and Resource Management (LURM) office. He stated the idea is

to add these maps to the system by scanning them in. Some of the maps are in really good shape, and others are deteriorating quickly. He added they need to find a way to rent a big scanner for this project. LURM does have a volunteer who is a former IT person and just recently retired, and is excited about this new scanning project. He wanted to add that this volunteer is the "greatest volunteer ever". The volunteer is currently working on a project of scanning old tax parcel files, which is saving the county thousands of dollars. The objective for this project is to be able to click on a parcel and get the history on it. He asked if there was a way to adjust the settings to ensure that nothing is lost from the documents when scanned. Drayna stated there may be a way to improve this by playing with the settings to get the best quality scanning. Cotter added it is amazing how often this information is utilized by the public. Pruess added there are people constantly coming in and asking when their house was built. Orr added that some of these maps will be nonexistent soon due to deterioration. He added they have not received any costs yet for renting a scanner. Cotter added he would like to put these maps in storage once they are scanned in. He stated their initial options for scanning these in were taking the maps to Public Works to use their scanner. They also thought about bringing the scanner from Public Works to the LURM office; however, this was not a good idea as Public Works' staff uses their scanner often. A third option was to use the scanner in the Register of Deeds office, but this scanner is also used often by their staff. He added the best scenario is to rent a scanner to complete this project.

Reports/announcements by Chairperson. Woolever wanted to mention that the ordinance number for this council was re-numbered to Walworth County Ordinance #2-200. Bretl added that the text of the ordinance remains the same.

Russell referred to the Update to Land Records Modernization Plan included in the agenda packet, and stated there were some items cut off from the pages. She stated that the bottoms of pages 23-24 and page 26 were cut off. She also added that on page 17 under Item D and third line down, it appears a sentence wasn't completed. Orr stated the original plan is not cut off.

Russell referred to page 25 of the plan regarding transit systems. She added that Walworth County does not have a transit system; however, Kenosha County does and they do have a couple of pick ups in Walworth County. She stated she wasn't sure if this should be mentioned in the plan. She also referred to the Critical Infrastructures listed in the plan and suggested adding a tool to identify where libraries are located within the county. She stated libraries are utilized more and more by people who live in the townships. Drayna added the library information is out there on the web mapping application and there should be a layer for it, if not, he will add it to the system. He also added the plan needs to be resubmitted to the state by April 1, 2011. Orr asked the committee if there was anything else to be added or removed from the plan. He reiterated that the plan will be resubmitted on April 1, 2011.

Set/confirm next meeting date and time. Woolever stated it was put on the agenda that the next meeting will be tentatively scheduled for the week of May 23-27, 2011 due to needing to get numbers in place in order to be submitted in the budget. Next meeting was scheduled for Tuesday, May 24, 2011 at 10:00 a.m.

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Adjournment. On motion and second by Pruess and Williams, Chairperson Woolever adjourned the meeting at approximately 10:45 a.m.

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

**Walworth County Human Resources Committee and Children with Disabilities  
Education Board  
MINUTES  
March 8, 2011 – 5:00 p.m.**

County Board Room 114 – Government Center  
Elkhorn, Wisconsin  
*Draft*

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The meeting was called to order at approximately 5:00 p.m. by Human Resources Committee Vice Chairperson Grant.

Roll call – In attendance were HR Vice Chairperson Grant, CDEB Chairperson Weber, CDEB Secretary Kilkenny, Supervisors Redenius, Brandl, Wardle and Schaefer. HR Chairperson Ingersoll and Supervisor Hawkins were excused. A quorum was declared.

Others present – Supervisor Nancy Russell, David Bretl, County Administrator; Suzi Hagstrom, Labor/Employee Relations Director; Nicki Andersen, Deputy County Administrator – Finance; Michael Cotter, LURM Director/Deputy Corporation Counsel; Linda Seemeyer, LHCC Superintendent/HHS Director; Dale Wilson, Payroll/Benefits Manager; Tracy Moate, Director of Special Education; Shirley Grant, Citizen.

Approval of the agenda was moved and seconded by Supervisors Brandl and Wardle, with no withdrawals, and carried 7 – 0.

Public comment period – There was no public comment.

Resolution Approving a Collective Bargaining Agreement Re-Opener By and Between Walworth County and the Walworth County Children with Disabilities Education Board and Lakeland Education Association for the Period of July 1, 2010 to June 30, 2011. Hagstrom explained that staff had come to a tentative agreement with the teachers on the wage, health insurance and bumping rights re-opener. The Union ratified the tentative agreement last night. She stated that the MOU explained the process of absorbing teachers from the district. She added that they will not be able to go with that option due to the amount of people who wanted to take advantage of the option. The tentative agreement gives the teachers a 1% wage increase retroactive to the beginning of the school year. The agreement would expire on June 30, 2011. CDEB Chairperson Weber asked how many people this would leave in the districts. Hagstrom stated that it leaves ten people, but the county is not promising to bring those people in. She added that this should not have been a bargaining issue; it should have been an issue that an employee would grieve if and when it happens so as to rectify the issue. The issue did not need to be addressed as part of bargaining. She explained that employees would be laid off if they weren't picked up by the district. Bretl explained that the state is experiencing

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unusual times as a result of the Budget Repair Bill in Madison, which eliminates many of the traditional collective bargaining rights for Union employees. If the legislation passes, contracts would remain in effect until they expire. After they expire, employees would begin to pay into their retirement. The only issue that would be bargained for under the new contracts would be wages, which would be limited to a cost of living increase. These changes do not apply to the Deputy Sheriff's Association, as they are exempt from the collective bargaining changes in the Budget Repair Bill. Bretl added that many municipalities are rushing contracts through, but that is not what the county is doing with this. He explained that the county had been bargaining with the Teachers' Union in good faith, but unlike the other union contracts, this contract expires June 30<sup>th</sup> of this year. Many of the contracts that are being rushed through are for several years, which seems to be adding to public outrage. Bretl pointed out that this would change retirement contributions for teachers for a few months. If the BRB passes as is, non-represented employees will begin contributing toward WRS the first full pay period after March 13<sup>th</sup>. AFSCME contracts don't expire until December 31<sup>st</sup> of this year, so the county will still be making their WRS contributions until then. CDEB Chairperson Weber reminded the committees that they were simply here to approve the collective bargaining agreement re-opener that they had agreed to. He also pointed out that this is for a contract that ends in June. Bretl wanted the committee to be aware of the ramifications; WRS contributions were part of the agreement. CDEB Secretary Kilkenny felt that because the re-opener was part of the original contract, that was just further justification for moving this forward.

**CDEB Chairperson Weber and Supervisor Wardle moved and seconded approving the Collective Bargaining Agreement Re-Opener By and Between Walworth County and the Walworth County Children with Disabilities Education Board and Lakeland Education Association for the Period of July 1, 2010 to June 30, 2011. The motion carried 7 – 0.**

Vice Chairperson Grant did not have any reports or announcements.

Adjournment. On motion and second by Supervisor Brandl and Secretary Kilkenny, Vice Chairperson Grant adjourned the meeting at approximately 5:12 p.m.

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

**Walworth County Human Resources Committee**

MINUTES

March 8, 2011 – 4:00 p.m.

County Board Room 114 – Government Center

Elkhorn, Wisconsin

*Draft*

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The meeting was called to order at approximately 4:00 p.m. by Vice Chairperson Grant.

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

Others present – Supervisor Nancy Russell, David Bretl, County Administrator; Suzi Hagstrom, Labor/Employee Relations Director; Nicki Andersen, Deputy County Administrator – Finance; Dale Wilson, Payroll/Benefits Manager; Tracy Moate, Director of Special Education; Linda Seemeyer, LHCC Superintendent/HHS Director; Citizens Art Lein and Shirley Grant.

Approval of the agenda was moved and seconded by Supervisors Brandl and Redenius, with no withdrawals, and carried 4 – 0.

Approval of the February 16, 2011 Human Resources committee minutes was moved and seconded by Supervisors Brandl and Redenius. The motion carried 4 – 0.

Public comment period – There was no public comment.

Review of Chapter 15, Article I. Bretl explained that item had been held while staff obtained a legal opinion on the for cause portion of the ordinance. This item had also been held in part because of the Budget Repair Bill (“BRB”). The BRB states that nothing but wages can be bargained. When union contracts are no longer in existence, the Code of Ordinances will be what covers all employees. Staff had hoped that something would have been passed into law by now so that we had a better idea as to what direction to proceed; however, the bill is currently on hold at the Senate. Bretl added that a last-minute amendment on the Assembly floor gave civil service protection to former union members. Bretl stated that under Wisconsin law, if an employee was hired under a for cause standard, that is considered a vested right that they have in the course of their employment. However, there is nothing prohibiting the county from making someone an at-will employee if hired after a certain date. Bretl added that department heads covered by employment contracts are at-will, as well as a couple of other classes of employees who are also at-will. Before the county switched to a county administrator form of governance, virtually all department heads had some sort of job

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protection. Employees were grand-fathered in, and new department heads were covered under at-will employment contracts. Bretl would like to see the list of at-will employees expanded. Supervisor Brandl asked if all department heads are at-will now. Bretl said yes. Vice Chairperson Grant asked if this would only cover those employees not currently under contract. Bretl said that currently, non-represented employees who aren't working under employment contracts are covered under the for cause provision of the ordinance. Supervisor Russell pointed out that not a single company in private industry that she was aware of offered for cause protection to employees; everyone was at-will. She added that a day might come when employees have to be cut. Employees still have lots of protections for age discrimination, etc. She was confident that the county would not arbitrarily terminate employees. She acknowledged, however, that there may be a time when because of economics, positions may have to be eliminated in the future. Vice Chairperson Grant stated that he has always felt that for cause protection was a good thing. He asked if there was a motion to approve the ordinance as presented. Bretl added that the concept of employees having a vested interest in for cause protection is unique to Wisconsin. If the committee wanted to change the standard, it would likely need to apply to new hires. **Vice Chairperson Grant moved to approve as printed. The motion failed due to lack of a second.** Supervisor Redenius clarified that one of the options would be to expand the list of at-will employees. Bretl stated that the committee could change the ordinance so as to read that effective as of some particular date, anyone hired would be at-will. He added that department heads were made at-will and put under employment contracts, but if the committee wanted to eliminate the severance provision in the future, it could do so. He stated that at a certain point, it would make a difference in terms of recruitment if an employee gets severance or not. **Vice Chairperson Grant moved to approve with the addition of May 1, 2011 as the date after which employees hired would no longer be protected by for cause. The motion failed due to lack of a second.** Supervisor Brandl asked about hiring deputies. Bretl stated that deputies would still be hired under union contracts, and in addition, deputies have different protections per state statutes. Bretl pointed out that many of the benefits and protections afforded to non-represented employees have been derived from union contracts. Bretl suggested that it may be best to hold on this item until we have a clearer picture of what is happening on the state level. In the meantime, Bretl stated that the committee needs to look at section 15-6 to decide what to add. Supervisor Brandl suggested holding this item for a month. Hagstrom stated that the committee can always come back to this item.

**Supervisors Brandl and Redenius moved and seconded tabling this item until the April meeting.** It was clarified that the whole article would be tabled until April. **The motion carried 3 – 0.**

Discussion and possible action regarding amendment to Section 15-519 of the Walworth County Code of Ordinances Relating to Holiday Pay Provisions. Supervisor Brandl

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asked which non-represented group uses this the most. Wilson stated that Corrections and LHCC use this the most. Supervisor Brandl asked how many people are using it. Wilson stated that about 59 employees can currently request a holiday bank payout. In the past year or so, approximately 31 different employees have requested a payout. He added that corrections sergeants are banking the time and requesting payouts. Vice Chairperson Grant was concerned that allowing employees to bank time now and request a payout later would be a bookkeeping nightmare. He feels that employees should have to make the decision (as to whether they want to bank the hours or get a payout) when they actually work the hours. He felt that would be the most uniformed system. Supervisor Brandl disagreed. He thinks employees should just have to be paid out. When employees are allowed to take the time off, it then costs money to have someone fill their position. Vice Chairperson Grant did not think that was the case. An employee's ability to take time off would depend on whether or not there were others to cover for them. Supervisor Brandl questioned whether or not a nurse at LHCC would have to be replaced if the nurse decided to take the time off. Wilson said yes, the potential would be there to have to backfill. Hagstrom stated that the problem is that current practices differ from the actual ordinance. The first question the committee needs to answer is whether they want all departments to be treated equally. The committee said yes. Supervisor Russell was concerned that it costs the county money because employees would otherwise be losing the time once they hit 80 hours. Hagstrom stated that only two people have lost time. Andersen stated that this affects some of the employees in Finance. She was not sure how it would work with 24-hour staffing at the Sheriff's Office, however. Bretl suspected that having to fill the positions at the Sheriff's Office would be more common than in payroll. Wilson stated that because of scheduling, one of the sergeants at the jail was working 9 out of 10 holidays, which comes out to 72 hours. Between that time and vacation time, etc., it was not likely that the employee would be able to take off all of those hours. Vice Chairperson Grant was opposed to only allowing banking of holiday time, but he still argued that the employee should have to decide at the time of the holiday whether to bank it or take the payout. If the employee banks the time, they can take the time off if they get their supervisor's permission. Supervisor Brandl asked if this affects the nursing home. Seemeyer stated that if nurses don't come into work, they have to post for overtime or for contract help. There are a minimum number of people that must be on shift. They like the flexibility because of the budget, but they do have to replace the person on the floor. Hagstrom added that the LHCC administrator encourages nurses to take time off when they have so many hours. Vice Chairperson Grant felt that by allowing payouts only, the county would be encouraging employees to call in sick when they are not sick in order to be able to use this time. Supervisor Brandl wanted more input from department heads on how they are handling holiday pay. Vice Chairperson Grant suggested that holding the item until the April meeting would give department heads time to respond. If they don't respond, then they have to be okay with the decision the committee makes. Supervisor Russell suggested asking department heads to provide something in writing so that the committee can

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review the information. Bretl stated that staff can try to come up with something in advance and hopefully come to a consensus. Supervisor Brandl asked if Hagstrom and Wilson can put together the information from department heads along with the monetary consequences. Hagstrom stated that they will do a survey of department heads and condense the results.

**The item was tabled until the April meeting.**

Vice Chairperson Grant did not have any reports or announcements.

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

Adjournment. On motion and second by Supervisors Brandl and Redenius, Vice Chairperson Grant adjourned the meeting at approximately 4:42 p.m.

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

# Wisconsin River Rail Transit Commission

X- Committee Mtg – Friday, 04 March 2011 @ 10am • Dane Co. Hwy, 2302 Fish Hatchery Rd, Madison, WI

1. Karl Nilson, Chair, called the meeting to order at 10:00 a.m.
2. Commissioners present for all or part of the meeting:

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

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

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

Amy Seeboth (SWWRPC / WRRTC Administrator); Frank Huntington and Ethan Johnson (WisDOT); Ken Lucht (WSOR); Alan Anderson (Pink Lady RTC); Jim Matzinger (Dane County, WRRTC Accountant); Bill Wentzle (Sauk County Board); Jeremiah Tucker (Sauk Prairie Eagle).

3. **Motion accepting Seeboth's certification of Public Notice.** *Dorscheide / M. Ruf- passed unanimously.*
4. **Motion accepting the Revised Agenda prepared by Seeboth.** *Kuhnke / Thomas - passed unanimously.*
5. **Motion approving the draft Nov. Minutes.** *Van Schwartz / Gustina – passed unanimously.*
6. **Public Comment** – Chairman Nilson introduced Larry Ward as the Executive Director of Southwestern Wisconsin Regional Planning Commission (SWWRPC). Ward spoke briefly about the SWWRPC's history with WRRTC and about how glad he is to have the opportunity for his organization to work with this group.
7. **Correspondence & Communications** – Seeboth shared two articles, one had to do with economic the economic recovery and the other was about the rails-to-trails events in Sauk County.

## REPORTS & COMMISSION BUSINESS

8. **WRRTC Financial Report**– Jim Matzinger, Dane County CPA / WRRTC Accountant provided copies of the treasurer's report to each Commissioner.
  - **Motion accepting the treasurer's report for Feb. and payment of bills** – *Van Schwartz / Gray – passed unanimously*
9. **Wisconsin & Southern Railroad's Report on Operations** – Ken Lucht, WSOR said only that WSOR would like clarification on the WRRTC resolution from last month regarding their contract with WRRTC – Seeboth said that the Commission Attorney is reviewing it and will have a letter to soon. Commissioner Sinklair asked that The Commissioners be provided with a copy of it as well.
10. **Approval of WSOR 2011 Capital Rehab Project Local Match Request**– Ken Lucht of WSOR asked the Commission to consider funding a portion of the local match for the WSOR 2011 Capital Rehab Projects. The Commission typically funds these projects and the projects proposed for 2011 include Stoughton to Madison Phase 2 rail replacement. The project is expected to cost \$11,958,000. WSOR has applied for \$9,566,000 in State funding for this project.

WSOR will contribute \$2,160,000. They are asking the WRRTC to contribute a total of \$229,160, or the total of their 2011 County Contributions.

- **Motion to pay the 2011 WSOR Capital Rehab project match request of \$229,160- Sweeney / Van Schwartz – passed unanimously.**

- 11. WRRTC Administrator's Report** – Seeboth reported to the Commission on several ongoing issues including the Town of Hebron request, the Ekleberry crossing in Muscoda and the website. She asked the Commissioners if they were comfortable with their financial information being placed online and they agreed that they were- Commissioner Van Schwartz asked that Seeboth get a description of the financial layout from Accountant Jim Matzinger to place online as well so folks can follow the report more easily.
- 12. WDOT Update** – Frank Huntington, WDOT, reported that the same grant monies for freight rail are in the proposed State budget as were allocated in the last biennium (\$60 million). This year, they hope to fund the WSOR project as well as some bridges that need updates, such as in Lone Rock and Spring Green. WDOT received the grant applications in February and are still ranking the proposed projects.

*The Commission recessed for a 10-minute break at 10:55.*

- 13. Consideration of private crossing request in Janesville, WI, Delavan Drive Properties LLC (formerly Mule Hill)**  
The Commission had approved of this crossing last winter, but the crossing permit was never formally completed and in the meanwhile the property was sold. The new owners would like to obtain a permit but their future land use is unknown. The Commission asked Seeboth to contact the new owners and tell them that they are not ready for the permit until they know more about what they will be doing with the land (at a minimum they need to know if it is commercial, residential or industrial use), and until then the owners can use another entrance that is not as convenient.
- 14. Update on Sauk County Rails to Trails Stakeholders Group-** Van Schwartz passed out three handouts, including Van Schwartz's notes, a map of the corridor, notes from the meeting, and a copy of the resolution recently passed by Prairie du Sac and Sauk City in favor of a rails-to-trails. The Commission expressed concern that they were never contacted by the two villages before the resolution was passed. Supervisor Bill Wentzel from Sauk County spoke up to say that he was sure that the Communities would apologize about that, that they were under the impression that the DOT was the lead on the issue. Commissioner Van Schwartz requested that an action plan be provided from those in favor of the rails-to-trails to explain their plan for conversion, including the timeline and how it will be funded. Lucht said that WSOR has no intentions of leaving the corridors where they are storing cars- from Mazomanie up to the river.
- 15. Discussion regarding Badger Army Ammunition Plant easement and Sauk City / Prairie du Sac Rail-to-Trails -** Huntington from the WDOT reported that they are in the process of preparing a response to the Villages' resolution (mentioned above in item 14). This response has not gone out yet so he cannot discuss it in detail. He did say that in regards the Resolution, a number of issues are related; in particular, the language in the BRAAP easement indicates that the easement can be terminated if it is not used for the purpose it is intended for within two years. The purpose for which it is intended is for rail use or rail preservation. If the line is not used by WSOR by August the corridor will have to be put into rails-to-trails or else the easement will be lost. Huntington said that more information will be presented on this in May so that the Full Commission can discuss how they will proceed. Huntington said that it is in DOT's interest to preserve the easement and they will likely do so with or without the Commission's concurrence. DOT is concerned that if they want to preserve this easement it needs to go before the STB sooner than later since the STB can be backed up at times.

The second issue is the corridor through the Villages- this corridor has come up a number of times over the years. WDOT has said before that they wanted to get BRAAP done before converting the corridor through the Villages to a rails-to-trails. If the DOT is able to purchase the UP line from Madison to Reedsburg most of people said that they would support converting the line through the villages and BRAAP to a rails-to-trails. The current contract between WSOR/WRRTC/WDOT requires the Commission and WSOR to maintain the corridor, yet nothing has been done to maintain it since 1997. Technically, the WSOR is in default of the contract.

- 16. Update on Charter Street / UW Power Plant Project** – Huntington also reported on this. He said that since the biofuels portion of the plant was cancelled, the plans for this corridor will need to be updated. UW-Madison is in the process of developing new plans to show the Commission before concurrence.
- 17. Motion adjourning the meeting at 12:14 p.m.** - *Sinklair / M. Ruf* - *passed unanimously.*

**County Board Executive Committee  
MEETING NOTICE**

**Monday, February 28, 2011  
10:00 AM**

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

Chairman Weber called the meeting to order at 10 AM.

A quorum of member was in attendance, including Chairperson Weber, Vice Chairperson Kilkenny and Supervisors Russell and Brandl. Supervisor Hawkins was excused.

Others in attendance included Dave Shaw, Alpine Valley Theatre General Manager; Scott McClory, Captain of Patrol; Kurt Picknell, Undersheriff; Maureen Vander Sanden, Reporter for Elkhorn Independent; Michael Cotter, LURM Director/Deputy Corporation Counsel; Caleb Repinski, UW-Whitewater Intern with the County Administrator's office; and, David Bretl, County Administrator.

Agenda approval was moved by Vice Chairperson Kilkenny and Supervisor Russell. The agenda was approved by a 4 – 0 vote.

**Ongoing/unfinished business**

**Discussion and possible action concerning Alpine Valley 2011 business license relative to camping.** Bretl explained that the committee is being asked to consider the implications of camping at Alpine Valley. The business license needs to be revised to address the issue of camping. Bretl reminded the committee that they are licensing concerts, not camping. However, they will need to consider how camping impacts concerts. Bretl proposed minor changes to the business license, which he distributed. Shaw appreciated the committee's willingness to hold a special meeting to discuss this issue. He explained that Alpine was proposing to allow camping in the furthest lot from the venue (the green lot). The proposal is to put 75 camping spaces in that lot. In order to create the campsite, they would have to lower the overall capacity because they typically park in this lot. Shaw had a great level of confidence in the planning and preparation of the plan. Chairperson Weber asked about open fires. Shaw explained that the East Troy Fire Department is on site every show, as soon as the lots open. Vice Chairperson Kilkenny asked if people will need to reserve the camp sites well in advance. He also questioned whether there would be information about camping widely available to the public. He was concerned that people would join another group's campsite without paying for it. Shaw explained that a person has to have a wristband on to be able to get into the campground. No one will be allowed in without it. The area will be very secure. Wristbands will be handed out as cars get off of Hwy P. Shaw is not concerned about a lot of people arriving who think they can camp because that is something that they have to deal with at every show anyway. Bretl explained his proposed changes to the license in paragraph 14. He

modified the paragraph to indicate that Alpine had in fact been given a conditional use permit. The revised language indicates that Alpine must comply with the conditional use and operational plan as approved by the CZA. If they violate the operational plan, they could get a revocation of the conditional use permit or the concert license. He added that the cost of law enforcement under the operational plan would be paid for over and above the ticket surcharge. Vice Chairperson Kilkenny asked how that cost is determined. Picknell explained that the Sheriff's Office invoices Alpine after every concert. Shaw stated that he can cut a check as soon as he gets the invoice. Supervisor Russell felt that the plan was very well thought-out. It was clear that a great deal of time had been spent trying to ascertain anything that would happen and create a plan to cover it. Supervisor Russell was satisfied that things will go well. To avoid having to turn people away from camping at the entrance, Supervisor Russell suggested adding language to the signage to let people know (as they approach) that they must have reservations for the campsite. Shaw felt that rather than add language to the signage, they would reach out to people when they purchase the tickets, so as to make sure they know exactly where the lot for camping is located. Shaw added that at the end of each show, the Sheriff's Office and Alpine staff work together to get concertgoers out of the parking lots. Shaw stated that they had not yet decided on the cost of camping. Vice Chairperson Kilkenny asked if there are only a certain number of people allowed in each site. For example, if someone caught up with a group of people that had a campsite, would they be turned away automatically? Shaw explained that wristbands are distributed only when the vehicle first comes to the site, so there would not be an opportunity for someone to "meet up" with people at the show and get a wristband. Each campsite is limited to six people, for a total of 450 possible guests. Shaw said that he would be surprised if there were more than 300 to 325 campers. Very few vehicles will come with six people in them, even if the vehicle is an RV. Vice Chairperson Kilkenny stated that if there can be six people on a site, they might want to come in two cars, and Alpine may want to consider how to handle that. He suggested some flexibility in their business model. Chairperson Weber stated that he was confident that Alpine will do an excellent analysis until all of the "bugs" are worked out. Picknell stated that all of the details that had concerned the Sheriff's Office have been addressed and put into the operations plan. Captain McClory stated that two groups wanting to camp on one site together would have to come in together. A deputy then escorts the concertgoers to their campsite. To be able to enter the campsite, people would have to show the email confirmation they received from Live Nation. Picknell stated that they always have an after-concert, after-season review, and the camping issue will be included in that review. Supervisor Russell pointed out that campsites are usually graveled pads. She was concerned that a big downpour could lead to a muddy mess. Shaw explained that as part of the zoning process, he talked to Matt Weidensee, and they will be making some changes relative to the drainage plan so as to eliminate any potential issues resulting from heavy rains. He added that some sites are at too much of a slope, so they will grade those. They are taking steps well in advance to make sure that every campsite is level. Bretl suggested adding a statement to the license that this license supercedes the previously signed license.

**Vice Chairperson Kilkenny and Supervisor Brandl moved and seconded approving the license with the proposed additional language. The motion carried 4 – 0.**

**Reports/announcements by Chairperson.** None.

**Set/confirm next meeting date and time** – March 14, 2011 at 10 AM

**Claims and litigation.** The committee may discuss the following topic(s) in open session. The committee may convene in closed session pursuant to the exemption contained in Section 19.85 (1) (g) of the Wisconsin Statutes, “conferring with legal counsel for the governmental body who is rendering oral or written advice concerning strategy to be adopted by the body with respect to litigation in which it is or is likely to become involved,” relative to the items listed below: Supervisors Brandl and Russell moved to convene in closed session at approximately 10:37 a.m.

- a) 3301 Bay Road LLC, by Lisa Collyer and Michael Collyer, et al. v. Town of Delavan.

On motion and second by Brandl and Russell, the committee reconvened in open session and took the following action with respect to the above-referenced agenda item:

- Supervisors Kilkenny and Russell moved and seconded proceeding as discussed in closed session. The motion carried 4 – 0.

**Adjournment.** Brandl/Russell. 10:45 AM.

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

**County Board Executive Committee  
MEETING NOTICE  
Monday, February 14, 2011  
10:00 AM**

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

Chairman Weber called the meeting to order at 10 AM.

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

Others in attendance included Linda Seemeyer, Director of Health & Human Services; Kevin Williams – Captain, Sheriff’s Communications Division; Deputy John Ennis, Emergency Government Director; John Orr, Information Systems Director; Sheriff Dave Graves; Kurt Picknell, Undersheriff; John Delaney, Assistant Jail Administrator; Shane Crawford, Deputy County Administrator - Central Services; Kathy Loveless, Administrative Assistant, Jail Administration Office; Nicole Andersen, Deputy County Administrator – Finance; Chris Schultz, Reporter for *Lake Geneva Regional News*; Caleb Repinski, UW-Whitewater Intern with the County Administrator’s office; and, David Bretl, County Administrator.

Agenda approval was moved by Supervisors Brandl and Hawkins, moving item 10c regarding the JAG Criminal Justice Coordinating Councils 2009 Grant to immediately follow and coincide with item 7b, the continuing jail study. The agenda was approved as amended by a 5 – 0 vote.

Approval of January 17, 2011 Executive committee minutes was moved and seconded by Supervisors Hawkins and Russell. The motion carried 5 -0.

**Public comment period.** County Administrator Bretl introduced Caleb Repinski, an intern from UW-Whitewater doing work in County Administrator’s office. As an intern, he is required to complete 150 hours of work during the semester. Mr. Bretl reported that we are probably one month away from going live with video streaming and aiming to do a trial run on the system at the March executive committee.

**Ongoing/unfinished business**

**Community Development Block Grant (CDBG) emergency relief funding, 2008 flood damage.** Captain Kevin Williams, Sheriff’s Communications Division and Lt. John Ennis, Emergency Management Director, provided an update. All issues have been addressed so as not to create pitfalls for the county with respect to liability, said Captain Williams. The county is prepared to acquire a lot in City of Whitewater on which there is a home that was damaged during the flooding. It was clarified that ownership would include all attendant responsibilities, including maintenance of the property, which is on a city lot and block. The question is whether

to market or dispose the property once it has been acquired. It's not in flood plain but was damaged, beyond repair, by mold. Captain Williams clarified that no committee action was being requested. Staff was simply providing an update. The county is ready to send a letter to the Whitewater property owner with an offer to purchase. Sandra Henderson, FEMA representative, confirmed that the property owner has met all of the criteria for low-to-moderate income status. The State sent correspondence indicating the property acquisition agreement should include language stating that the property could not be built on. The property damage that occurred during the 2008 floods caused gutter system failure and collapse of a cement patio, which then resulted in water funneling into the basement. Subsequently, a mold problem developed, which led to the need to demolish the house because the excessive mold cannot be remediated. Interior and exterior walls of the home would need to be removed literally all the way down to the house foundation to remediate the problem. The CDBG grant does not permit creating any income so if the county wishes to sell the property once acquired, any profit would need to be returned to the grant program. One possibility would be transferring ownership of the property to the City of Whitewater, if the City is interested, to deal with as they choose. Another possibility would be to donate the property to Habitat for Humanity. If the property owner accepts the offer to purchase, the County would purchase the property and hire a contractor to demolish the house. Supervisor Russell asked about the cost of demolition, including the house foundation. Williams said Emergency Government staff and Ms. Henderson spoke with staff of Sugar Creek Township and the City of Whitewater, both of which have done some property demolition since the 2008 flood. The Town of Sugar Creek just acquired and demolished five properties. The estimated cost to demolish the house on the Whitewater property is in the \$5,000 to \$10,000 range. Supervisor Russell said she preferred to donate the property to the City of Whitewater and suggested it might become a neighborhood park. The property is in the middle of a residential block, just down from a school. There are no other vacant lots nearby. Chairman Weber said he did not think one city lot would be enough property to turn into a park and expressed concern as to whether the county would be committing to more than it is prepared to deal with by acquiring the property. There is a mortgage on the house, which is less than the current value of the property. The house is built on a hilly lot, and the hill behind the house slopes toward the house, said Williams. There wasn't enough money in the grant to purchase the house at pre-flood-damaged value, but with additional State funding made available, there is enough to purchase it based on fair market value as well as to pay for demolition. If the property owners accept the offer to purchase, staff will update the committee and, at that time, request a decision regarding proceeding. An offer to acquire the property will help the property owners. It was noted, however, that once the property is acquired, the county could own it for some time if the City of Whitewater and Habitat for Humanity do not want to take title. Mr. Bretl indicated that he wanted to make sure committee members understood and were comfortable with the options concerning acquiring the property before staff proceeds with an offer to purchase. Once an offer is made, the county is committed. Supervisor Russell said she wanted Mr. Bretl to have a conversation with City of Whitewater officials concerning whether they would be interested in acquiring the property from the county and then donating or redeveloping it. Russell said if it were possible to turn over the property to the City at the same time as it is acquired, that would be ideal. Administrative expenses are covered under the grant, said Williams. Chairman Weber stated his concern that time passes quickly and the county may end up having the property longer than

desired. He asked Mr. Bretl if he could have a conversation with the City of Whitewater concerning any interest in taking title to the property if the county acquires it. Mr. Bretl said he could do that. Vice Chairman Kilkenny asked whether there was any possibility that adjoining property owners might be interested in acquiring the property. Captain Williams said adjoining property owners in the neighborhood could be contacted. Supervisor Weber asked Captain Williams to follow through on all possibilities discussed at today's meeting. Williams additionally provided an update concerning Sugar Creek Township's request for additional State funding for road (infrastructure) projects. The town's request, when first submitted to State officials, was denied. Subsequently, State officials indicated additional funding was identified to assist the town. Sugar Creek has accepted the funds, and a contract has been signed by the county to disperse grant funds. The town now needs to file documentation substantiating that the infrastructure projects meet State grant requirements. Williams said the Town will submit the documentation to both the State and Walworth County in order to secure release of the \$265,000 funding.

**Continuation of Jail Study – Application for JAG Criminal Justice Coordinating Councils (2009) Grant.** County Administrator Bretl provided a brief update regarding recent events. At its February 11 meeting, the Criminal Justice Coordinating Committee (CJCC) announced upcoming dates for OWI court training. A group will be attending training in Michigan from June 6 through June 9, 2011. Sheriff Graves recently visited Rock County to view the county jail's electronic monitoring program. County purchasing staff is working on an RFP to obtain consulting assistance for the CJCC. The committee has not yet completed its study of the jail; however, information regarding what Supervisors have spent the past year studying as well as any conclusions is available in the executive committee minutes, said Mr. Bretl. The CJCC has been responsive during this study process, said Mr. Bretl. Supervisor Russell said she had reviewed the JAG Criminal Justice grant announcement and did not see how the county could meet the requirements of the JAG Criminal Justice Coordinating Councils Grant or the application deadline. Mr. Bretl said grant funding includes \$50,000 for planning, available to counties that either don't already have a CJCC or are in the early formative stages. In addition, funding is available to assist with hiring a consultant to assist the CJCC or conduct an evaluation or activities to enhance the CJCC. In addition, \$100,000 is available through in an implementation category to counties that have an existing CJCC for implementation of a needs assessment or other type of evaluation to identify service gaps in the jail system. This funding is to be used to institute evidence-based practices or data-driven incarceration alternative programming in the criminal justice system. Mr. Bretl indicated that he thought it would be worthwhile applying to see if we might be eligible to obtain some grant funding, which is available to county governments. The grant requirements are very specific. Supervisor Kilkenny said grant guidelines indicate contracts for contractual consultants should be awarded by competitive bidding. Mr. Bretl indicated he wasn't sure for how long the grant had been available, but he received email correspondence from Eric Nelson, Public Defender in Rock County, around February 7<sup>th</sup>. Bretl said he shared the committee's concern that, even though there is no match required, grant funding is one-time money. One of the grant application categories requires describing how the council or project will continue after grant funding ends. A letter of support from each member of the county's CJCC members is required to be submitted with the grant application. Chairman Weber asked if Administrator Bretl felt there

was any conflict between what the county had budgeted for incarceration alternative programming and the requirements of the grant. Mr. Bretl indicated that we have committed to seeking limited term staff or a consultant but not committed to full-time staff or programs to support the CJCC. One suggestion was to provide support to expand the jail's electronic monitoring program. Supervisor Kilkenny requested clarification that Mr. Bretl recommended the committee authorize applying for the grant to try to get some of the available funding. Bretl said he appreciated guidance concerning any options the committee did not want to pursue, and indicated it might be possible to get assistance from the HHS department with the grant application given that HHS staff has a lot of grant writing experience. Supervisor Russell said she thought that day reporting was something the committee should pursue. Sheriff Graves said he and Undersheriff Picknell recently observed Rock County's electronic monitoring program. The e-bracelets Rock County is using can monitor whether inmates are in a bar, have spilled alcohol on the bracelet, are speeding on the freeway, have ventured outside of specified geographical boundaries, etc., in other words, all of an inmate's activities. Rock's e-monitoring alarm system is better than the one currently used in Walworth County, said Graves. Their corrections division includes three deputies, two correctional officers and one clerk, which monitor all of the comings and goings of the work release inmates. Undersheriff Picknell said the Rock County program is something our Sheriff's Office is interested in replicating in Walworth County. Rock County has an OWI court, pre-trial services and a drug court, and is currently expanding its work release monitoring. Of these, our Sheriff's Office could take the lead in expanding our current work release program. The criteria for electronic monitoring and release are very specific. Some inmates who are not employed at the time of incarceration are released to home with e-bracelets so they can look for work, said Sheriff Graves. Vice Chairman Kilkenny said Walworth County has just begun the process of trying to get a sense of whether our judges and prosecutors are ready to move forward with alternatives. Inmates don't commit crimes while incarcerated, but do they become recidivists after being released from jail? The electronic monitoring system currently utilized at the jail is under Sheriff Graves' authority once an inmate is sentenced. Graves said the Sheriff's Office has been receptive and sensitive to the judges' wishes, and if they do not want someone on e-monitoring, the Sheriff complies. The upgraded bracelet, like the one used in Rock County, is \$9.00/each. Having success with the current e-monitoring program has fostered willingness to upgrade Walworth County's program to mirror Rock's. Supervisor Kilkenny said he thought use of e-monitoring could ultimately have an impact on the entire jail population. Many people are jailed without work release. He expressed support of evidence-based sentencing. In the Sheriff's Office, the focus is on public safety while trying to reduce the overall jail population. Supervisor Russell agreed with Vice Chairman Kilkenny that pre-classification prior to sentencing is important. Day reporting changes inmates' attitudes about their lifestyle and the behavior that led to incarceration. Work release and monitoring is something we have experience with at present and can most likely target in the current timeframe. Mr. Bretl said he would be concerned about funding a pre-trial release staff person with one-time money, but purchasing e-bracelets might be a viable option. The Sheriff can do e-monitoring at his discretion. Sheriff Graves said he intends to move forward with expanded monitoring, with three criteria in mind: public safety, reducing jail beds and cost savings. He said the current jail population is 300 and indicated the Sheriff's Office is not in crisis mode. Undersheriff Picknell expressed appreciation for the committee's support of the Sheriff's decision. The Sheriff's Office will plan to model expanded jail programs here after

Rock County's program. Supervisor Russell asked if day reporting can be included in the grant application. Mr. Bretl asked if that was a component of Rock County's program. Sheriff Graves said it was not. He indicated that Dane County is currently working on possible day reporting. **Supervisors Kilkenny and Hawkins moved support of authorizing County staff to apply for the JAG Criminal Justice Coordinating Councils grant. The motion carried 5 – 0.**

**Ordinance Amending Division 3 of chapter 2 of the Walworth County Code of Ordinances Pertaining to Intergovernmental Cooperation.** County Administrator Bretl indicated he made just one change to the draft previously reviewed by the committee, to include other services that could be purchased by municipalities. The language pertaining to GIS services should be modified to specify that GIS and zoning maintenance would be provided at no charge to towns that have adopted County zoning. A service-level agreement with City of Elkhorn is currently being worked on. Maintenance of service is differentiated from services. Vice Chairman Kilkenny indicated that an "opt out" provision should perhaps be included. The ordinance can include language specific as to what is considered maintenance of a current service. Supervisor Hawkins asked about a table of specific charges for services. We have attempted to recuperate our costs, but the language could be more specific, Mr. Bretl said, i.e., full cost recovery can be specified. IT Director John Orr said there is an hourly rate in the county's fee schedule, which he thought was \$65/hour. The agreement with Elkhorn specifies the hourly fee as well as items outside of the agreement that would be covered under the fee schedule. Supervisor Russell asked if this was done on a contractual basis. There is verbiage in the service level agreement to review the agreement annually, said Orr. The I.T. department limited the service to what can be offered without personnel resources, said Orr. The services are linked with information that is already part of the county's GIS information database. The service-level agreement is specific as to what level of service is covered. Supervisor Kilkenny expressed hope there is flexibility to amend the service-level agreement. John Orr said that in order for the county to host a municipality website, there needs to be flexibility to modify an agreement based on the amount of data a municipality requests the county to host, and depending on layers in the system, e.g., sewer, underground and above-ground electrical service. Cost recovery is important. Mr. Orr said the I.T. department wants to present the hosting option to other municipalities. There is one municipality that wants to piggy-back on the county's web server, to incorporate its web information into the county's. Orr cautioned that the local government's tax key system must be exactly the same as the county's or it could cause problems. Mr. Bretl indicated he wanted to share the proposed ordinance amendment with the local officials at the February 22 Intergovernmental Cooperation Council (ICC) meeting. **Supervisors Kilkenny and Hawkins moved and seconded forwarding the ordinance to the County Board following the ICC meeting. The motion carried 5 – 0.**

**Appointments.** Support of Administrator Bretl's nomination of Pauline Parker for appointment to a vacant citizen position on the Health and Human Services (HHS) Board was moved and seconded by Supervisors Russell and Hawkins. The motion carried 5 – 0.

The committee took a break at 11:30 AM and reconvened at 11:40 AM.

**Consent items.** Approval of Supervisor Stacey's mileage reimbursement claim totaling \$34.34 was moved and seconded for approval by Supervisors Brandl and Kilkenny. The motion carried 5 – 0.

### **New business**

**Communication from Supervisor Stacey regarding Governor Scott Walker's statement that Wisconsin is "Open for Business."** This matter is also scheduled for discussion by the County Zoning Agency, said Administrator Bretl. Supervisor Stacey was not able to attend today's Executive committee meeting. Being open for business can mean different things to different people. Chairman Weber said he is on a Delavan bank board that recently discussed Governor Walker's lack of definition as to what he means by "Open for Business." The board thought it would be nice to invite the Governor to speak and explain. There needs to be a coordinated effort among neighboring counties to focus on the capabilities and industry in this region. There are more screw machine companies in Walworth County, for example, than any other place in the country, said Weber. Many other communities have specific business and industry capabilities and things to offer, he said. Supervisor Weber wondered whether we could invite Governor Walker to speak and provide clarification as to what he meant when he stated that Wisconsin is "open for business." Supervisor Hawkins suggested inviting the governor to speak at a committee of the whole meeting. Mr. Bretl said the committee can recommend committee of the whole meetings at its discretion. Supervisor Russell said there are three important industries in the county: agriculture, tourism, manufacturing, and efforts should not be focused on any one to the exclusion of others. There are many locations in the county where businesses can locate. We need to focus on the industries that are already located here and sites available to businesses interested in locating as well as focus on recruiting businesses to locate here. Supervisor Russell said we need to do a better job of marketing Walworth County and retaining business. Supervisor Kilkenny expressed concerns about equal protection under the law and short-circuiting due process. He said Governor Walker has stated that it's not government's responsibility to create jobs so it is unclear what he meant by his statement, "Wisconsin is open for business." Public sector business should be on par with the private sector, said Kilkenny. Businesses that are favored by the public have only to convince politicians that they're good for the State of Wisconsin and are then treated with favor, he said. Businesses, whether public or private, should be on the same playing field, Kilkenny said, and indicated that he was not sure what the committee was supposed to do with Supervisor Stacey's letter. Chairman Weber stated Kikkoman would not have located in Walworth County if not for the available natural resources for its product, i.e., grain and abundant water supply. He reiterated his preference of requesting County Board support for a formal invitation to the Governor to attend a committee of the whole meeting to provide clarification about his statement that Wisconsin is "open for business" and how Walworth County can help to move that forward. Mr. Bretl explained that he thought Supervisor Stacey's intention was to seek clarification concerning how Walworth County can participate in and support strategies in support of Wisconsin being open for business and assist in the Governor's effort. He indicated that if the committee was supportive of inviting Governor Walker to participate in dialogue at a committee of the whole meeting, the request should be voted on by the full board. **Chairman**

**Weber moved to request the board invite Governor Walker for that specific purpose. Supervisor Hawkins seconded the motion. The motion carried 5 – 0.**

**UW-River Falls Survey Research Center (SRC) correspondence regarding providing survey services pertaining to government services and functions.** Administrator Bretl said he thought the correspondence was interesting given the services the research center offers. Supervisor Russell said she thought it might be worthwhile to survey the community about which county services they feel are most important because there may be a point in the future when the county, because of budgetary constraints, needs to consider eliminating or reducing programs. Mr. Bretl said our local Extension Office might be able to provide assistance, but the specific survey services are being offered through UW-River Falls, and there is a charge of \$6,500. Committee members expressed openness to pursuing this in the future if it is deemed timely and worthwhile. Meanwhile, Mr. Bretl said he could follow up with our Extension staff to see what their role in conducting such a survey would be. The committee consensus was to place the correspondence on file and refer to it in the future if desired.

**Reports/announcements by Chairperson.** Chairman Weber did not have any reports or announcements.

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

**Claims and litigation.** Supervisors Kilkenny and Hawkins moved and seconded convening in closed session pursuant to the exemption contained in Section 19.85 (1) (g) of the Wisconsin Statutes, “conferring with legal counsel for the governmental body who is rendering oral or written advice concerning strategy to be adopted by the body with respect to litigation in which it is or is likely to become involved,” relative to the item listed below. All Supervisors voted “aye.”

- a) Claim of Marjorie L. Geiger

On motion and second by Vice Chairman Kilkenny and Supervisor Russell, the committee reconvened in open session and took the following action with respect to the above-referenced item:

- Supervisors Kilkenny and Hawkins moved support of County Board denial of the claim of Marjorie L. Geiger and the County Clerk serving notice of disallowance upon the claimant.

**Adjournment.** On motion and second by Vice Chairman Kilkenny and Supervisor Brandl, Chairman Weber adjourned the meeting.

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

**WALWORTH COUNTY METROPOLITAN SEWERAGE DISTRICT  
MINUTES OF REGULAR MEETING  
February 8, 2011  
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, Harold Shortenhaus. Thomas Eck was on speakerphone from Florida. Ron Henriott was not present.

**Others Present:**

Karla Eggink, Administrator  
Cindy Moehling, Assistant Administrator  
Gail Vangen, Confidential Secretary  
Raymond Greenlee, WalCoMet  
Fred Walmer, WalCoMet  
Ken Esch, WalCoMet  
Timothy Fenner, Axley Brynelson  
Steven Scheff, Maintenance Manager  
Thomas Johnson, Collection Services Manager  
Ron Altmann, Operations Manager  
Shane Crawford, Deputy County Administrator/Public Works Director, Walworth County  
John Miller, Assistant Superintendent, Walworth County Department of Public Works  
Greg Epping, Village of Darien  
Jim Mann, Ehlers & Associates  
Mark Wendorf, City of Delavan, Department of Public Works  
Diana Dykstra, Administrator/Clerk/Treasurer, Village of Darien

**VISITOR COMMENTS**

None

**APPROVAL OF MINUTES OF REGULAR MEETING JANUARY 11, 2011**

Commissioner Johnson made a motion to approve the minutes of the Regular Meeting January 11, 2011. Commissioner Shortenhaus seconded and the motion carried.

**RESOLUTION 2011-05:** Awarding the sale of approximately 3,925,000 Sewerage System Refunding Revenue Bonds, Series 2011, of the Walworth County Metropolitan Sewerage District, Walworth County, Wisconsin, to M & I Marshall & Ilsley Bank, 770 North Water Street, Milwaukee, Wisconsin, 53202 at a true interest rate of 4.0107% for a period of 18 years, and providing for the payment of the bonds and other details with respect to the bonds. Commissioner Shortenhaus motioned to approve the award of \$3,925,000 Sewerage System Refunding Bonds to M & I Marshall & Ilsley Bank of Milwaukee, WI. Commissioner Johnson seconded the motion and roll call was as follows:

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

Motion carried.

## **ADMINISTRATOR'S REPORT**

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

a. **YEAR 2011 MAINTENANCE PROJECTS STATUS REPORT**

A summary of the 2011 scheduled treatment plant and lift station/interceptor projects was reported. Costs in the project summaries are estimates based on past experience or actual estimates by contractors. Actual costs frequently differ from estimates.

Staff will be implementing a more comprehensive maintenance/asset management program and Commissioners will be updated on progress on a monthly basis.

b. **PERMIT COMPLIANCE UPDATE**

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

c. **STAFF TRAINING ACTIVITIES**

Four staff members attended a webinar on pretreatment procedures for conducting compliance monitoring. Nine members of the staff attended a Digger's Hotline seminar. Karla Eggink attended a MEG meeting in Stevens Point. Steve Scheff, Cindy Moehling, and Karla Eggink attended an Asset Management class in Chicago. All WalCoMet staff participated in confined space rescue training and also a class on spill response. Since January, WalCoMet has been hosting an Introduction to Wastewater Treatment class on Wednesday nights. Attendance has been very good with 4 other municipalities attending the class.

d. **MEG MEETING UPDATE**

WalCoMet belongs to MEG, The Municipal Environmental Group, which works with municipalities regarding regulatory requirements and orders dealing with water, wastewater, and storm water. At MEG's January meeting, the EPA's new determination that certain wastewater treatment facilities may now be required to obtain an air permit under the Clean Air Act was discussed. Further information will be available at the February Legislative forum held in Madison. Updates on this, and how it may affect WalCoMet, will be provided as information becomes available.

e. **REPLACEMENT FUND ASSETS LIST**

Cindy Moehling and Steve Scheff will be working together to finalize an inventory of new and replacement assets and the impact this will have on the Replacement Fund needs for 2012. The existing Replacement Fund listing will be reviewed to determine what items have either been replaced or retired. The combined information will determine the appropriate replacement fund balance for 2012. Commissioners will be provided the asset listing when it becomes available.

**RECEIPTS AND DISBURSEMENT REPORT**

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

**ACCOUNTS PAYABLE LISTING**

Commissioner Johnson motioned to approve the Accounts Payable Listing for February, 2011 in the amount of \$102,938.57. Commissioner Shortenhaus seconded and the motion carried.

**OLD BUSINESS**

None

**NEW BUSINESS**

- a) **CONNECTION FEES FOR WALWORTH COUNTY PUBLIC WORKS GARAGE.** Policy Statement No. 2 was reviewed to determine if a waiver of the connection fee would be appropriate for the Walworth County Public Works facility. Commissioner Logterman motioned that a resolution be issued (Resolution 2011-06): **BE IT RESOLVED** that after considering the appeal of Walworth County Public Works, the connection fee for the new public works garage, located at W4097 County Road NN, Elkhorn, WI, is to be determined on 2.5 equivalent units and billed at the 1" installation rate, based upon the 2010 rate schedule. This determination was made based upon the following: The County anticipates having the same, or less, water usage. The increase from a ¾" meter to a 1 ½" meter is to accommodate the need for instant pressure and flow rate, not an increase in water usage, and although this is an additional connection (not a replacement connection) for the facility, usage (washing of highway equipment) now takes place solely in the new garage. The older, smaller, garage has only been used as a back-up since the new garage was built. If, over time, an overall increase in water usage is determined after comparing average usage rates from comparative years, the meter size and rate will be revisited. Commissioner Johnson seconded and the motion carried.
- b) **INSTRUMENTATION SERVICE CONTRACT.** Commissioner Johnson motioned to renew the one year service agreement with P.J. Kortens and Company, Inc. for the year 2011 in the amount of \$10,560.00. Commissioner Shortenhaus seconded and the motion carried.

- c) BLOWER IMPROVEMENT. Commissioner Shortenhaus motioned to allow WalCoMet to apply for a grant from We Energies, and any other grants that may be available, for the purchase a new, higher efficiency blower. The new blower would provide increased energy efficiency and savings, in addition to better operational control of the aeration system blower and controls. Commissioner Johnson seconded and the motion carried.

**ADJOURNMENT**

Commissioner Shortenhaus made a motion to adjourn, seconded by Commissioner Johnson and the Regular Meeting adjourned at 2:33 p.m.

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Thomas Eck, District Secretary

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

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

PLEASANT LAKE PROTECTION AND REHABILITATION DISTRICT  
BOARD MEETING  
SATURDAY, FEBRUARY 05, 2011, 9:10 AM  
LAGRANGE TOWN HALL

MINUTES

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

Public attendance: Cheri Scharbach, Kevin Smith, Pete Schuler, Butch Meyer

Motion to approve the Agenda, placing item 3 when Floyd arrives (Doug/Rick) .Carried

Motion to approve the Minutes of 11/13/10 (Rick/Bob) Carried

Treasurer's Report: Ozzie reported a checking balance of 29, 493.56 and direct banking  
balance of 45, 242.71, total 74, 735.27. Ted requested he receive the  
District 2010 tax returns and necessary information as soon as possible so  
he can file the taxes by the May 2011 deadline.

Motion to accept the Treasurer's Report (Rick/Bob) Carried

Clean Boats Clean Water Program: Floyd Pochowski presented the program as the DNR  
certified CBCW crew chief for the 3 launch ramps on Lauderdale Lakes  
and the ramp on Pleasant Lake. The programs approach is to inform and  
educate boaters of the necessity to clean their boats when leaving/entering  
different lakes to prevent the spread of invasive plants and animals.  
Information obtained from boater contact is recorded and posted to the  
DNR website.

The feasibility of distribution of brochures and information to Pleasant  
Lake launch ramp users will be researched along with website links.  
Brochures will be available to Lake District members at the Annual  
Meeting.

Rick explained the Lauderdale Lakes Lake Management District budgeted  
\$10,000 for the project. The Town of LaGrange agreed to budget \$2000.  
However, a DNR grant was obtained to cover 75% of the project with the  
Town picking up 20% of the local costs. The PL District will consider  
supporting the program at 5% of the total project not to exceed \$500 as a  
budget consideration.

Motion to amend the District By-Laws to reflect the increase of elected commissioners  
from three to five at the November, 13, 2010, Special Meeting by  
changing:

1. Article III, Section 5 to read "One of five elected commissioners must  
be a resident of the District..."
2. Article V, Section 1 to read "...Board of Commissioners which shall  
consist of seven persons. Five (5) shall be elected as provided in Article  
III, Section 5..."

3. Article V, Section 3 to read “Four commissioners shall constitute a quorum for the transaction of business.” (Rick/Ted) Carried

Motion to establish Pleasant Lake Protection and Rehabilitation District Finance Committee with duties to encompass development of the annual budget, selection of the audit committee and other financial matters to be chaired by Ted Slupik. (Doug/Rick) Carried  
Ted selected Ozzie Mohr, Bob Arnold, Kevin Smith and Rick Callaway (after April 5, 2011) to serve on the committee. Dave asked Ted to present the Budget at the Annual Meeting.

Assignment of Chairperson for District funded projects: Dave assigned the following as chairperson for the District funded projects: Drain project – Dave; Goose Control project – Doug; Weed Control project – Doug; Website project – Ted; Finance Committee – Ted; Fish Management project – Doug. The District project chairperson will coordinate with the appropriate POA committee chairperson for budgetary concerns, open communications, and coordination of activities.

Revision of the Environmentally Sensitive Area Ordinance in order to incorporate protective aspects of the proposed Pier Ordinance which was tabled:  
Ted and Rick presented the reason for the revision and the insertions from the proposed pier ordinance.

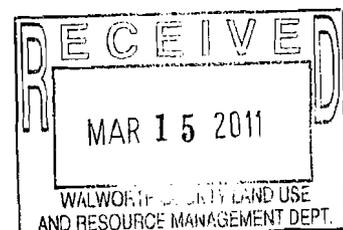
Motion to accept the revised Environmentally Sensitive Area Ordinance as presented with changing ;  
Section II to read “Circumvention of This Environmental Ordinance”  
Section VI to replace TBD with January 1, 2012  
Section VI to change the last sentence to read “...such structures shall conform to the standards established in the current DNR regulations.”  
and to submit this revised ordinance to the Town of LaGrange Town Board at the scheduled February meeting. (Rick/Ted) Carried

A form for registering current piers will be created and distributed to District members to be completed and returned to the District which will share the information with the Town of LaGrange.

Motion to adjourn the meeting at 10:50 am (Doug/Bob) Carried

Respectfully submitted,

Doug Behrens, Secretary



# Wisconsin River Rail Transit Commission

Full Commission Mtg – Friday, 04 Feb 2010 @ 10am • Dane Co. Hwy, 2302 Fish Hatchery Rd, Madison, WI

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

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

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

Rock	Ben Coopman	Alternate	
	Wayne Gustina	(arrived at 10:24)	X
	Alan Sweeney	Vice Chair	X
	Terry Thomas		X
Sauk	Joel Gaalswijk		X
	Rob Sinklair	Assistant Secretary	
	Scott Alexander		
Walworth	Marty Krueger	Alternate	
	Jerry Grant		X
	Richard Kuhnke	X- Committee	
Waukesha	Allan Polyock		X
	Karl Nilson	Chair	X
	Richard Manke		X
	Fritz Ruf		

Others present for all or part of the meeting:

Amy Seeboth and Larry Ward (SWWRPC / WRRTC Administrator); Eileen Brownlee (WRRTC Attorney); Frank Huntington, Ethan Johnson, Jonathan Davidson & Roger Larson (WisDOT); Ken Lucht (WSOR); Alan Anderson (Pink Lady RTC); Jim Matzinger (Dane County, WRRTC Accountant); Ron Wolf (ProRail); Tom Stetzer (Strand Associates, Inc).

3. Motion accepting Seeboth's certification of Public Notice. Manke / Sweeney- passed unanimously.
4. Motion accepting the Revised Agenda prepared by Seeboth. Van Schwartz / M. Ruf - passed unanimously.
5. Motion approving the draft Nov. Minutes. Grant / Cornford – passed unanimously.
6. Public Comment – Chairman Nilson introduced Larry Ward as the Executive Director of Southwestern Wisconsin Regional Planning Commission (SWWRPC). Ward spoke briefly about the SWWRPC's history with WRRTC and about how glad he is to have the opportunity for his organization to work with this group.
7. Correspondence & Communications – Seeboth shared three news articles with the Commission: 1) one regarding a rail/snowmobile accident; 2) another regarding the addition of 140 expected jobs in the Town of Darien with a rail industry, 3) and an article regarding Governor Walker's cancellation of the UW-Madison biofuels project. Van Schwartz provided an update on a fourth article.

## REPORTS & COMMISSION BUSINESS

8. WRRTC Financial Report– Jim Matzinger, Dane County CPA / WRRTC Accountant provided copies of the treasurer's report to each Commissioner.
  - Motion accepting the treasurer's report for Dec./Jan. and payment of bills – Van Schwartz / Gray – passed unanimously
9. Wisconsin & Southern Railroad's Report on Operations – Ken Lucht, WSOR, reported on the following:
  - Update on Monthly Maintenance Activities –WSOR is cleaning up from the large snowstorm that recently hit the State. They are also continuing with routine track inspections and are accelerating these inspections because of the cold weather. WSOR is also working on repairs to a number of bridges and has plans for more bridge repairs in the works.
  - 2010 Capital Projects- Lucht reported that the 2010 welded project between Milton Jct. and Madison is nearly complete.

- *2011 Capital Projects* – WSOR has an application into WDOT to finish the 2010 project mentioned above into Madison (they expect to get two more welded-rail trains in). They have another project planned in Waukesha; they are straightening a curve in the track.
- *New Business*- Lucht reported that there are a number of new business developments in the WRRTC area, WSOR is conducting a survey of these businesses and working to develop a report on their collective economic impact on the region.

**10. WRRTC Administrator’s Report** – Seeboth reported to the Commission on several ongoing issues. First, a crossing permit approved by this Commission is in need of appearing on the agenda at next month’s meeting- the ownership has changed since the permit was issued several months ago. It will be placed on the March agenda. Seeboth passed around a screenshot of the website she is developing for the RTC and asked if it would be okay if she were to send Pat Weeden a thank you card on behalf of the Commission for all of his prior volunteer work and dedication to the webpage.

**11. WDOT Update** – Huntington introduced new WDOT staff- Ethan Johnson and Jonathan Davidson (Jonathan is the new head of the Safety Engineering Division). Huntington said that he believed the Madison to Milton Jct. application will likely be approved in the FRPP announcements that should be coming out soon. He said that he also believed the Waukesha Project would likely be approved. Huntington also reported that the WDOT is in the process of acquiring track in the Milwaukee area from WSOR and he noted that some repairs for bridge improvements that Ken mentioned earlier are being funded by federal dollars. He said that there is a lot of bridge work going on right now, and a lot more that is needed. Huntington mentioned the power plant project on Charter Street in Madison was cancelled and that biofuels for this plant were going to travel on WRRTC lines. Huntington said that a meeting is being held on Friday next week to update staff on the changes now that this project is cancelled. Seeboth will attend this meeting on behalf of the WRRTC.

**12. Motion to adjourn to closed session after a 10 minute break pursuant to Wis. State. Sec 19.85(1)(e) for review of and discussion regarding renewal of WSOR rental obligation defined in WSOR and WRRTC Operating Agreement 2007 Addendum. Brownlee, Matzinger, Seeboth, and Huntington are requested to stay in the Session to advise The Commission.**

Roll Call Vote:

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

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

The motion passed unanimously.

*The Commission recessed for a 10 minute break at 10:53*

- **Motion to end closed session** – Gaalswijk / Polyock – passed unanimously
- **Motion to amend the annual WSOR rental obligation to WRRTC to \$45,000 per year for a two-year term (Jan. 1<sup>st</sup> 2011-Dec. 31<sup>st</sup> 2012) and to be renegotiated in two years. Any rental funds paid over the operating funds**

**needed by WRRTC may be returned to WSOR for infrastructure improvement projects along the WRRTC corridor – Poloyock / Grant – passed unanimously**

- 13. Update on Sauk County Rails to Trails Stakeholders Group-** Gaalswijk said that he was at the Sauk County Economic Development Committee last night and the Committee moved to have another stakeholders meeting, scheduling it for as soon as possible. Van Schwartz said that he hasn't heard word on the Group since the November meeting was cancelled. Huntington said that he received notice from the administrator of Prairie du Sac that they are taking action to request the WDOT to proceed to conversion of trails. Gaalswijk said that on the agenda at the meeting last night there was a resolution to convert the rail to trail -this resolution failed on a 3-3 vote.
- 14. Consideration of action on two crossings in Prairie du Sac-** Tom Stetzer from Strand Associates, Inc represented the Village of Prairie du Sac at this meeting. Stetzer presented to the Commission on pavement work that is being completed in the Village this year and it will involve two separate crossings that are similar in nature. Both exist along WRRTC corridor where there currently is no active rail and both are on low-use roads. The Village's preferred action is to place 4" pavement over both crossings but otherwise leave the crossings intact. Ken agreed with the Commission's conditions on behalf of WSOR.
  - **Motion to allow 4" of asphalt to be laid over the existing rail bed at two crossings in the Village of Prairie du Sac (one along VFW Drive and the other near the intersection of Water Street and Washington Street) , that the Village of Prairie du Sac assume all costs associated with improvements to these crossings should rail be reintroduced to this corridor, and that the Village meet all other criteria of the WRRTC permitting process - Gaalswijk / Gustina – Passed Unanimously**
- 15. Approval of the 2009 WRRTC Audit by Johnson Block –** Matzinger was requested at the last RTC meeting to follow up with Johnson Block regarding some questions to the Audit. Matzinger reported that the verbage in question was boiler plate and necessary for most Audits of organizations this size. Matzinger also said that he could adjust his presentation of financials to comply with some of the 2009 audit findings, but Johnson Block advised him to refrain from putting in much extra work to accomplish this as these requirements may change from year to year, and it is not a big finding.
  - **Motion to approve the 2009 WRRTC Audit by Johnson Block – Gray / Van Schwartz – passed unanimously**
- 16. Motion to enter into an agreement with Johnson Block for 2010 WRRTC Audit, for a value not to exceed \$4,600- Thomas / Sweeney – passed unanimously**
- 17. Consideration of 2011 WRRTC Budget –**
  - **Motion to approve the 2011 WRRTC Budget – Sweeney / Gaalswijk – passed unanimously**

**2011 WRRTC Budget**

**Assessment History:**

2006-8	26,000
2009-10	26,520
2011	26,520

**Member Assessment: 0% Increase**

WRRTC - 8 Counties at \$26,520	212,160
PRTC	25,000
Bad Debt Reserve	(26,520)

**Total Assessments 210,640**

**Other Income:**

Wisconsin Southern Lease	45,000	
Other Leases	1,000	
Interest	750	
<b>Total Income</b>	<b>46,750</b>	<b>257,390</b>

**Operating Expenses:**

Management Contract	24,000	
Accounting Services-Dane Co	3,500	
Audit Services	4,600	
Legal Services	3,000	
Bridge Inspection	2,000	
Per Diem/Web Site/Misc	500	
Insurance	16,500	
<b>Operating Expenses</b>	<b>54,100</b>	<b>54,100</b>
<b>Capital Expenses:</b>		
2011 WSOR Construction Contribution		203,290
<b>Total Expenses</b>		<b>257,390</b>
<b>Net Income</b>		<b>-</b>

- 18. Discussion and possible action related to Ekleberry / Defabbio Crossing Permit in the Town of Muscoda-** This private crossing permit was approved in January of 2010 by the WRRTC. To date, the required improvements to the crossing have not been made, within twelve months as specified in the permit, making this crossing illegal.
- **Motion that Seeboth send a cease and desist letter to the Ekleberry and Defabbio families by certified mail informing them that they must re-apply for a permit from the Commission if they wish to continue to use this crossing. – Manke / Van Schwartz – passed unanimously**
- 19. Discussion and possible action related to crossing safety in Hebron, IL -** The Rail Transit Commission received a letter from Hebron Township in Illinois explaining that current use of a nature trail is lending to unsafe road crossings, and that they believe that the trail would be safer were it allowed to cross the rail. Lucht informed the Commission that this issue came up 6-7 years ago as well and that the request for a public crossing at this place was not approved. Lucht explained that WSOR trains travel at 50 mph at this place.
- **Motion to have Seeboth write the Town of Hebron a letter explaining that their request would require a public crossing and that, based upon a number of factors including past review of this issue, they are not likely to be granted a public crossing – Grant / Manke – passed unanimously**
- 20. Motion adjourning the meeting at 12:14 p.m. - Cornford / Polyock - passed unanimously.**

**BOOTH LAKE MANAGEMENT DISTRICT**  
P.O. BOX 778  
EAST TROY, WISCONSIN 53120-0778  
REGULAR MEETING OF THE BLMD COMMISSIONERS  
December 16, 2010

Present:

Hank Hubbell, Bill Sullivan, Gary Hegeman, Stan Muzatko (County Board Rep.), Greg McElwee.

1. Meeting called to order at 7:09 pm.
2. APPROVAL OF MINUTES  
July 18, 2010 Meeting - Motion for approval of the minutes of the July 18, 2010 meeting by Stan Muzatko, 2<sup>nd</sup> by Bill Sullivan. Motion approved.
3. TREASURER'S REPORT  
Motion for approval of the Treasurer's report (attached) by Greg McElwee, 2<sup>nd</sup> by Gary Hegeman. Motion approved.
4. CHAIRPERSON'S REPORT
  - Water Quality Analysis: Hank Hubbell reported that the Fall water sampling was taken the first week of December and sent to UW-Stevens Point for testing and analysis. The District has the option to have Stevens Point do a more detailed analysis of water samples.
  - Water Level: The lake water level, based on shore line observations, is at the lowest level since 2008. It is anticipated, given normal precipitation, that the lake water level will be lower next summer than it was last year.
  - Fish Habitat: Consideration should be given to building more fish cribs next year. There has been some informal feedback of an improving fish population.
5. BUDGET REVIEW  
The Treasurer briefly reviewed the status of the budget, noting larger than planned expenditures for lake management due to the need for more than one lake treatment this year, and that costs for septic tank cleaning are within budgeted limits.
6. OLD BUSINESS  
None.
7. NEW BUSINESS  
The Commissioners discussed the potential of turn-over in Board membership in the future. Informal inquires will be made with some of the District members to determine the general level of interest in serving as a Commissioner.
8. Motion to adjourn the meeting by Bill Sullivan, 2<sup>nd</sup> Greg McElwee. Meeting adjourned at 7:51 pm.

Respectfully submitted by  
Gary Hegeman – BLMD Secretary

BOOTH LAKE MANAGEMENT DISTRICT

TREASURER'S REPORT

		NOV 30, 2010			
OPENING BALANCES					
CHECKING ACCOUNT	JUL 1, 2010	\$3,353.41			
CD'S	JUL 1, 2010	\$25,523.58			
		-----		\$28,876.99	
REVENUE					
TAX LEVY		\$344.00			
TROY, TOWN OF		\$500.00			
INTEREST INCOME		\$180.38			
		-----		\$1,024.38	\$29,901.37
EXPENDITURES					
ADMINISTRATIVE EXPENSES		\$469.06			
EDUCATION		\$422.40			
INSURANCE		\$0.00			
LAKE MANAGEMENT		\$5,200.00			
PREPAID EXPENSE		(\$2,500.00)			
LEGAL & PROFESSIONAL		\$0.00			
MAINTENANCE		\$414.00			
WATER QUALITY STUDY		\$5.50			
		-----		\$4,010.96	\$25,890.41
PURCHASED CD'S	SEP 21, 2010	\$10,000.00			
		-----		\$10,000.00	
REDEEMED CD'S	AUG 10, 2010	\$5,000.00			
	SEP 14, 2010	\$7,414.04			
		-----		\$12,414.04	
CLOSING BALANCES					
CHECKING F & M BANK	NOV 30, 2010	\$1,049.62			
CHECKING FIRST CITIZENS ST BK	NOV 30, 2010	\$1,731.25			
CD'S F & M BANK	NOV 30, 2010	\$13,109.54			
CD'S FIRST CITIZENS ST BK	NOV 30, 2010	\$10,000.00			
		-----		\$25,890.41	\$25,890.41
				=====	

*William J. Sullivan*

12/16/10



**LAUDERDALE LAKES LAKE  
MANAGEMENT DISTRICT  
MINUTES of 11-20-10**

Meeting called to order by Chairman Mason, at the Lake District Community Center at 9:00 A.M.

**A. Attendance:** Present: Chairman Mason, Dorothy Burwell, Jack Sorenson, Nestor Dyhdalo, Rick Callaway, Wally Yandel and Peter Van Kampen were all present.

**B. Agenda:** Wally moved and Peter seconded a motion to accept the Agenda for the Meeting of November 20<sup>th</sup> 2010 the motion passed unanimously.

**C. Minutes:** Wally moved and Nestor seconded a motion to accept the Minutes of the September 18<sup>th</sup>, 2010 meeting with the change to state that the water patrol is winding down for the year and that Nestor and Chief Blank have been invited to the next Town Safety Committee meeting, the motion passed unanimously.

**D. Consider award of weed harvester repair:** Peter stated that the weed harvester is now 20 years old. Its two cylinder engine is wearing out; therefore Peter has received three quotes to replace the engine, as all other parts of the machine are still in very good shape. Peter reviewed the quotes which were \$17,800, \$17,500 and \$13,400 after discussion about the replacement engines, Wally made and Nestor seconded a motion to accept the low bid, the motion passed unanimously.

**E. Clean Boats Clean Waters, review 2010 and consider a grant for 2011:** Peter stated that there are grant funds now available for the Clean Boats Clean Waters program. The DNR grant will pay up to 65% of the cost of the Clean Boats Clean Water Program up to a maximum of \$19,000. Discussion was held regarding applying for such a grant for 2011, Ann and Floyd will help prepare the application which is estimated to be approximately \$15,000.

It was noted that Delavan was the first lake in the County to begin such a program and we are the second lake. Floyd is inviting other lakes to join into the program; we are also keeping data on boat types and quantities entering our Lakes. After discussion, Dorothy moved and Wally seconded a motion authorizing the application for grant funds and further authorizing Peter and Chairman Mason to prepare and sign a resolution stating the same, the motion passed unanimously.

**F. Consider position on lake property rentals:** Discussion was held regarding the taxability of income from lake properties which are rented for less than six

months to vacationers. There is thought that rental controls should be established to provide renters with instructions pertaining to good lake management and neighborly behavior. Also, the homes themselves should be inspected for safety, ingress egress etc. The matter was postponed for further discussion.

**G. Consider a lease with KMLT office:** Chairman Mason reported that the Lake District is proposing an office lease for 2011 with KMLT to provide them office space in the Lake District Community building. The KMLT will have keyed office space with access to the basement and shared access to other parts of the building. The rate is to be \$300 per month. Rick made a motion which was seconded by Peter to approve the lease, the motion passed unanimously.

Discussion was held regarding other potential uses of the building. If it is a non-civic use we should charge fees to cover expenses of the facility and staff. We will encourage community or civic uses. Non-golf small events may be held in the facility. We will create an agreement for use with the proper hold harmless statements.

Jack will notify the insurance companies of the changed building use.

Chairman Mason asked for suggestions pertaining to naming the facility.

Herb Sharpless and Scott and Jan Mason have provided a lot of labor and work on the building. Chris White has also been very helpful on clearing and cleaning the property around the building.

Peter volunteered to help allocate space for the various lake organizations to promote and display their clubs photos, information and lake interests.

**H. Consider protection of the shoreline on the wetlands:** We are unable to sink posts into the wetlands to protect the shoreline improvements from snow mobiles.

**I. Committee Reports:**

1.) County Report: No report.

2.) Town Report: Rick brought educational signs from the Town,

which identifies various plants common to the wetland area (both invasive and indigenous), they will be posted at the site.

Rick reported that Nestor and Ken Blank are involved with the Town Safety Committee in a review of the Safety Ordinance. The review is to consider making the lake speed limit effective all year round, rather than just Memorial Day to Labor Day. Several speeding tickets have been issued at the lake.

Rick reported that the Town has voted unanimously to approve the Pier Inspector relationship with the Lake District. The Lake District will receive the pier permits and fees will go to the Town. If the pier application meets the Town ordinance the pier permit will be granted and if the pier application does not meet the ordinance, the permit will be forwarded to the Town Variance committee for a decision.

Peter reported that the Town has approved the Golf Course replacement pier on Mill Lake and the wharf permit at Don Jean Bay.

Don Sukala stated that the Town is finding out more information pertaining to some of the pipes and easements around the Sterlingworth Bay area. He stated that the Town has now spent approximately \$41,000 on the Sterlingworth Bay leak. The DNR has a lake protection grant for up to \$200,000. Jeff Thornton at SEWRPC knows a great deal about

the grant process which must be filed prior to May first. The Lake District will keep in contact with the Town on this matter.

- 3.) Septic Report: Nestor is providing septic pumping charges and information to the County.
- 4.) Insurance: No report
- 5.) Weed Harvesting: No report.
- 6.) Lake Ordinance Inspector: Discussed under Town report.
- 7.) Clean Boats Clean Water: Covered under item E.
- 8.) Water Patrol: No report.
- 9.) Treasury Report: No report.
- 10.) Web Site: Nestor reported that highlights of the annual meeting have been posted.
- 10.) Dam Report: No report.
- 11.) Golf Course Report: Chairman Mason reported that the Golf Course had a very good year and that October was a record month. We shut down the Golf Course this week and Chairman Mason expects all of staff to return next season. The storm damage will be cleaned up in December.
- 12.) Wetlands: Chairman Mason stated that the Lake District is waiting for the Appeals Court in Waukesha to render a decision pertaining to three citations it had received pertaining to the Ski Team / wetlands. Chairman Mason stated that all briefs have been submitted and he expects a decision in April or May.

**J. Miscellaneous:**

- 1.) Fireworks have been scheduled for Saturday, July 2<sup>nd</sup> with the rain date on Sunday, July 3<sup>rd</sup>.

A Motion for Adjournment was made by Wally and seconded by Peter, the motion passed.

Respectfully submitted by,

Jack Sorenson, Secretary

**Walworth County Board of Supervisors**

**Park Committee**

**MEETING MINUTES**

**Monday, November 1, 2010, 4:30 p.m.**

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

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**Call to order.** Chair Grant called the meeting to order at 4:30 pm.

Roll call was conducted with the following members present: Board Supervisors: Jerry Grant, Daniel Kilkenny, Randy Hawkins and Committee members; Mariette Nowak. Absent with excuse was Committee member Mike Hurlburt.

**Others present:**

Board members: County Board Chair Nancy Russell, and County Board members Rick Stacey, David Weber.

County staff: David Bretl, County Administrator, Shane B. Crawford, Deputy County Administrator – Central Services; Public Works Superintendent Larry Price, Nicole Andersen, Deputy County Administrator - Finance.

**Agenda withdrawals/approval: Motion by Hawkins/Nowak. Motion carried 4-0.**

**Approval of Minutes: Motion by Nowak/Kilkenny to approve the minutes of October 18, 2010. Motion carried 4-0.**

No public comment.

**The committee will convene in closed session pursuant to the exemption contained in Section 19.85(1)(e) of the Wisconsin Statutes. Motion to convene in closed session at 4:31 p.m. by Kilkenny/Nowak. Roll call Grant, aye, Hawkins, aye, Kilkenny, aye, Nowak, aye. Motion carried 4-0**

**Motion to reconvene in open session by Nowak/Hawkins. Roll call Grant, aye, Hawkins, aye, Kilkenny, aye, Nowak, aye. Motion carried 4-0.**

**Motion by Kilkenny/Hawkins to proceed as discussed in closed session. Motion carried 4-0.**

**Next meeting to be held Monday, December 20 at 2:30 p.m.**

**Motion by Kilkenny/Hawkins to adjourn at 5:20 pm**

**Minutes recorded by Vicki Price, Public Works Department**

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