

County Zoning Agency
MINUTES
July 21, 2011 – 4:00 p.m.
100 West Walworth Street
Elkhorn, Wisconsin

Vice-Chair Dave Weber called the meeting to order at 4:00 p.m.

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

County Staff present – Land Use and Resource Management Department Director Michael P. Cotter, Senior Planner Neal Frauenfelder, Planner Matt Weidensee, Senior Zoning Officer Deb Grube and Code Enforcement Officers Nancy Welch, Nick Sigmund and Darrin Schwanke. County Board Supervisor Chair Nancy Russell attended the 4 – 5:30 P.M. portion of the meeting.

A “sign-in” sheet listing attendees on July 21, 2011, is kept on file as a matter of record.

Details of the July 21, 2011, meeting are on a recorded disc which is on file and available to the public upon request.

Michael Cotter noted the Town of Bloomfield asked agenda item #8a5: Discussion and possible action – Town of Bloomfield rezoning David Laurine property be pulled from the agenda.

Rich Brandl motioned to approve the agenda with the revision as noted above. Second by Russ Wardle. Motion carried. 5-favor 0-opposed.

Rich Brandl motioned to approve the June 16, 2011, Minutes. Second by Russ Wardle. Motion carried. 5-favor 0-opposed.

Zoning Enforcement / Disc Count #4:01:34 – 4:02:50

Subdivision Items – Old Business - None

Subdivision Items – New Business / Disc Count #4:02:51 – 4:06:22

Joseph J. Kovarik Trust and Janet A. Kovarik Trust, Proposed 1-lot Certified Survey Map, located in Section 36, Town 4 North , Range 16 East, Township of LaGrange, Tax Parcels H LG3600042A and HRP 00001. The proposed CSM contains .33 acres of land and is zoned R-1 Single Family Residence District. This parcel consolidation CSM requires County Zoning Agency review and approval because it crosses the exterior boundary of an existing subdivision plat (Roughwood Park Subdivision).

Rich Brandl motioned to approve. Second by Russ Wardle. Motion carried. 5-approve 0-opposed.

Old Business - None

New Business – Discussion Items

Discussion and possible action: Review of 2011 Senate Bill 130 affecting plat reviews in extraterritorial areas / Disc Count #4:06:23 – 4:26:21

Jim Van Dreser motioned to direct staff to write a letter to the State of Wisconsin re: 2011 Senate Bill 130. Second by Rich Brandl. Motion carried. 5-approve 0-opposed.

Gordon Polyock Family Trust (Jacob Polyock – applicant): amendment of conditional use for replacement of outdoor corn storage areas with future grain storage bins and approval of a dual zoned driveway / Disc Count #4:26:22 – 4:38:21

Jim Van Dreser motioned to approve. Second by Russ Wardle. Motion carried. 5-favor 0-opposed.

Amended 7/21/11

NAME: Gordon Polyock Family Trust (Jeanette H. Polyock, Trustee) Jacob Polyock, App.)

TOWN: Linn

A conditional use permit for a grain elevator facility on lands proposed to be zoned A-4 Agricultural Related Manufacturing, Warehousing and Marketing District, and described as follows:

Tax Parcel #'s **IL 3300003** IZ 00028 and IZ 00029A

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

1. Approved as per revised plan submitted **June 23, 2011 and amended to allow an additional 78 foot diameter grain storage bin and a dual zoned driveway as recommended by the Town** as a grain elevator facility with all additional conditions.
2. Must meet all applicable Federal, State, County and local regulations.

3. Outside lighting shall be shielded and directed on site.
4. The applicant must obtain all required zoning permit approvals including a sign permit.
5. No fill, debris, branches or leaves may be disposed of on site. No burning of waste materials shall occur on site.
6. The applicant must obtain a County Land Disturbance Erosion Control and Stormwater Management Permit from the County Conservation Office. The applicant must submit and obtain approval of a landscaping plan from the County Conservation Office.
7. The applicant must submit a road access and maintenance agreements with the governing municipality prior to hauling to the site.
8. All parking and access to the site shall meet County requirements. All parking shall be installed according to County requirements within 60 days of this approval. Vehicle parking for trucks arriving prior to operation hours shall be located as identified on the approved plan of operations.
9. The project site must be kept neat, clean, and mowed. The site shall be maintained in a nuisance free condition. The owner shall be held solely responsible for the control of dust, odors, fire, vermin, insects, rodents, filth, groundwater and surface water contamination and windblown materials resulting from past and future operations on this site.
10. Implementation of dust and noise control measures shall occur at all times on site.
11. Any additional Office/trailer or structures shall obtain conditional use approval and an approved zoning and sanitary permit.
12. No general public sales allowed on premises.
13. No business activities other than specified in the plan of operations may be conducted from out of the facilities.
14. Outside storage shall be limited to the type, quantities and location of material identified on the plan of operations. No outside storage areas including displays of goods shall be allowed in the required setback areas.
15. No storage of chemicals, petroleum products and flammable materials shall occur on site unless stored in a containment facility meeting State requirements.

16. Staff may conduct inspections necessary to ensure site is operated and maintained according to applicable regulations.
17. 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.

Specific conditions:

18. Grain elevators must have proper ventilation meeting the requirements of the State and Federal codes. Exhaust systems shall meet all requirements of the State and Federal code including hours of operation and noise.
19. The owner shall obtain approval of a pollution prevention plan from the County Land Conservation Office and a hazardous spill plan from the State if required by law.
20. The property owner must provide a copy of the easement crossing the neighboring property for the railroad spur for the conditional use file prior to this conditional use being valid.
21. The property owner must provide a copy of the agreement with the railroad company providing for the installation and use of the railroad spur for the conditional use file.
22. **The property owner will attempt to eliminate the dual zoned driveway by seeking rezone of these areas from A-1 to A-4.**
23. **This approval does not include the additional A-4 area for future setbacks as depicted on the site plan. The owner must apply for a separate rezone for the additional setback area in order for the A-4 area to be divisible from the A-1 area on the parcel. Should the rezone for the additional A-4 area be approved the conditional use shall be amended to include all grain storage bins shown on the plan. In addition, the property owner shall be required to obtain a variance for the grain elevator over the rail spur or adjust the height of the structure to meet the setback prior to zoning permit approval.**
24. **The 30 foot wide railroad spur easement shown on tax parcel I L 3300003 shall be removed from the site plan as the railroad spur and land is owned by the property owner. The note for the easement on the site plan shall be relocated onto the railroad spur easement on the adjacent property. A new**

plan showing these corrections shall be submitted for the conditional use file prior to zoning permit issuance.

25. The property owner shall locate the access easement to the neighboring property to the north on the site plan prior to any additional zoning permits being granted.

Dated this 12th day of May, 2009.

COUNTY ZONING AGENCY
RICK STACEY, CHAIRMAN

David Hernandez: amendment of conditional use for 4-unit Planned Residential Development regarding condition #19 – extension of time for platting / Disc Count #4:38:22 – 4:44:49

Jim Van Dreser motioned to approve. Second by Rich Brandl. Motion carried. 5-favor 0-opposed.

Amended 7/21/2011

NAME: DAVID A. HERNANDEZ

TOWN: SUGAR CREEK

A conditional use permit for a four-unit PRD as specified in Chapter 74, Division 4, Walworth County Code of Ordinances, Walworth County, Wisconsin, on lands zoned C-2 Upland Resource Conservation District, and described as follows:

Tax Parcel #G SC 200007

Has been APPROVED subject to the following conditions:

1. Approved per plans submitted with all additional conditions **as amended 7/21/11** as stated.
2. The project must meet all federal, state, county and local ordinances.
3. The applicant shall be responsible for meeting all requirements of the Condominium Ownership Act (State Chapter 703) and the Walworth County Subdivision Control Ordinance. The transfer of ownership of any dwelling units

may only include, therewith, a fractional interest in the site on which the dwelling unit is located and such transfer shall not result in the subdivision of minor subdivision as defined under the Walworth County Subdivision Control Ordinance.

4. This Planned Residential Development (PRD) is approved as a 4-unit condominium subject to a condominium declaration. The proper preservation, care and maintenance by the original and all subsequent owners of the exterior design of the PRD and all common structures, facilities, essential services, access and open spaces shall be assured by deed restriction referencing the condominium declaration.
5. Use of the common area, private areas and limited common areas shall be restricted to those identified in the plan of operations and the approved condominium declaration.
6. The condominium declaration must be submitted to the Walworth County Land Management Department for review for consistency with county ordinances and requirements. Any changes to the condominium declaration, which in the opinion of the county affect county approvals, ordinances or requirements, must obtain county conditional use review and approval.
7. The applicant must provide a tree cutting and restoration plan meeting ordinance requirements for review and approval. Tree cutting shall be limited to that specified on the approved plan of operations.
8. There shall be no alterations of the shoreland setbacks or wetlands without obtaining county required approvals.
9. The roads shall meet county road standards as provided for in the Walworth County Land Division Ordinance. The owner must meet all town, county and/or state highway access requirements.
10. The declaration for the condominium association must assure that sewerage waste load will not increase over time without providing necessary sewerage capacity.
11. The applicant must obtain all required zoning permit and sanitary approvals prior to any construction on site. No additional structures shall be added to the plan without obtaining county approval and a zoning permit. This permit does not include conditional use approval for any amenity that is not specifically identified on the project plans as approved. The zoning office prior to issuance of a zoning permit shall further review all structure locations. All structures will be required to meet the requirements of the zoning ordinance.

12. The applicant must obtain land disturbance, erosion control & stormwater approval from the Walworth County Land Conservation Office prior to construction. All stormwater amenities and areas shall be identified as common areas to be maintained by the Condominium Association. 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.
13. The applicant must provide a tree cutting; landscaping and restoration plan meeting ordinance requirements for review and approval. Tree cutting shall be limited to that specified on the approved plan and narrative.
14. The applicant shall submit an outdoor lighting plan for review and approval prior to construction. All lighting shall be shielded and directed on site.
15. The county reserves the right to rescind this conditional use upon any violation of county regulations.
16. The property owner shall be held solely responsible for addressing all restrictive covenants beyond those enforceable by county regulations (including those within the condominium declaration). The condominium declaration must be submitted to the Walworth County Land Management Department for review for consistency with county ordinances and requirements and the conditional use approval. Any wording of the condominium declaration, which in the opinion of the Walworth County Land Management Department is inconsistent with county approvals including the plan, amended narrative, ordinances or requirements will require county conditional use review and approval.
17. The preliminary plat and final plat shall identify the building envelope on each individual unit/lot within the development prior to approval. A typical envelope diagram shall not be acceptable.
18. The applicant must phase construction substantially in compliance with the approved plan, use restrictions and condominium declaration. Any changes to phasing, ownership or specified use within each phase must be added to the condominium declaration by addendum and reviewed by the Walworth County Land Management Department for approval.
19. Application with Walworth County for approval of the condominium plat, recording of phase one of the plat and the entire project plan shall occur within six

months of 7/21/11 ~~this conditional use approval~~. The condominium plat shall be accompanied by the complete condominium declaration.

20. Any changes to the character, intensity or use of this site not capable of being discerned by the Walworth County Land Management Department as consistent with this approval must be brought before the Walworth County Zoning Agency for additional conditional use review.

Specific Conditions:

21. The roadways are intended to remain private. The roadways may not be dedicated to the public without bring the parking into compliance with parking setback requirements from public roadways. The roadway within the condominium shall be identified as a common element in the condominium declaration and on the approved plan. The portion of road on the neighboring property shall be designated by a road easement and shall be subject to a maintenance agreement between the parties involved. The total paved area shall be subtracted from the area net developable as part of the required density calculation for dwelling units per acre.
22. Approval of this PRD includes unit width modifications and greater shoreland setbacks than required by the zoning ordinance of a C-2 zone district as shown on the approved plan.
23. Approval is subject to dedication of a 66-foot right of way to the condo association as shown on the conditional use plan.
24. A sign must be posted showing Lake View Lane as a private road as required by the town.

Dated this 21st day of December, 2006.

COUNTY ZONING AGENCY
RICHARD KUHNKE, SR., CHAIRMAN

The Delong Co. Inc.: amendment of conditional use for replacement of a scale house - office for an agricultural fertilizer and crop protection business / Disc count #4:44:50 - 4:46:31

Rich Brandl motioned to approve. Second by Russ Wardle. Motion carried. 5-approve 0-oppose.

NAME: The DeLong Co. Inc. (Delco Corporation)

TOWN: Sharon

Amend of conditional use permit approvals dated 11/6/1980 and 1/18/1991 for a fertilizer storage and distribution facility as specified in Chapter 74, Division 4, Walworth County Code of Ordinances, Walworth County, Wisconsin, to include a new scale house and office on lands zoned A-4 Agricultural Related Manufacturing, Warehousing and Marketing District.

Tax Parcel AA110900001:

Has been APPROVED subject to the following conditions:

1. Approved as per plan submitted **and revised 7/21/11** with all additional conditions.
2. This amendment conditional use shall include all conditions of the original conditional use approvals dated 11/6/1980 and 1/18/1991.
3. No business activities other than specified in the plan of operations may be conducted from out of the facilities.
4. On site hours of operation shall be from 6:00 a.m. to 6:00 p.m. seven days a week.
5. Must meet all applicable Federal, State, County and local regulations.
6. Outside lighting shall be shielded and directed on site.
7. The applicant must obtain all required zoning permit approvals including a sign permit if different from the present sign.
8. The applicant must obtain a County Land Disturbance Erosion Control and Stormwater Management Permit from the County Conservation Office. The applicant must submit and obtain approval of a landscaping plan from the County Conservation Office.
9. No burning of waste materials shall occur on site.

10. The applicant must obtain County Highway Department approval for the access to the site.
11. All parking and access to the site shall meet County requirements. All parking shall be installed according to County requirements within 60 days of this approval. Vehicle parking for trucks arriving prior to operation hours shall be located as identified on the approved plan of operations **as revised for the zoning permit.**
12. The project site must be kept neat, clean, and mowed. The site shall be maintained in a nuisance free condition. The owner shall be held solely responsible for the control of dust, odors, fire, vermin, insects, rodents, filth, groundwater and surface water contamination and windblown materials resulting from past and future operations on this site.
13. If the Land Management Department determines that changes in either the character of the use or the intensity of the use are not consistent with this approval, then those changes must be brought before the County Zoning Agency for approval.
14. Failure to actively exercise this conditional use within three years of the approval date shall result in automatic dismissal without prejudice. The property owner may request a time extension for actively exercising the conditional use. A time extension for actively exercising the conditional use must be requested in writing during the original three year period. Any extension requested during the three year active exercise period greater than one year beyond the original three year period shall require additional Town and County committee approvals.

Discussion and possible action: Town of Bloomfield rezoning David Laurine property

Pulled from the agenda.

Discussion and possible action: Center Pivot Nutrient Application / Disc Count #4:46:32 - 4:50:01

Carl Redenius motioned to untable this item for discussion. Second by Russ Wardle. Motion carried. 5-approve 0-oppose.

Carl Redenius motioned to direct staff to gather information to bring back to the Committee from the Walworth County Health Department, Land Conservation, the D N R, neighboring towns in Rock County, and the Rock County Health Department regarding the center pivot nutrient application. Second by Jim Van Dreser. Motion carried. 5-approve 0-oppose.

Discussion and possible action: Land Use and Resource Management Policies and Procedures / Disc Count #4:50:02 – 5:24:37

Sanitation and erosion control enforcement reports will be made available to the Committee as well as zoning enforcement reports.

Russ Wardle motioned to take a 10 minute recess. Second by Rich Brandl. Motion carried. 5-favor 0-oppose.

New Business – Public Hearing

Chair Rick Stacey called the meeting to order at 5:37 P.M.

Ordinance Amendments

Discussion / possible decision - Amendment to Section(s) 74-28 and 74-131 of the Zoning Ordinance and Section(s) 74-153 and 74-263 of the Shoreland Zoning Ordinance, Walworth County Code of Ordinances relative to Corridor / Ground Water Recharge Areas / Disc Count #5:38:18 – 5:41:00

Russ Wardle motioned to modify and approve and send to August 9, 2011, County Board. Second by Dave Weber. Motion carried. 6-favor 0-oppose.

Discussion / possible decision - Amendment to Section(s) 74-53, 74-55, 74-56, 74-64, 74-65, 74-66, 74-74 of the Zoning Ordinance and Section(s) 74-180, 74-182, 74-183, 74-191, 74-192, 74-193, 74-203 of the Shoreland Zoning Ordinance, Walworth County Code of Ordinances relative to Shared Parking / Disc Count #5:41:01 – 5:41:40

Jim Van Dreser motioned to approve and send on to August 9, 2011, County Board. Second by Dave Weber. Motion carried. 6-favor 0-oppose.

Discussion / possible decision - Amendment to Section 74-38 of the Zoning Ordinance and Section 74-163 of the Shoreland Zoning Ordinance, Walworth County Code of Ordinances relative to accessory structure size Disc Count #5:41:41 – 5:43:26

Dave Weber motioned to modify and approve and send to August 9, 2011, County Board. Second by Jim Van Dreser. Motion carried. 6-favor 0-oppose.

Rezones

Rezone / Clayton & Mary French / Town of Lafayette / Disc Count #5:46:05 – 5:49:51

Rezone approximately 5.99 acres of the parcel from A-1 Prime Agricultural to C-2 Upland Conservation District for creation of a separate lot for an existing residence. Part of Tax Parcel K LF2700005A.

Russ Wardle motioned to approve the rezone request. Second by Dave Weber. Motion carried. 6-favor 0-opposed.

This request will go before the County Board on August 9, 2011, for possible action.

Rezone / Fairwyn Trading Company LLC / Town of Bloomfield / Disc Count #5:49:52 – 5:56:48

Rezone approximately 54 acres of shoreland area from A-1 Prime Agricultural to R-1 Single Family Residential and C-4 Land Resource Conservation District (Shoreland Wetland) for the creation of a residential subdivision. The request includes designation of shoreland area for a navigable stream. All of Tax Parcel MB 100007 and part of MB 100001. (The non-shoreland portions of the properties are to be presented for rezoned by the Town of Bloomfield and acted on by County Board.)

Jim Van Dreser motioned to approve with the staff recommendations regarding the C-4 wetlands. Second by Dave Weber. Motion carried. 6-favor 0-oppose

This request will go before the County Board on August 9, 2011, for possible action.

Rezone / Joe & Wendy Staller / Town of Richmond / Disc Count #5:56:49 – 6:05:02

Rezone A-1 Prime Agricultural District to A-4 Agricultural Related Manufacturing, Warehousing and Marketing District area, approximately 1.93 acres for an existing winery. Part of Tax Parcel CA379400003 (see related CU)

Carl Redenius motioned to approve. Second by Rich Brandl. Motion carried. 6-approve 0-oppose.

This request will go before the County Board on August 9, 2011, for possible action.

Conditional Use / PK Interests LLC (KS Ministries) / Town of Geneva / Disc Count #6:05:03 – 6:22:36

Conditional Use to run a sober living center as a lodging / fraternal house on lands zoned B-2 General Business District and P-2 Institutional Park District. Tax Parcel J G 2600007C.

Dave Weber motioned to approve the conditional use request including strikes discussed and language added. Second by Russ Wardle. Motion carried. 6-favor 0-opposed.

NAME: PK Interests LLC (KS Ministries LLC – Applicant)

TOWN: Geneva

A conditional use permit to run a sober living center as a lodging / fraternal house on lands zoned B-2 General Business District and P-2 Institutional Park District, and described as follows:

Tax Parcel #J G 2600007C

Has been APPROVED subject to the following conditions:

1. The Conditional Use for the sober living facility as a fraternal house/lodging house is approved as per the plan submitted.
2. Use of the grounds shall be limited to residential use as stated in the plan of operations.
3. All housing shall occur in the buildings identified on the plan.
4. The project must meet with all State, Federal and local approvals.
5. The applicant must obtain all required County Zoning permit.
6. Hours of operation shall be 24 hours per day subject to resident curfews as stated in the plan of operations.
7. Sufficient adult supervision must be present at all times when the facilities are used.
8. The total capacity of the facility shall be 30 residents and a house manager as identified in the plan of operations.
9. The applicant must obtain an approved Land Disturbance, Erosion Control and Stormwater permit from Land Conservation if required by Ordinance.
10. The project site must meet with all County sanitary requirements.

11. The applicant obtaining adequate liability insurance and keep the insurance current during the life of this conditional use.
12. All lighting must be shielded and directed on to the property.
13. Parking must meet with requirements of the county zoning ordinance. All parking must be in compliance with County requirements within 60 days of this approval.
14. 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.
15. 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:

16. There shall be a minimum of 5 new parking spaces on the property meeting the zoning requirements in addition to the existing parking along the roadway.
17. The business plan for “New Life Lodge” as presented will be adopted as part of this approval as per the Town.
18. The owners will appear before the Town Plan Commission in one year for an update / review meeting as per the Town. In addition, the conditional use will be subject to a public renewal hearing in two years from first occupancy to evaluate compliance.

19. Standard resident curfew, or as otherwise approved by the house manager, shall be from 11:00 p.m. to 5:00 a.m. as per the Town.
20. A six foot high privacy fence will be constructed around the south side of the property per exhibit 1 as per the Town. The property owner must provide the plan showing the fence as approved by the Town.

Dated this 21st day of July, 2011.

COUNTY ZONING AGENCY
RICK STACEY, CHAIRMAN

Conditional Use / Highway 67 Industrial Park LLC / Town of Geneva / Disc Count
#6:22:37 – 6:29:49

Conditional use request for a Planned Unit Development (PUD) to bring an existing industrial park into compliance with the Walworth County Zoning Requirements on land zoned M-1 Industrial District. Part of Tax parcel #J G 1900008.

Dave Weber motioned to approve. Second by Rich Brandl. Motion carried. 6-approve 0-oppose.

NAME: Highway 67 Industrial Park LLC (Applicant – Maria Odling)

TOWN: Geneva

A conditional use permit for a Planned Unit Development (PUD) to bring an existing industrial park into compliance with the Walworth County Zoning Requirements on land zoned M-1 Industrial District, and described as follows:

Part of Tax Parcel #J G 1900008

Has been APPROVED subject to the following conditions:

1. Approved as per plan submitted (see condition #28) for a Planned Unit Development (PUD) for an industrial park with all additional conditions.
2. Must meet all applicable Federal, State, County and local regulations.
3. Outside lighting shall be shielded and directed on site.
4. The applicant must obtain all required zoning permit approvals including a sign permits.
5. No fill, debris, branches or leaves may be disposed of on site. No burning of waste materials shall occur on site.
6. The applicant must obtain a County Land Disturbance Erosion Control and Stormwater Management Permit from the County Conservation Office. The applicant must submit and obtain approval of a landscaping plan from the County Conservation Office.
7. The applicant must submit a road access and maintenance agreements with the State Highway Department.
8. All parking and access to the site shall meet County requirements. All parking shall be installed according to County requirements within 60 days of this approval. Vehicle parking for trucks arriving prior to operation hours shall be located as identified on the approved plan of operations.
9. The project site must be kept neat, clean, and mowed. The site shall be maintained in a nuisance free condition. The owner shall be held solely responsible for the control of dust, odors, fire, vermin, insects, rodents, filth, groundwater and surface water contamination and windblown materials resulting from past and future operations on this site.
10. Implementation of dust and noise control measures shall occur at all times on site.
11. The County will not be liable for any damage to neighboring wells due to the operation of the project.

12. Any additional Office/trailer or structures shall obtain approved zoning and sanitary permits.
13. On site hours of operation shall be from 6:00 a.m. to 6:00 p.m. Monday through Saturday with No operation on Sundays or Holidays.
14. General public sales, not specified on the plan of operation, shall require separate review and approval.
15. No business activities other than specified in the plan of operations may be conducted from out of the individual units with the facilities.
16. Outside storage shall be limited to the type, quantities and location of material identified on the plan of operations. No outside storage areas including displays of goods shall be allowed in the required setback areas.
17. No storage of chemicals, petroleum products and flammable materials shall occur on site unless stored in a containment facility meeting State requirements.
18. Staff may conduct inspections necessary to ensure site is operated and maintained according to applicable regulations.
19. If the Land Management Department determines that changes in either the character of the use or the intensity of the use are not consistent with this approval, then those changes must be brought before the County Zoning Agency for approval.
20. 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 conditions:

21. Painting and finishing area of the industrial building must have proper ventilation meeting the requirements of the State and Federal codes. Exhaust system shall meet all requirements of the code including hours of operation and noise.
22. No outside storage of chemicals shall occur on site.
23. No outside storage including drying of rags, products or materials shall be allowed on site.
24. The owner shall obtain approval of a pollution prevention plan from the County Land Conservation Office and a hazardous spill plan from the State if required by law.
25. No occupancy shall be allowed for the business activity approved by this conditional use until all conditions of approval are met.
26. Outside storage of inoperable and or non-licensed vehicles shall occur within the units providing for recreational vehicle and boat storage only.
27. No dumping of chemical waste shall be conducted outside of the building. All discharge of chemical waste to the septic system outside of normal human waste disposal shall be pre-approved by the County sanitarian.
28. The property owner shall revise the plan of operation to include a central storage area, outside of the units for rent to contractors and businesses, on which to store all miscellaneous items that are not owned by the rental unit occupants. The County Zoning Officer shall provide a list of items to be relocated to the central storage area after a walk through inspection with the property owner. The property owner shall have six months upon receiving County staff's list to relocate the miscellaneous items to the central storage or remove the items from the site.
29. Specific conditional use approval is granted for a contractor storage yard in building #3, off season outside boat storage

in Unit 9-A, Porky’s Lawn Care Repair in Unit #8, Auto Body repair in Unit #20, two night watchmen residents in Units #21 and 23, three signs at the entry a maximum of 96 square feet or as much as the County does allow and subject to Town and County approval, and must come back for approval of sign, all as per plan dated June 27th, 2011 as per the Town. General conditional use approval is granted for all other uses shown on the approved plan.

30. Approval is granted subject to fire department review and residential occupancy requirements as per the Town.

Dated this 21st day of July, 2011.

COUNTY ZONING AGENCY
RICK STACEY, CHAIRMAN

Conditional Use / Michigan-Wisconsin Pipeline – A N R Pipeline Company c/o WE Energies / Town of Sharon / Disc Count #6:29:50 – 6:32:48

Conditional use request for construction of a new gas facilities building and associated gas pipeline structures on land zoned A-1 Prime Agricultural District as a utility. Tax Parcel A S 2100001A.

Rich Brandl motioned to approve. Second by Russ Wardle. Motion carried. 6-approve 0-oppose.

NAME: ANR Pipeline Company / Michigan – Wisconsin Pipeline c/o WE Energies

TOWN: Sharon

A conditional use permit for construction of a new gas facilities building and associated gas pipeline structures on land zoned A-1 Prime Agricultural District as a utility, and described as follows:

Tax Parcel #A S 2100001A

Has been APPROVED subject to the following conditions:

1. Approved as per plan submitted for addition of a gas facilities building and associated gas piping structures with required conditions added.
2. Any proposed buildings shall be of an earth tone or neutral color (I.E. beige or tan).
3. Construction plans for the site shall be submitted to the County Zoning Office for review and permit approvals prior to the project beginning.
4. Construction related activities are only allowed on site between sunrise to sunset.
5. The easement must be use for the purpose for which it was granted.
6. The applicant must obtain a Land Disturbance Erosion Control and Stormwater Management permit from the County Land Conservation Office prior to any construction activities occurring on site.
7. All spoils spreading activities must be conducted in the approved identified locations.
8. All access to the site must be made as identified on the approved plan.
9. All contractor storage yards shall be located as identified on the approved plan and used as specified.
10. The applicant shall meet all applicable Federal, State and local regulations.
11. The applicant shall make all necessary arrangements for use and crossing of public roadways with the State, County and Town Highway Departments.
12. The pre-existing contours of all floodplain areas affected by the utility installation must be adequately matched during restoration so as to meet the requirements of the County shoreland/floodplain regulations.

- 13. The applicant is responsible for removal of the facilities if they are no longer in use. If the facilities are not operated for a continuous period of 12 months, they shall be considered abandoned. Abandoned facilities may be required to be removed within 90 days.
- 14. 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.
- 15. 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:

- 16. The applicant shall remove the existing gas facilities building within six months installation of the replacement building.

Dated this 21st day of July, 2011.

COUNTY ZONING AGENCY
 RICK STACEY, CHAIRMAN

Conditional Use / Lynn M. Lein / Town of Spring Prairie / Disc Count #6:32:49 -
 Conditional use request for conversion of the front portion of a barn into a restaurant – retail store for conducting retail sales of farm products and farm food service of breakfast and dinners as a farm family business on lands zoned A-1 Prime Agricultural District. Part of Tax Parcel OA374000001.

Russ Wardle motioned to approve. Second by Jim Van Dreser. Motion carried. 6-approve 0-oppose.

NAME: Lynn M. Lein

TOWN: Spring Prairie

A conditional use permit for conversion of the front portion of a barn into a restaurant / retail store for conducting retail sales of farm products and farm food service of breakfast and dinners as a farm family business on lands zoned A-1 Prime Agricultural District, and described as follows:

Part of Tax Parcel #OA374000001

Has been APPROVED subject to the following conditions:

1. Approved as per plan submitted for a restaurant/retail sales area for farm food service with egg production facilities educational tours as a farm family business with all additional conditions.
2. Any changes in the proposed use of the property will require additional County approvals.
3. The site must meet all applicable Federal, State, County and local regulations.
4. The applicant shall obtain a Walworth County sign permit prior to placement of any sign on site.
5. A rezone and conditional use approval will be required for any proposal to expand the business beyond the use of existing buildings as specified on site.
6. 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.

7. The farm family business is limited to two non-farm family resident employees. Extended family members not living on the farm, volunteers, outside vendors, guest cooks, tour guilds, interns, etc. shall count towards the employee capacity limit.
8. 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.
9. 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:

10. Business hours of operation shall be limited to Saturdays and Sundays 8:00 a.m. to 1:00 p.m. and one **other event** per week that includes a meal as per the Town.
11. The use of the farm food service area shall be limited to a maximum of 55 guests at a time as per the Town.
12. The barn Septic System must be certified to accommodate 55 guests as per the Town.
13. In the event the café ceases to operate for six months or egg production is permanently ceased, the CUP will be rescinded. (as per the Town).

14. All signage shall be unlit as per the Town.
15. Each weekly **event** shall occur within the farm food service area in the portion of the existing barn specified on the approved plan between the hours of 8:00 a.m. and 11:00 p.m. An event shall constitute an associated group meeting while waiting for a farm food service meal. Events shall service no other function than farm food service.

Dated this 21st day of July, 2011.

COUNTY ZONING AGENCY
RICK STACEY, CHAIRMAN

Adjournment

A motion was made by Rich Brandl to adjourn. Second by Dave Weber. Motion carried. 6-favor 0-opposed. The meeting was adjourned at 6:44 p.m.

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

Walworth County Health and Human Services Committee
MINUTES

July 20, 2011 Meeting – 1:15 p.m.

Walworth County Board Room
Government Center – Elkhorn, Wisconsin

The meeting was called to order by Chairman Grant at 1:15 p.m.

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

Others present – Linda Seemeyer, Director of Health and Human Services/Lakeland Health Care Center Superintendent; Elizabeth Aldred, Deputy Director of Health and Human Services; Juliet Young, Health and Human Services; Nancy Russell, County Board Chair; Pat Grove, Manager at Health and Human Services; Chace Wolff, Health and Human Services; David Bretl, County Administrator

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 to approve the agenda. Motion carried 7-0.**

The Health and Human Services minutes from the June 22, 2011 meeting was approved. **Motion and second made by Supervisor Hawkins and Citizen Representative Pious to approve the minutes. Motion carried 7-0.**

Public comment – There were no comments from the public.

Unfinished business –

Update on Seal-a-Smile Program – Ms. Seemeyer introduced Pat Grove, Health Officer and Chace Wolff, hygienist to update the board on the seal-a-smile program. Ms. Grove stated this is a statewide program sponsored by the Children’s Health Alliance to put dental seals on select elementary school children. The program has expanded to providing fluoride treatments for Women, Infants and Children (WIC) participants. Health and Human Services has once again applied for the grant for the 2011-2012 school year.

Supervisor Grant asked about the timeline for the 2011-2012 grant. Ms. Grove stated DHHS will be informed in a couple of weeks if the application has been approved.

Citizen Representative Seegers stated he felt this program was of great value.

Income Maintenance Update – Ms. Seemeyer recapped the recent events dealing with the changes in the Income Maintenance program. Funding levels were modified on the final

version that was signed by the governor and there will be approximately \$16 million less than anticipated.

Ms. Seemeyer stated the Board needs to make a decision on how to proceed with Income Maintenance. The first option is to decline to participate in a consortium and turn the program over to the State. This will result in a loss of county level and lay off sixteen positions at DHHS. Consumers currently receiving services in Walworth County would have to go somewhere else to receive services. The second option is to go into a consortium with other Wisconsin counties. Walworth County has been asked by both Racine and Kenosha counties and also Waukesha, Washington, Fond du Lac and Ozaukee counties. If going with the consortium it a decision needs to be made on the model: Hub and Spoke where one county in the consortium would be the fiscal agent and distribute funds or the Real Commission model which is more complex and there is a great probably of sharing resources.

Mr. Bretl offered advice to the Board to go with a consortium and not turn the program over to the State. Supervisor Russell recommended the Board choose the northern counties consortium and use the Hub and Spoke model.

Supervisor Ingersoll asked about the job center consortium with Kenosha and Racine counties where Walworth County receives 13% of the funds. Supervisor Russell stated it is based on a formula that was created when the consortium started many years ago and has never been adjusted. Supervisor Ingersoll asked if the Hub and Spoke model in a consortium would prevent this from happening. Ms. Seemeyer stated it would.

Supervisor Ingersoll asked if there were guidelines from the State regarding the consortiums. Ms. Seemeyer stated that there isn't much in place as it is still being designed. She expects legal guidelines to be forthcoming.

Supervisor Grant asked which decisions need to be made at this meeting. Ms. Seemeyer stated it was a tight timetable and the Board needs to decide if Walworth County will keep Income Maintenance services and go with a consortium or if those services will be turned over to the State.

Supervisor Grant stated he would support not going to the State and joining the northern counties consortium.

Supervisor Ingersoll asked if there was an option to stay independent. Ms. Seemeyer stated this was not option in the governor's budget.

Supervisor Ingersoll asked who would be in charge of the consortium. Ms. Seemeyer stated there would be a determination of each county's responsibilities in the consortium.

Mr. Bretl stated that he felt going with the consortium was the more ideal of the two options and Supervisor Grant added it is really the only choice.

Motion and second made by Supervisors Grant/Hawkins to for the option to discuss going into consortium. Motion carried 7-0.

New Business –

Set date for the Public Hearing for both DHHS and Transportation – The public hearing for general DHHS issues is set for Monday, August 15th at 5:30 p.m. in the County Board Room. The hearing for the transportation grant is set for Wednesday, August 17th at 6:00 p.m. also in the County Board Room.

Finance Position – Senior Accountant at HHS Vacancy – The recently vacated DHHS senior accountant position has been transferred to the Finance department. The staff person will be housed at the Health and Human Services Center but will now report to Ms. Anderson in Finance for an 18 month trial.

Supervisor Ingersoll asked about the transition. Ms. Seemeyer explained that there will be an administrative procedure put in place. Supervisor Ingersoll asked Ms. Seemeyer how she felt about giving up this position. Ms. Seemeyer stated there has not been a back up staff for the position for many years and feels this will help with in the long run. While she does have some concerns she believes it will be beneficial. Mr. Bretl added there will be trust issues but this change is based on an audit suggestion of centralization.

Supervisor Grant asked if the agreement was in writing. Ms. Seemeyer stated there is an administrative procedure that Mr. Bretl needs to approve.

Discussion on Wisconsin Vote ID Law – Supervisor Grant stated he is concerned about members of the elderly population that need an identification card and transportation to the Department of Motor Vehicles. He is concerned that the law inhibits citizens right to vote.

Supervisor Schaefer has concerned regarding citizens who live in rural areas where their identification does not match registration records.

Citizen Representative Seegers asked if voters without identification can case a vote and have it set aside until they are able to show proper identification. Mr. Bretl is unaware of the procedures but feels it would introduce inaccuracies in the vote tally.

Ms. Seemeyer stated DHHS transportation would be able to transport elderly voters to obtain their identification but reminded the Board that there is a charge for transportation rides.

Reports - There were no reports.

Correspondence – There were no correspondences.

Announcements –

Holiday Care Raffle – Ms. Seemeyer announced that a generous donation of a pig roast for 100 people was donated to the Holiday Care Golf Tournament. Supervisor Grant added that raffle ticket holders do not need to be present to win.

Next Meeting Date – The next meeting is scheduled for August 17, 2011 at tentatively 1:15 p.m. following the Lakeland Health Care Board of Trustees meeting.

Adjournment – **On motion and second by Supervisors Hawkins/Schaefer, Chair Grant adjourned the Health and Human Services meeting at approximately 2:23 p.m. Motion carried 7-0.**

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

Walworth County Lakeland Health Care Center Board of Trustees

MINUTES

July 20, 2011 Meeting – 1:00 p.m.

Walworth County Meeting Room 111
Government Center – Elkhorn, Wisconsin

The meeting was called to order by Chairman Grant at 1:00 p.m.

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

Others present – Linda Seemeyer, Director of Health and Human Services/Lakeland Health Care Center Superintendent; Elizabeth Aldred, Deputy Director of Health and Human Services; Juliet Young, Health and Human Services; Bernadette Janiszewski, Lakeland Health Care Center Administrator; Dr. James Seegers, Citizen Representative Health and Human Services; Ella Eva Pious, Citizen Representative Health and Human Services; Pat Grove, Manager at Health and Human Services; Chace Wolff, Health and Human Services; David Bretl, County Administrator

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

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

The Lakeland Health Care Center Board of Trustees committee minutes of the June 20, 2011 meeting were approved as amended. **Motion and second made by Supervisor(s) Ingersoll/Hawkins to approve the minutes. Motion carried 5–0.**

Public Comment – There were no comments from the public.

Unfinished Business – There were no items of unfinished business.

New Business –

Request to Use Part of Alzheimer's Donated Fund – Ms. Janiszewski asked for the board's approval to use part of the Waddell Alzheimer's donation fund to help pay for wireless Internet service for the memory care unit. Ms. Janiszewski explained that donations from the general resident benefit fund would be used for the medical unit and the Alzheimer's fund would just be used for the memory care unit. She stated she would get a firm quote on the cost and bring this agenda item back to the Board for their consideration.

Supervisor Grant asked if the principal was going to be used for this payment or if it was just strictly interest. He asked what was the understanding for the use of the funds when donated. Ms. Janiszewski stated that she believes only the interest can be used.

Supervisor Ingersoll asked if this was a private donation by a family and if there are any restrictions on the use of the funds. Ms. Janiszewski stated she would check with the Finance department on these issues.

Motion and second made by Supervisor(s) Ingersoll/Hawkins to approve that in theory this fund can be used for the wireless Internet. Motion carried 5-0.

Dr. Seegers inquired about the historical use of this fund. Ms. Janiszewski stated that only the interest has been used in the past. She will provide a full report at the next meeting.

Reports –

LHCC Administrator's Report and Financial Update – Ms. Janiszewski reported that the LHCC is on track with regard to budget and handed out the June 2011 income statement. Ms. Janiszewski pointed out the worker's compensation claims have increased during the past two months due to aggressive residents. The managers on the memory care unit estimate that it typically takes 60 – 90 days for a resident to settle in to their new home.

Currently LHCC is watching what happens with Medicare at the federal government level. As a result LHCC is being conservative on the 2012 budget expecting an 11% reduction in Medicare Part A revenue.

Ms. Janiszewski addressed a question asked by Supervisor Schaefer at a previous meeting. Currently 35 Wisconsin counties have a county run nursing home with a total of 41 homes receiving IGT payments. Rock County has approved the construction of a new facility and is going out for bid in early August.

Correspondence – There were no correspondences.

Announcements – There were no announcements.

Next Meeting Date – The next meeting is tentatively scheduled for August 17, 2011 at 1:00 p.m.

Adjournment – **On motion and second by Supervisor(s) Hawkins/Ingersoll, Chair Grant adjourned the meeting at approximately 1:11PM. Motion carried 5-0.**

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

**Walworth County Land Conservation
Committee Meeting And Public Hearing**

DRAFT

MINUTES

Monday, July 18, 2011 at 1:30 p.m.

Walworth County Board Room 114
Elkhorn, WI 53121

The meeting was called to order by LCC Chair Kilkenny at 1:34 p.m.

Roll call - Committee members present included: Supervisors Kilkenny, Hawkins, Grant, and Citizen Member Burwell. USDA/FSA Representative Sue Bellman was absent, excused. 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; and Joeann Douglas, Recording Secretary.

Also in attendance – Nancy Russell, Walworth County Board Chair; Attorney Paul A. Dirkse, Lake Beulah Management District; David Bitter, Lake Beulah Management District; Peter Tamayo; Wendy Solum, Maggie Zoellner

Approval of Agenda – **Supervisors Hawkins and Grant moved and seconded approval of the agenda. Motion carried 4-0**

Approval of Minutes– **Citizen Member Burwell and Supervisor Hawkins moved and seconded approval of the minutes as presented. Motion carried 4-0.**

Public Comment – None

Public Hearing Pursuant to Section 33.26 of the Wisconsin Statutes – Petition to Attach Property to the Lake Beulah Management District - Walworth County provided a large map indicating the area to be attached and Michael Cotter explained the public hearing procedures.

Those Speaking On Behalf of the Petition: Attorney Paul Dirkse, represented and spoke on behalf of the Lake Beulah Management District. Attorney Dirkse said the Lake Management District was petitioning to add a dozen or so properties to their district because of their proximity, and direct, private access to the lake via a private alley way. The criteria used: is it a necessity, is it for the public welfare, and will the proposed property owners be benefited by being in the lake district. The answer to each of those questions is yes. The report and resolution that was submitted lays out some of the benefits to the property owners being attached. The activities the lake management district is now, or will be involved in, such as those dealing with water quality management, invasive species, and water quality, were examples. They benefit the general public, but there are specific benefits to those most likely to use the lake and have access through private means. Some of the activities are paid for by grant money and some are paid for through the assessments levied against those in the lake district. Property values are taken into consideration when the lake district levies the assessments. It was an oversight when the properties were omitted from the lake district when it was formed. All the properties in the lake management district have private septic systems.

Mr. Dave Bitter, District President also spoke on behalf of the Beulah Lake Management District. He said the sanitary district was formed approximately 1967-1968. A number of tests were done and it was found the septic systems were in good condition at that time. In 1995-1996 a state law was passed to change sanitary districts to lake districts, giving lake districts the authority to pass resolutions and ordinances. The same boundaries of the sanitary district became the lake district boundaries as recommended by SEWRPC. RSV Engineering was hired to determine which properties had some type of access to the lake. The properties being petitioned to be attached were found to be the only ones with direct access that were not yet included in the lake district. The fee structure is based on valuation of home and is a mill rate assessment.

Those Speaking Against the Petition: Peter Tamayo, N9375 East Shore Rd, one of the homeowners to be attached, said he did not have access via the alley way. There is a pier at the end of the alley and is used by some of the owners of the land in the petition but not all. The alley is 20 feet wide and the pier occupies the entire entrance of the alley. With the pier, and boats on either side, there is no room without walking on private property. Mr. Tamayo either goes to the public launch and pays \$7.00 or asks one of his neighbors with a pier. When he bought his house, he had the lake rights researched by an attorney and was told he did have lake rights. His property is part of the subdivision of Lot 10 of Lake Beulah Park. There is no subdivision association for the 15 lots in question that clearly states what the homeowners are entitled to regarding access. To the best of his knowledge, Mr. Tamayo said 5 homes of the Lake Beulah Park have access with the alley way and 2 do not. Chair Kilkenny said the County does not have legal jurisdiction over access rights. The homeowner has the right challenge the tax assessment.

Wendy Solum, N9356 Beulah Park Road, also a homeowner of land to be attached spoke against it. Her property was purchased at a time when the pier had an injunction against it and was in litigation for several years to keep Beulah Alley and the pier. It was ultimately determined they were riparian owners. Ms Solum said there is another easement or right of way further south of Beulah Alley.

Michael Cotter also read a letter in opposition from Robin and Joyce Schroepfer, N9398 Beulah Park Road. In summary, they have deeded access on paper only. They have lived there 26 years and have never used the lake for any recreational activities. They also know of at least one neighbor who has a private access in the subdivision that is not included in this expansion but uses the lake all summer long.

Rebuttal - Attorney Dirkse gave rebuttal. If there are similar lots that should be included, not including them is inadvertent. He said they could look at them individually. It appears all of the lot owners do enjoy some benefit, either through walking use or the use of the pier. As to the people who are being denied access by other neighbors, apparently there has been litigation on it in the past, and it should not be up to the lake district to sort it out. According to the 1914 deed, it appears all of the owners should have access. Attorney Dirkse said the lots should therefore participate freely in all the rights and the responsibilities. He said these lots should be added for the element of fairness. Regarding the neighbor who has a private access not included in the expansion, if they are not included in this notice, it would have to be a separate petition.

Supervisors Hawkins and Grant moved and seconded to close the hearing. Motion carried 4-0.

Petition to attach property to the Lake Beulah Management District – Michael Cotter gave direction as to how the committee could proceed. Brief discussion followed. **Supervisors Grant and Hawkins moved and seconded recommending approval of the petition.** Citizen Member Burwell said he hoped those not enjoying sufficient access were able to have it in the future, but the Lake Beulah Management District has proven the criteria. **Motion carried 4-0.**

State Budget Impact regarding Farmland Preservation Conversion Fee – Michael Cotter said the 2011 Assembly Bill 40, Section 9103 (2i) states: “Farmland Preservation Conversion Fees. If a political subdivision collected conversion fees under section 91.48 (1) (b), 2009 stats., for land rezoned in 2011, the political subdivision shall retain the fees and use them for farmland preservation planning, zoning, and compliance monitoring”. There was some discussion if we would be returning the money, but we cannot. Also, we will be collecting no further and do not have the ability to do so.

Honey Lake Management District County representative – Michael Cotter said we have one applicant, Robert McIndoe to fill the position. **Supervisors Grant and Hawkins moved and seconded to approve Robert McIndoe as the Honey Lake Management District County representative.** **Motion carried 4-0.**

Southeastern Association of Land Conservation Committees Summer Tour, Waukesha – Louise Olson said the date of the tour is Monday, September 12, 2011. The theme will be water withdrawal from the Great Lakes into Waukesha County. Anyone attending should let Ms Olson know for the next meeting. They will be leaving the Government Center at 7:30 a.m. and returning at approximately 2:30 p.m.

WLWCA Annual Conference December 8-9, 2011, Volunteers Needed – Louise Olson said the deadline for sign up is August 1, 2011. Can be done on line or contact Ms. Olson.

Next Meeting Date – Monday, August 15, 2011 at 1:30 p.m.

Adjournment – **On motion and second by Supervisor Hawkins and Citizen Member Burwell, Chair Kilkenny adjourned the meeting at 2:44 p.m. Motion carried 4-0.**

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

DRAFT

**Walworth County Finance and Public Works Committees
JOINT MEETING MINUTES**

Monday, July 18, 2011

**Walworth County Government Center, County Board Room 114
100 West Walworth Street, Elkhorn, Wisconsin**

Chair Nancy Russell called the meeting to order at 3:42 p.m.

Roll call

Finance Committee

A roll call of the Finance Committee was conducted with all members present, to-wit: Jerry Grant, Dan Kilkenny, Nancy Russell, Joe Schaefer and Rick Stacey (arrived at 3:45 p.m.)

Public Works Committee

The Public Works Committee roll was called. All members were present, to-wit: Kathy Ingersoll, Nancy Russell, Joe Schaefer, Rick Stacey (arrived at 3:45 p.m.) and Russ Wardle

Others present:

County Staff:

County Administrator David Bretl; Deputy County Administrator-Central Services Shane Crawford; Deputy County Administrator-Finance Nicki Andersen; Public Works Director of Operations Larry Price; Public Works Business Office/Purchasing Manager Peggy Watson; District Attorney Phil Koss

Members of the public:

Gen-Krahn Reed, Director of the Association for Prevention of Family Violence

Supervisors Schaefer and Ingersoll moved to approve the agenda as presented. The motion carried 6-0.

Public comment period – no one in the audience asked for recognition from the Chair.

Regular business

Res. No. xx-07/11 Waiving the Requirements of Competitive Bidding for Repair of County-Owned Salt Storage Structures Pursuant to Sec. 59.52(29)(b) of the Wisconsin Statutes and Establishing a Budget for the Project

Deputy County Administrator Shane Crawford reported that structures at the Public Works complex were damaged during the severe storm on July 11. One of the salt domes was extensively damaged, as was other property. Public Works Director of Operations Larry Price and Assistant Superintendent Jack Delaney showed the committees photographs of the damage. Crawford said that the major concern is potential salt run off which could contaminate the groundwater (the damaged dome is nearly full of salt inventory), and the independent engineer hired by our insurance company has deemed the area unsafe for anyone to be working in or nearby. Price explained the damage to the salt dome, the salt shed and electrical, and the fence around the dumpster enclosure. Shingles were blown off the other dome as well. Dome Corporation, the contractor who built the dome, recommends replacement of the entire structure, right down to the concrete. Currently there is 6,000 – 8,000 tons of salt in the dome, and that has been covered by tarps. As soon as the balance of the dome is torn down next week, the salt will be transported to the other dome for storage. Chair Russell expressed concern that there might

be nails and small debris in the salt, and Price responded that most of the panels are intact and were dragged into the yard. Belfor, the mitigation firm, went through with magnets to pick up and dispose of small metal pieces. Supervisor Kilkenny asked whether anyone from the public might object to waiving the competitive bidding requirements. County Administrator Bretl said that the committees are being asked to exercise essentially a declaration of emergency, as defined in State Statute Sec. 59.52.(29)(b). The criteria for waiving the competitive bidding as set forth in the resolution is the endangerment to public health and welfare, by the potential of salt runoff causing groundwater contamination and the inability to store sufficient salt for the upcoming winter season, which would pose a risk to the motoring public. Bretl emphasized that wanting to engage the original contractor to make the repairs because of proprietary design is not legitimate criteria for waiving the competitive bid process. He expressed concern that if the repairs went to public bid that the process would not be complete in time to store enough salt before the first snowfall. Price added that the early fill for salt commences in August. Bretl urged the Supervisors to ask questions and address their concerns before making a decision. Supervisor Kilkenny noted that employee safety is also a consideration in not delaying repairs. Deputy County Administrator-Finance Nicki Andersen distributed a preliminary estimate for repairs and replacement, which is estimated to be \$660,000, plus mitigation fees, for a total of \$792,000. **Supervisors Grant and Schaefer moved approval of the resolution waiving the requirements of competitive bidding for repair of county-owned salt storage structures pursuant to sec. 59.52(29)(b) of the Wisconsin Statutes and establishing a budget for the project, contingent on the change in the fiscal note to correct the amount of the damage estimate. The motion carried 7-0.**

Adjournment

Supervisors Kilkenny and Ingersoll moved to adjourn the meeting. The motion carried 7-0, and the meeting adjourned at 4:03 p.m.

Minutes recorded by Becky Bechtel, Public Works Department

Note: Meeting minutes are not considered final until approved by the committees at the next regularly scheduled meetings

Draft

**Walworth County Board of Supervisors
Public Works Committee
MEETING MINUTES
Monday, July 18, 2011
Walworth County Government Center, County Board Room 114
100 West Walworth Street, Elkhorn, Wisconsin**

Chair Russell called the meeting to order at 4:05 p.m.

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

Others present:

County Staff: Shane Crawford, Deputy County Administrator-Central Services; County Administrator David Bretl; Public Works Operations Director Larry Price; Public Works Business Office/Purchasing Manager Peggy Watson; Deputy County Administrator-Finance Nicki Andersen; District Attorney Phil Koss

Members of the Public: Gen Krahn-Reed, Association for the Prevention of Family Violence

Agenda withdrawals/approval

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

Approval of minutes

Supervisors Stacey and Ingersoll moved to approve the May 16, 2011 meeting minutes as prepared. The motion carried 5-0.

Public comment period. No one from the audience asked for recognition by the Chair.

Regular Business

Update/action on Walworth County Child Advocacy Center

Crawford invited District Attorney Phil Koss to address the committee. Crawford said that the Walworth County Alliance for Children is no longer interested in leasing space in the west wing of the Government Center. Mr. Koss thanked the committee for their support and patience. He said the Alliance decided that given the size limitations in the Government Center, the group explored other options, and therefore has no objection to rescinding the lease agreement for the space. The Alliance has approximately \$100,000 toward building the Center, and they received an estimate of \$264,000 to build a stand-alone building, approximately 3,500 square feet. Lakeland Builders' Association offered to construct the building with volunteer labor, which would be a huge cost savings. Randy Thelen, Thelen Construction, offered to act as general contractor. Koss said the Alliance would like to build on the property west of the Health and Human Services Center, which was the site they originally requested. He said the organization would like to move forward, as the Department of Health and Human Services needs the space currently occupied by the Child Advocacy Center. Koss said negotiations with the County as to a ground lease, mortgage, etc., would be the next step in the process. Chair Russell asked if they planned on using the Health and Human Services parking lot, and if they eventually expand

their facility, perhaps they should be required to have space for their own parking. Bretl encouraged the committee to engage in dialogue about long-term plans, expanding the facility, leasing/selling land, financing, etc. For example, does the committee wish to ensure that if the Center would, for some reason, vacate the premises, would the county want the building to revert to the county or have first right of refusal to purchase the property? Supervisor Schaefer asked about the house for sale adjacent to the Public Works Department on CTH NN that the Alliance looked at. Koss explained that during the early stages of process, Magill Construction offered to build a facility, but it later turned out to be too large for their needs and pocketbook, as prospective tenants backed out of a lease commitment. Then, after agreeing to the space at the Government Center, the group decided that it was too small for long-range needs. When the house came up for sale on CTH NN, the Alliance looked at it and decided that it would be too cost-prohibitive to bring it up to code for use as a semi-public building. However, the group did like the home-type environment concept for the Center, and thus decided to pursue building a 3,500 square foot facility on land near the Human Services Center. When Chair Russell asked about the building layout on the site, Koss assured her that their plans and specifications would be brought to the committee for approval before proceeding. Bretl cautioned the committee about setting a precedent in allowing the Center to be built on county land, and presented several scenarios for the transaction. The county could enter into a ground lease with Children's Service Society, but then a third party lender would be involved and could control the structure of the deal, interest rates, etc. The county could provide financing and could then possibly get the land back should the Alliance default. The committee concurred that it is important to retain ownership of the property. Discussion ensued as to giving the Alliance title to the property, first right of refusal, etc. Crawford said he would continue to work with the Alliance and would bring any plans or specifications to the committee as they develop.

Resolution Rescinding Resolution No. 73-01/11 Relative to a Lease Agreement Between Walworth County and The Children's Service Society of Wisconsin
Supervisors Wardle and Schaefer moved to approve the resolution rescinding Resolution No. 73-01/11 Relative to a Lease Agreement between Walworth County and the Children's Service Society of Wisconsin. The motion carried 5-0.

Approval of conveyance of title for highway right-of-way to the State of Wisconsin (STH 36, Lyons Township)

Crawford referred to the letter in the packet from the State Department of Transportation which summarizes the order and conveyance of title. Historically, counties would hold title to land purchased for rights-of-way which were purchased with State funds. The State owns the right-of-way in question, and is asking county to execute the Quit Claim Deed which legally gives title and all rights to the property to the State. Price added that STH 36 is being redesigned for upgrades. There is no money involved in the transaction. The right-of-way in question lies on the curve on STH 36 by the Bobby Rockets restaurant. **Supervisors Ingersoll and Wardle moved approval of the conveyance of title for highway-right-of-way on STH 36 to the State of Wisconsin Department of Transportation. The motion carried 5-0.**

Request to revise the capital improvement plan for a change in scope to bridge rehabilitation projects

The Public Works Department, with concurrence from the Department of Transportation, wishes to change the scope of three bridge rehabilitation projects which are included in the State's STP-Local Bridge Program, under which the State funds 80% of the projects and the county is

responsible for the remaining 20%. The memo in the packets reports that original estimates for the costs of the bridge projects have increased for the two bridges on CTH X. Therefore, it is in the county's best interest to complete the engineering for the bridge on CTH DD over Sugar Creek and reallocate the remainder of the budget for that bridge to complete the rehabilitation of the two bridges on CTH X. The budget amendment to accomplish the change in scope was approved by the Finance Committee on July 12. **Supervisors Schaefer and Wardle moved to approve the change in scope to the bridge rehabilitation projects. The motion carried 5-0.**

Bid award for pesticides and chemicals

Crawford said that although the bid from Red River Specialties was approximately \$50 less than that of Crop Production Services, staff recommends the bid award to Crop Production Services. Red River Specialties is located out of state and their product delivery would take 5-7 days. Crop Production Services would guarantee next day delivery, and staff could pick up product in an emergency situation. **Supervisors Wardle and Stacey moved to approve the bid award for pesticides and chemicals to Crop Production Services in the amount of \$11,867.50. The motion carried 5-0.**

Resolution authorizing use of contingency fund balance to replace the exterior siding on the Webster House Museum

An inspection of the Webster House was conducted when staff discovered a hole on the exterior of the building. The siding is badly deteriorated and in need of replacement before the facility sustains structural damage. There are no 2011 budgeted funds for the project, and Crawford said the siding needs replacement before winter weather. **Supervisors Schaefer and Ingersoll moved to approve a resolution authorizing the use of contingency funds to replace the exterior siding on the Webster House Museum. The motion carried 5-0.** Crawford said he had no news from the Historical Society about the prospective purchase of the property across the street from the Webster House.

Approval of bid specifications for replacement of exterior siding on the Webster House Museum

Crawford reviewed the summarized the bid specifications, and said that the overall look of the existing house would be maintained. Supervisor Wardle suggested putting cedar plank on the corners and ledgers, and using "hardy plank" concrete on the rest of the structure. He said the cedar plank is high maintenance and the concrete is more durable. Crawford said a copy of the specifications was sent to the Historical Society for their review. **Supervisors Wardle and Ingersoll moved to add an alternate for hardy plank concrete siding to the bid specifications, and to approve the specifications with the added alternate. The motion carried 5-0.**

Final pay request – Government Center roof replacement project

Supervisors Schaefer and Ingersoll moved to approve the final payment to Nations Roof for the Government Center roof replacement project. The motion carried 5-0.

Discussion/approval of Walworth County Public Works Department 2010 Financial Report of Highway Operations

Supervisors Wardle and Schaefer moved to approve the Public Works Department 2010 Financial Report of Highway Operations. The motion carried 5-0.

Next regularly scheduled Public Works Committee meeting date and time: Monday, August 15, 2011 - 4:00 p.m.

Adjournment

Supervisors Schaefer and Wardle moved to adjourn the meeting. The motion carried 5-0 and the meeting adjourned at 4:48 p.m.

Minutes recorded by Becky Bechtel, Public Works Department

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

Draft 7-19-11

PLEASANT LAKE PROTECTION AND REHABILITATION DISTRICT
BOARD MEETING

SATURDAY, JULY 16, 2011, 8:00 AM

LAGRANGE TOWN HALL

MINUTES

Present: Dave Stamm (2012), Doug Behrens (2013) Pat Kachur (2014), Ted Slupik (2012), Marcia Sahag (2013), Don Sukala (Town), Bob Arnold (County)

Absent:

Public Attendance: Rick Callaway, Peter Schuler, Jim Mueller

Approval of Agenda: Motion to approve the agenda (Doug/Pat). Carried.
Dave welcomed Pat.

Approval of Minutes: Motion to approve the minutes of 4/30/11 (Bob/Doug). Carried.
Motion to approve the minutes of 6/18/11 (Bob/Ted). Carried.

Treasurer's Report: Ted submitted balances in the accounts as attached (total \$85,859.93). There are bills to be paid as soon as account signers are authorized at the Banks. Pat will be a signer as well as Ted. The Finance committee will develop guidelines and procedures for handling District financial matters. With the current number of Committee members a quorum is difficult. Motion to approve appointment of Pat Kachur to the Finance Committee (Doug/Don). Carried.

Insurance Policy Renewal: Dave asked Pat to be the contact person for District insurance. The current insurance policy and premium were approved as proposed and will be renewed with Horton Insurance with correcting the form of business from Park District to Protection & Rehabilitation District if appropriate. Pat will research other insurance carriers.

Engineering firms bids and proposals: There was discussion regarding sending out letters requesting engineering firms submit bids and proposals for the drain issue. Don stated the Town is willing to clear the drain as needed. The use of an attorney will be needed. Don suggested using John Macy, the Town's attorney, through the Town that would bill back the District. The District could also hire an attorney such as Russ Devitt, a municipal attorney who works for the Lauderdale Lakes Management District. The bid/proposal requests will be sent out to 2 engineering firms instead of 3 because the Board opinion is that only 2 are qualified enough with the situation.

Motion to send out a letter requesting bids and proposals for the drain project from RA Smith and Crispell-Snyder as submitted and amended to read "...repair, or replace current design..." (Ted/Bob) Discussion followed. Marcia called the question. Motion carried with no objection.

Dave and Doug sited how helpful and cooperative the Town is to work with, and how much this relationship is appreciated by the District.

Walworth County Board of Adjustment

MINUTES

July 13, 2011 - Hearing – 8:00 AM

July 14, 2011 – Meeting – 8:00 AM

County Board Room

Government Center – Elkhorn, Wisconsin

A hearing and decision meeting of the Walworth County Board of Adjustment was held on July 13 & 14, 2011, in the County Board Room of the Government Center in Elkhorn, Wisconsin. Those present on July 13, 2011, were Chair John Roth, Vice-Chair Gregory E. Guidry, Secretary Ann Seaver and newly sworn-in 1st Alternate Elizabeth Sukala. Deb Grube, Senior Zoning Officer, and Wendy Boettcher, recording secretary of the Land Use & Resource Management Department were in attendance. Those present on July 14, 2011, were Chair John Roth, Secretary Ann Seaver and 1st Alternate Elizabeth Sukala. 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 July 13, 2011, and July 14, 2011, are kept on file as a matter of record.

The July 13, 2011, hearing was called to order by Chair John Roth 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 amended agenda, with the omission of item #7, Kenneth J. & Karen M. Borkowski, owners / Prairie Builders LLC, applicant – East Troy Township, which has been postponed until the September 2011 agenda. Seconded by Gregory E. Guidry. Motion carried. 3-favor, 0-oppose. Gregory E. Guidry motioned to approve the June 8 & 9, 2011, Minutes and dispense with the reading. Seconded by Ann Seaver. Motion carried. 3-favor, 0-oppose.**

Oath of Office was given to new Board of Adjustment member Elizabeth Sukala. Elizabeth will fill the vacant 1st Alternate position. At that time Vice-Chair Gregory E. Guidry asked to be excused for the balance of the Wednesday, July 13, 2011, hearing, as well as the Thursday, July 14, 2011, meeting and that Elizabeth Sukala take his place. Chair John Roth approved the request.

After testimony of all cases, Ann Seaver motioned to recess until 8:00 A.M. on Thursday, July 14, 2011. Seconded by Elizabeth Sukala. Motion carried. 3-favor, 0-oppose. The July 13, 2011, hearing went into recess at approximately 10:44 A.M.

On July 14, 2011, at 8:00 A.M., Chair John Roth called the decision meeting to order. Wendy Boettcher conducted roll call and verified that there was a quorum. Those present were same as listed above. **Ann Seaver motioned to approve the agenda as amended, with the omission of item #7, Kenneth J. & Karen M. Borkowski, owners / Prairie Builders LLC, applicant – East Troy Township, which has been postponed until the September 2011 agenda. Seconded by Elizabeth Sukala. Motion carried. 3-favor, 0-oppose. After the decisions were completed, Ann Seaver motioned to adjourn until the August 10, 2011, hearing at 8:00 A.M. Seconded by Elizabeth Sukala. Motion carried. 3-favor, 0-oppose.** The July 14, 2011, decision meeting adjourned at approximately 8:59 A.M.

Seven variance hearings were scheduled and details of the July 13, 2011, hearings and the July 14, 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 #8:05:12 – 8:17:35 / Disc #2 Decision – Count #8:02:40 – 8:05:40
The First Hearing was Michigan-Wisconsin Pipeline c/o A N R Pipeline Company, owners / Wisconsin Electric Power Company d/b/a WE Energies, applicant – Section(s) 21 – Sharon Township

Applicants are requesting a variance from Section(s) 74-178 / 74-193 / 74-263 of Walworth County's Code of Ordinances – Shoreland Zoning to construct a 15' x 25' building and burner / heater tank to upgrade existing facilities.

REQUIRED BY ORDINANCE: The Ordinance requires a 50' setback from all property lines.

VARIANCE REQUEST: The applicants are requesting a 36.95' street yard setback for the building, a 3.61' side yard setback and approximate 30' side yard setback for the building and an approximate 9' and 24' side yard setback for a burner / heater tank. The request is a variance from Section(s) 74-178 / 74-193 / 74-263 of Walworth County's Code of Ordinances – Shoreland Zoning to construct a 15' x 25' building and burner / heater tank to upgrade existing facilities.

BOARD OF ADJUSTMENT DECISION: The Walworth County Board of Adjustment, during the meeting on July 13 & 14, 2011, for the petition of Michigan-Wisconsin Pipeline c/o A N R Pipeline Company, owner / Wisconsin Electric Power Company d/b/a WE Energies, applicant, voted to **APPROVE** the request for a 36.95' street yard setback for the building, a 3.61' side yard setback and approximate 30' side yard setback for the building and an approximate 9' and 24' side yard setback for a burner / heater tank.

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

BOARD OF ADJUSTMENT FINDINGS: The Board found the facility has been in place since the 1960's and to upgrade the equipment was necessary and a benefit to the public. The Board found the old equipment cannot be disconnected until the new equipment is operational in order to prevent loss of service to the area. The Board found the parcel to be small and the acquisition of surrounding land in order to meet setback requirements would be difficult. The Board found to deny the request would be a harm to public interest. There was one letter of support from the Town of Sharon. There was no opposition.

Disc #1 Hearing – Count #8:17:36 – 9:06:08 / Disc #2 Decision – Count #8:05:41 – 8:26:58
The Second Hearing was Douglas A. Meyer & Stephen J. Micke, owners – Section(s) 35 – Whitewater Township

Applicants are requesting a variance from Section(s) 74-167 / 74-181 / 74-221 of Walworth County's Code of Ordinances – Shoreland Zoning to permit a screened porch, patio, landing and deck in the shore yard.

REQUIRED BY ORDINANCE: The Ordinance requires a 75' shore yard setback and limited

landings to 25 square feet in size.

VARIANCE REQUEST: The applicants are requesting an 8' x 32.5' screened porch with a 70' shore yard setback, a patio with a 70' shore yard setback, a 36 square foot landing and a deck with a 25' shore yard setback. The request is a variance from Section(s) 74-167 / 74-181 / 74-221 of Walworth County's Code of Ordinances – Shoreland Zoning to permit a screened porch, patio, landing and deck in the shore yard.

BOARD OF ADJUSTMENT DECISION: The Walworth County Board of Adjustment, during the meeting on July 13 & 14, 2011, for the petition of Douglas A. Meyer and Stephen J. Micke, owners, voted to **DENY** the request for a deck with a 25' shore yard setback, voted to **APPROVE** a patio with a 70' shore yard setback, voted to **APPROVE** a 36 square foot landing and voted to **APPROVE** an 8' x 32.5' screened porch with a 70' shore yard setback.

A motion was made by John Roth to approve the deck in the shore yard with conditions.

A motion was made by Ann Seaver to deny the existing deck down by the lake. Seconded by Elizabeth Sukala. Motion carried. 3-favor 0-oppose

BOARD OF ADJUSTMENT FINDINGS:

DENIAL OF THE SHORE YARD DECK: (25' shore yard setback) The Board found the request to be a large increment of relief and to grant the variance request would undermine the purpose and intent of the shoreland zoning ordinance. The Board found no evidence that the deck had originally been constructed legally and the deck was recently updated. The Board found to grant the variance request would not protect the public's interest in navigable waters.

A motion was made by Ann Seaver to approve the paver patio at 70'. Seconded by Elizabeth Sukala. Motion carried. 3-favor 0-oppose

APPROVAL OF THE PAVER PATIO: (70' shore yard setback) The Board found the variance request to be a small increment of relief. The Board found to approve the variance request would allow safe ingress / egress for the screened porch. The Board found the paver patio to be pervious. The Board found to allow the patio to remain would help prevent excess runoff. The Board found to approve the variance request would not cause harm to the public's interest in navigable waters.

A motion was made by Ann Seaver to approve the 5.4' x 4.8' landing (stoop) outside of the screened porch. Seconded by Elizabeth Sukala. Motion carried. 3-favor 0-oppose

APPROVAL OF THE 36 SQ. FT. LANDING: The Board found the owner did prove exceptional or unique circumstances with the steep slope of the property. The Board found to deny the variance request would cause unnecessary hardship in not allowing a landing appropriately sized for safe ingress / egress for the screened porch. The Board found the request to be a small increment of relief. The Board found to approve the variance request would cause no harm to public interests.

A motion was made by Ann Seaver to approve the screened porch at 32' x 8'. Seconded by Elizabeth Sukala. Motion carried. 3-favor 0-oppose

APPROVAL OF THE SCREENED PORCH: (70' shoreyard setback) The Board found the owner did prove exceptional or unique circumstances with the steep slope of the property. The Board also found the porch was probably constructed, the full length of the residence, at the same time as the residence. The Board found to deny the variance request and require removal of a portion of the screened porch would jeopardize the structural integrity of the structure. There was an e-mail of comment from a former property owner, a contractor spoke in support, and there were letters of support from the Town of Whitewater and two neighboring property owners. There was a letter of opposition from the Wisconsin Department of Natural Resources.

Disc #1 Hearing – Count #9:06:09 – 9:43:53 / Disc #2 Decision – Count #8:26:59 – 8:37:47
The Third Hearing was Mark L. & Julie A. Colasacco, owners – Section(s) 26 – La Grange Township

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

REQUIRED BY ORDINANCE: The Ordinance requires a 59.495' shore yard setback (average).

VARIANCE REQUEST: The applicants are requesting a 36.37' shore yard setback. The request is a variance from Section(s) 74-167 / 74-181 / 74-221 of Walworth County's Code of Ordinances – Shoreland Zoning to permit the location of a shore yard patio.

BOARD OF ADJUSTMENT DECISION: The Walworth County Board of Adjustment, during the meeting on July 13 & 14, 2011, for the petition of Mark L. & Julie A. Colasacco, owners, voted to **MODIFY AND APPROVE** the request to a 38.37' shore yard setback with a condition.

A motion was made by Ann Seaver to deny 7.9' x 19' area of paver brick and reduce it to 5.5' x 19' and to remove the 6' x 16.7' walkway to the lake. The motion was taken off the table.

A motion was made by Ann Seaver to deny the 7.9' x 19'.

A motion was made by Ann Seaver to modify and approve an 11.9' x 19' patio with the condition that the owner remove the 6' x 16.7' walkway to the lake. Seconded by Elizabeth Sukala. Motion carried. 3-favor 0-oppose

BOARD OF ADJUSTMENT FINDINGS: The Board found to modify the request and approve a 38.37' shore yard setback for an 11.9' x 19' patio with the condition the existing 6' x 16.7' concrete walkway to the lake be removed brought the property more in compliance with the ordinance. The Board found the owner went outside the envelope of the existing patio to enlarge the patio, and to approve the modified variance request would permit a usable patio to remain while removing a large concrete walkway to the shore. A contractor spoke in support. There was one letter of support from the Town of LaGrange and four letters of support from neighboring property owners. There was one letter of opposition from the Wisconsin Department of Natural Resources.

***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 #9:43:54 – 10:18:17 / Disc #2 Decision – Count #8:37:48 – 8:41:29
The Fourth Hearing was Gloria Anderson, owner – Section(s) 13 – Troy Township

Applicant is requesting a variance from Section(s) 74-181 / 74-221 of Walworth County's Code of Ordinances – Shoreland Zoning to construct a single-family residence.

REQUIRED BY ORDINANCE: The Ordinance requires a buildable parcel to be at least 65' in width and 10,000 square feet of lot area.

VARIANCE REQUEST: The applicant is requesting a parcel 54.18' in width and approximately 12,620 square feet in lot area to be buildable. The request is a variance from Section(s) 74-181 / 74-221 of Walworth County's Code of Ordinances – Shoreland Zoning to construct a single-family residence.

BOARD OF ADJUSTMENT DECISION: The Walworth County Board of Adjustment, during the meeting on July 13 & 14, 2011, for the petition of Gloria Anderson, owner, voted to **APPROVE** the request for a parcel 54.18' in width and approximately 12,620 square feet in lot area to be buildable.

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

BOARD OF ADJUSTMENT FINDINGS: The Board found the slope on the property to be an exceptional or unique circumstance to the property. The Board found the parcel to be the same or larger in size than surrounding properties. The Board found the property has been in the family for a long time. The Board found no harm to public interests in approving the variance request as the proposed setbacks will conform with the Shoreland Zoning Ordinance. There was one letter of comment from the Town of Troy and a Troy Township Plan Commission member spoke. Two contractors spoke in support. There were two letters of support from neighboring property owners. There was no opposition.

Disc #1 Hearing – Count #10:18:18 – 10:27:23 / Disc #2 Decision – Count #8:41:30 – 8:44:10
The Fifth Hearing was Beber Camp Property Inc., owner / Stefan Teodosic, applicant – Section(s) 4 & 5 – East Troy Township

Applicants are requesting a variance from Section(s) 74-167 / 74-179 of Walworth County's Code of Ordinances – Shoreland Zoning to permit the location of a stairway and landings.

REQUIRED BY ORDINANCE: The Ordinance requires a 75' shore yard setback.

VARIANCE REQUEST: The applicants are requesting an approximate 15' shore yard setback. The request is a variance from Section(s) 74-167 / 74-179 of Walworth County's Code of Ordinances – Shoreland Zoning to permit the location of a stairway and landings.

BOARD OF ADJUSTMENT DECISION: The Walworth County Board of Adjustment, during the meeting on July 13 & 14, 2011, for the petition of Beber Camp Property, Inc., owner / Stefan Teodosic, applicant, voted to **APPROVE** the request for an approximate 15' shore yard setback.

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

BOARD OF ADJUSTMENT FINDINGS: The Board found that to grant the variance would bring the structure more into compliance, reduce foot traffic on the lake side of the structure and create safer access to the existing structure. The Board also found to approve the variance request would cause no harm to public interest and would not undermine the purpose and intent of the Code of Ordinances. The Board found the 2006 BOA approval with the condition listed of 3-5 years was inadvertent. The Board found that the interest and aesthetics in public waters were preserved. There was no support. There was no opposition.

Disc #1 Hearing – Count #10:27:24 – 10:42:05 / Disc #2 Decision – Count #8:44:11 – 8:46:34
The Sixth Hearing was Federal Home Loan Mortgage, owner / Patti Kirchhoff, Keefe Real Estate, applicant – Section(s) 6 – Sugar Creek Township

Applicants are requesting a variance from Section(s) 74-179 of Walworth County's Code of Ordinances – Shoreland Zoning to permit the location of a residence and deck.

REQUIRED BY ORDINANCE: The Ordinance requires a 100' rear yard setback for a residence and a 94' rear yard setback for a deck.

VARIANCE REQUEST: The applicants are requesting a 77' rear yard setback for a residence and a 71.3' rear yard setback for a deck. The request is a variance from Section(s) 74-179 of Walworth County's Code of Ordinances – Shoreland Zoning to permit the location of a residence and deck.

BOARD OF ADJUSTMENT DECISION: The Walworth County Board of Adjustment, during the meeting on July 13 & 14, 2011, for the petition of Federal Home Mortgage, owner / Patti Kirchhoff, Keefe Real Estate, applicant, voted to **APPROVE** the request for a 77' rear yard setback for a residence and a 94' rear yard setback for a deck.

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

BOARD OF ADJUSTMENT FINDINGS: The Board found the unique circumstances to be a large lot, a heavily wooded lot and located on a knoll. The Board found the parcel to be located at the end of a cul-de-sac which may have affected measurements for setback purposes. The Board found the topography of the parcel and the location of a septic system may have dictated the location of the residence. The Board found the request was not self-created. The Board found to approve the variance request would cause no harm to public interests. There was one letter of support from the Town of Sugar Creek. A neighboring property owner spoke in support. An interested party spoke in support. There was no opposition.

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

The Seventh Hearing was Kenneth J. & Karen M. Borkowski, owners / Prairie Builders LLC, applicant – Section(s) 18 – East Troy Township

Applicants are requesting a variance from Section(s) 74-162 / 74-163 / 74-181 / 74-219 / 74-221 of Walworth County's Code of Ordinances – Shoreland Zoning to reconstruct a new residence and garage.

This hearing has been postponed to the September 2011 agenda at the applicant's request.

Other

- A. Discussion / possible action on Town of Richmond correspondence regarding Town decisions on variances

The Town of Richmond Chair, Wayne Redenius, was unable to attend and asked this item be placed on the August 2011 Board of Adjustment agenda. The Board of Adjustment had no objection to that request.

- B. Discussion / possible action on D N R correspondence regarding variance decisions

Board of Adjustment members had received a copy of the June 6, 2011, letter from the Wisconsin Department of Natural Resources regarding the variance decision issued by the Board of Adjustment to Friedman, Mill Lake. The Board of Adjustment members do appreciate input from the D N R. The Board of Adjustment will continue to base their decisions on the application submitted, the property, and input from the D N R.

Staff Reports

- A. Court cases update – Walworth Homes LLC
The Board of Adjustment was informed their decision was upheld.
- B. Distribution of reports, handouts and correspondence
None

Proposed discussion for next agenda

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

- A. Oath of Office
- B. Discussion / possible action on Town of Richmond correspondence regarding Town decisions on variances
- C. Court cases update – none
- D. Distribution of reports, handouts and correspondence

ANN SEAVER
WALWORTH COUNTY BOARD OF ADJUSTMENT

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



**Walworth County Board Finance Committee
MEETING MINUTES
Tuesday, July 12, 2011**

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

The meeting was called to order by Chair Russell at 4:03 p.m.

Roll call — Finance Committee members present included Supervisors Jerry Grant, Daniel Killenny, Nancy Russell and Joseph Schaefer. A quorum was declared. Supervisor Rick Stacey arrived at 4:45 p.m.

Board members present: Supervisors Richard Brandl, Kathy Ingersoll, Carl Redenius and David Weber.

County staff present: David Bretl-County Administration/Corporation Counsel; Nicki Andersen, Jessica Lanser-Finance; Linda Seemeyer-Health & Human Services; Suzi Hagstrom-Human Resources; John Orr-Information Technology; Bernie Janiszewski-Lakeland Health Care Center; Tracy Moate-Lakeland School; Michael Cotter-Land Use & Resource Management; Shane Crawford, Peggy Watson-Public Works; Connie Woolever-Register of Deeds; David Graves-Sheriff's Office; Kathy Du Bois-Treasurer's Office; Josh Clements-UW-Extension.

Public in attendance: Renee Messing, Clifton Gunderson, LLC.

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

Approval of minutes of last meeting(s) — June 14, 2011 Special Finance Committee Meeting — **Supervisors Grant and Schaefer moved to approve the meeting minutes; carried 4-0.**

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

Unfinished business

Discussion and possible action regarding Walworth County Library Plan — Andersen said County Board Chair Russell, County Administrator Bretl and Nicki met with Kristen Hewitt from the Lakeshores Library System to discuss compliance issues. The work group's consensus was that compliance with the Library Plan should be compared to the State standards in effect on January 1, 2010 instead of the rules which just came out. The libraries will not have had sufficient time to budget for changes or even determine the implications of those new standards.

Thusfar, we have paid half of the library allocation. The second half is due in July. The work group's recommendation is to pay the full share for all of the libraries except the East Troy Public Library. Even with the old standards, they are non-compliant and the

intent is to encourage compliance. The work group further recommends allowing the East Troy Public Library up to 18 months to become compliant. If they do, we would pay the final share of the allocation, which is the equivalent of 30%. Grant asked why an 18-month period was selected rather than 12 months. Kilkenny wanted to know the compliance issues. Bretl replied that the committee may shorten the time period if they wish. Andersen said East Troy's circulation and size/configuration of the facility are non-compliant. **Supervisor Schaefer moved to pay Lakeshores Library System the full 2011 allocation for all of the member libraries except the East Troy Public Library, which will be paid at 70%, with the balance of funds for the East Troy Public Library to be paid within the next 18 months if said library becomes compliant with the Walworth County Library Plan and the State standards in effect as of January 1, 2010. The motion carried 4-0.**

Consent items — Russell asked that agenda items 8A6a, budget amendment PW005; 8B3, mental health case management services bid; 8B4, hospice services; and 8D1, sheriff's office surplus be held for separate discussion. **Supervisors Schaefer/Grant moved to approve the remaining consent items; carried 4-0.**

Budget amendments

Finance

- FN001 — Transfer funds to reflect new contract model for health insurance payments
- FN002 — Reflect 2011 bond premium

Health & Human Services (HHS)

- HS002 — Redistribute budget to reflect position changes in the 2011 Public Health Emergency Response Program
- HS003 — Offset 2011 payroll deficit in the Case Management Support program

Information Technology

- IT01 — Transfer funds to offset a temporary employee covering a vacant position

Lakeland Health Care Center (LHCC)

- LH01 — Reflect 2011 supplemental intergovernmental transfer (IGT) funds

Lakeland School

- SC01 — Transfer funds for positions transitioning to district responsibility
- SC02 — Record School Fest fundraising revenue
- SC03 — Redistribute budget to reflect change in funding source for 3 positions

Department of Public Works

- PW005 — Redistribute budget for bridge rehabilitation projects — Russell commented that the estimated costs have increased so it's recommended one of the projects be moved forward to a different year. **As this is a change to what was budgeted, Supervisors Grant/Russell moved to approve the budget amendment contingent upon the Public Works Committee's review and approval of the change in project scope; carried 4-0.**

Bids/contracts

- Countywide performance management Software as a Service (SaaS) Product — **By earlier motion to approve consent items, other than those pulled for separate discussion, the committee approved awarding to SilkRoad Technology, Inc.**
- Document scanning services for the Register of Deeds — **By earlier motion to approve consent items, other than those pulled for separate discussion, the committee approved awarding to Source code System, LLC.**
- Mental health case management services for Health & Human Services — Russell asked if our current case management service is the same. Seemeyer said we went out for an RFP for 2012. Our expectations for this service were clearly spelled out. The current vendor, VI Services, has declined to participate because their employee who was handling the case management is leaving. Russell expressed concern that only one proposal was received. **Supervisors Grant and Russell moved and seconded awarding to Transitional Living Services, Inc.; carried 4-0,**
- Hospice services for residents for Lakeland Health Care Center — Janiszewski indicated we are looking to send this out again for bid. In two instances, the RFP was sent to contacts who were no longer employed with the firms. To be fair to all vendors, staff recommend resubmitting the RFP. **Motion by Supervisors Kilkenny/ Grant to reject the bids received and go back out for bid again; carried 4-0.**

Notification of emergency procurement

- Repair chiller at Lakeland Health Care Center

Declaration of Surplus

- Recommendation to declare Sheriff's Office squad cars as surplus and to sell said vehicles at auction — Russell asked why one of the squads was valued higher than the rest, although it is the same year. Also, why is the value of the Dodge Charger so high? Graves said the Crown Victorias have mileage between 80-100,000. The one in question might be in the 80,000 mile range. Chargers are still in demand and have a higher book value. This one has a hemi so it may be viewed as a good resale. He commented that we have been experiencing problems with changes to the physical size of some police vehicles. Ford no longer makes full-sized Crown Victorias, and Chargers are also smaller. We have had to do some customization to make our equipment fit into the squads. **Grant/Schaefer moved to approve the recommendation to declare the squads surplus and sell at auction; carried 4-0.**

New business

Resolution 36-07/11 Authorizing Write Off of Uncollectible Real Estate Taxes — Supervisors Grant and Schaefer moved and seconded approval. Du Bois clarified that there had been an addendum recorded in the Register of Deeds office stating these 2 units would be eliminated. The parcels were merged with other property, and renumbered. **Motion to approve carried 4-0.**

Presentation by Clifton Gunderson, LLP related to financial audit for fiscal year ended December 31, 2010 — Messing distributed the Single Audit Report, Management Letter, Audit Communication Letter, and a summary of the audit process. The auditor's opinion, developed by Clifton Gunderson, gives Walworth County a "clean" audit which is in accordance with Generally Accepted Accounting Principles (GAAP). She noted that the Management Discussion and Analysis section of the county's Comprehensive Annual Financial Report is one of the more important sections to review if you don't have time to analyze the entire document. This section provides additional descriptions by county management related to the year's financial operations.

Under governmental funds, the General Fund ended the year very positively. Also, expenditures were better than anticipated, largely because departments are looking to operate as efficiently as possible. Some fund balances are non-spendable because they include delinquent property taxes, inventories and prepayments. A number of items are either restricted, committed or assigned for specific purposes. Messing said the Children with Disabilities Education Board ended the year with a fund balance of \$3.9 million. She noted that the Board operates on a "June 30 year" so this fund balance includes money allocated through that period.

The next page of the presentation is a crosswalk from the method of recording on a modified accrual basis to full accrual. This is similar to what you would see in any commercial organization. The governmental fund balance is reflected, as well as capital assets such as land, buildings and infrastructure. Receivables are recognized as revenue on a full accrual basis. The health insurance credits are reported as part of the county's other post employment benefits (OPEB) liability. Long-term obligations offset those additional assets. The county's assets at the end of 2010 were \$129 million. Messing reiterated that not all of those dollars are spendable. This summary includes all of the county's long-term assets and liabilities. Spendable funds are reflected in the fund balance for governmental funds.

Messing summarized the enterprise funds, i.e., the Lakeland Health Care Center and Public Works. Capital assets related to these functions are included in the figures. Net assets at the end of the year were \$24 million. There are two types of internal service funds. One is employee benefits and insurance; the other is risk management. Within these funds, there are no capital assets, according to Messing. The balance of net assets primarily represents funds available for long-term use of the funds as well as any catastrophic occurrences that may present in the future. Walworth County took positive action a number of years ago to create the OPEB Trust Fund. Net assets at the end of the year were \$11.6 million for this fund.

Messing noted that the more significant disclosures in the financial documents are the county's accounting policies, deposits and investments, capital assets, long-term obligations, pension and OPEB.

In addition to the audit opinion on the financial statements, Clifton Gunderson issues two additional statements, the Audit Communication Letter and the Management Letter. The Audit Communication Letter is standard between auditors and the governing body. When the audit process begins, they evaluate systems for internal controls, ensure that processes are operating effectively and test transactions by focusing on areas of higher risk. County management staff

- Rich Paquin & Mark Roum, Michigan Association of Traffic Accident Investigators Live Motorcycle Crash Test Conference, Grand Rapids, MI
- Daniel McKinney, Robert Sharp & Scott McClory; Midwest Gang Investigator's Association Annual Conference; Dubuque, IA

UW-Extension

- Joshua Clements, American Planning Association Annual Conference, Boston, MA

Bretl said there is no need for approval of these reports. Andersen noted that the supplemental packet contains additional information related to questions about the UW-Extension travel report. Russell asked for an explanation regarding transportation of foster children. Seemeyer said this family has been in foster care for a number of years and we have had a hard time finding a place for the children. The person who was going to be the adoptive parent missed the plane on the way back so our human services worker had to go get the kids.

Quarterly sales tax report — Our April sales tax revenue was recently received, according to Andersen, and we are actually ahead of our budget at this point. She noted that these revenues have always been very cyclical. Staff have been tracking sales tax on a monthly basis since it's inception so we do have a good idea of the seasonality.

Update on tax incremental financing (TIF) district(s) — There were no updates to present.

Quarterly delinquent tax report — Du Bois referred to the amended report distributed to the committee. The report in the agenda packet inadvertently carried forward the prior quarter's total for delinquent taxes. The correct total for delinquent taxes as of June 30, 2010 is \$13,030,578. She apologized for the error.

Correspondence — There was no correspondence presented.

Confirmation of next Finance Committee meeting:

- The next Finance Committee meeting was confirmed for Thursday, August 18, 2011 at 9:30 a.m. in County Board Room 114 at the Government Center

Adjournment of Finance Committee

Upon motion and second by Supervisors Grant and Schaefer, Chair Russell adjourned the meeting at approximately 5:01 p.m.; carried 5-0.

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

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

BOOTH LAKE MANAGEMENT DISTRICT
P.O. BOX 778
EAST TROY, WISCONSIN 53120-0778
REGULAR MEETING OF THE BLMD COMMISSIONERS
June 25, 2011

Present:

Hank Hubbell, Bill Sullivan, Gary Hegeman, Stan Muzatko (County Board Rep.), Greg McElwee, Barry Loveland, John Kendall (Town of Troy Board Rep.).

1. Meeting called to order at 9:00 am.

2. APPROVAL OF MINUTES

March 24, 2011 Meeting - Motion for approval of the minutes of the March 24, 2011 meeting by Stan Muzatko, 2nd by Barry Loveland. Motion approved.

3. TREASURER'S REPORT

The Commissioners briefly discussed septic system pumping and related expenditures. Motion for approval of the Treasurer's report (attached) by Gary Hegeman, 2nd by Barry Loveland. Motion approved.

Bill Sullivan presented the proposed 2012 Budget. The proposed budget shows a significant increase in the property tax levy due to increased costs for Lake Management (see Chairperson's Report concerning the treatment of Eurasian water-milfoil), and a 2011 budget deficit of \$971 as opposed to the 2010 budget surplus of \$2,300. The Commissioners discussed the proposed budget. It was noted the Legal and Professional Fees fund is currently at \$28,000. It was decided to eliminate funding for the Legal and Professional Fees fund this next year to help reduce the property tax levy increase. A proposed budget calling for expenditures of \$16,300 and a property tax levy of \$190 (see attached (alternate proposed budget)) was approved for presentation at the July 17, 2011 BLMD Annual Meeting; motion for approve by Gary Hegeman; 2nd by Bill Sullivan. Motion approved. V

4. CHAIRPERSON'S REPORT

- Water Quality Analysis: Hank Hubbell reported that the latest water sampling testing and analysis looked good. Hank is looking into obtaining a more detailed analysis report of water samples from UW-Stevens Point. Barry Loveland indicated he would do a spreadsheet and graph of previous water quality testing and analysis reports for trending results and ease of presentation.
- Eurasian water-milfoil Treatment: The milfoil is the worst it has been since efforts began to control the invasive species. This is probably due to the high water and not being able to see the milfoil for treatment in past years. Milfoil is located in large areas around the lake and is estimated to cover 22 acres. Because of the acreage involved, additional procedures had to be followed to get approval to treat; cost of application and treatment will significantly increase. Hanks hope to do an initial treatment in the next two weeks and a second treatment later in the year.
- Board Membership/Election. It was noted four (4) of the Commissioners need to be re-elected at the Annual Meeting: Hank Hubbell, Gary Hegeman, Bill Sullivan, and Greg McElwee. It was decided to stagger terms as follows: Hank and Gary for 3-year terms, Greg for a 2-year term, and Bill for a 1-year term.

5. OLD BUSINESS

Greg McElwee indicated he would work on updating the District membership list. Barry Loveland offered computer assistance.

6. NEW BUSINESS

- Greg McElwee would like to have a representative of the Mukwonago River Initiative make a brief presentation to the District membership at the Annual Meeting on July 17, 2011. The Commissioners felt this would be a worth-while presentation.
- Gary Hegeman presented proposed agendas for the July 17, 2011 Annual Meeting and the BLMD Commissioners Meeting to follow. Agendas were accepted.
- John Kendal reported that some of the buoys have been put into the lake and new ones will be obtained as needed. After the summer season the Town Board plans to review Booth Lake ordinances and bring them up-to-date. John requested a couple of BLMD members to help in the review process. It was noted Townline Road for some distance north of the intersection with St. Peters Road will be re-surfaced. John also indicated he would like to appoint a BLMD member to the Park Board when there is a future opening.

7. Motion to adjourn the meeting by Bill Sullivan, 2nd by Greg McElwee. Meeting adjourned at 9:49 am.

Respectfully submitted by
Gary Hegeman – BLMD Secretary

Walworth County Lakeland Health Care Center Board of Trustees
MINUTES

June 22, 2011 Meeting – 1:00 p.m.

Walworth County Meeting Room 111
Government Center – Elkhorn, Wisconsin

The meeting was called to order by Chairman Grant at 1:00 p.m.

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

Others present – Linda Seemeyer, Director of Health and Human Services/Lakeland Health Care Center Superintendent; Elizabeth Aldred, Deputy Director of Health and Human Services; Juliet Young, Health and Human Services; Bernadette Janiszewski, Lakeland Health Care Center Administrator, Sandy Wagie-Troemel, Citizen Representative Health and Human Services; Dr. James Seegers, Citizen Representative Health and Human Services; Ella-Eva Pious, Citizen Representative Health and Human Services; Carlo Nevicosi, Manager at Health and Human Services; Ety Wilberding, Manager at Health and Human Services; Jaimere Love, Health and Human Services Intern; David Bretl, County Administrator

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

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

The Lakeland Health Care Center Board of Trustees committee minutes of the April 27, 2011 meeting were approved. **Motion and second made by Supervisor(s) Schaefer/Hawkins to approve the minutes. Motion carried 5-0.**

Public Comment – There were no comments from the public.

Unfinished Business –

Legal Opinion: Liability v. Workers Compensation Claim – Employee Parking Lot Fall – Per the request of County Chairperson Russell, Ms. Janiszewski asked Corporation Counsel to provide a legal opinion on regarding falls by employees in the parking lot. Ms. Janiszewski briefed the Board on Mr. Cotter's opinion that even though the employee is not "clocked in" per Wisconsin statutes it qualifies as a workers compensation claim.

New Business – There were no items of new business.

Reports –

Nursing Home Self Reporting Requirements - Ms. Janiszewski explained how the state processes nursing home self reports. In both instances of claims submitted the Lakeland Health Care Center was found to be deficiency free.

Supervisor Grant asked if there were any problems with either of the incidents? Ms. Janiszewski stated there were none. A lot has to do with how the claim is made, for a example something is missing versus stole.

LHCC Administrator's Report and Financial Update – Ms. Janiszewski reported that the LHCC is on track with regard to budget. Ms. Janiszewski noted that there were no workers compensation claims filed. She also handed out a sheet with a few bullet points outlining some of the changes due to the 2011-2013 state biennium budget. Ms. Seemeyer also briefed the Board on the how the Economic Support and Medical Assistance changes will affect Lakeland Health Care Center admissions.

Included on the handout were some points regarding the concealed weapon law. Lakeland Health Care Center will post signs prohibiting the carrying of a concealed weapon in the facility.

Supervisor Hawkins asked if this was for both residents and employees. Ms. Janiszewski stated that ban prohibits everyone but it cannot stop anyone from keeping the concealed weapon in their vehicle.

Supervisor Ingersoll asked if there was a guard on duty. Ms. Janiszewski stated they do not have a guard.

Supervisor Schaefer asked how many county run nursing homes are in the State of Wisconsin. Ms. Janiszewski was not sure of the number, but stated that the annual supplemental payment was not divided equally among the nursing homes but rather based on a formula.

Supervisor Schaefer asked reimbursement on Medicaid beds. Ms. Janiszewski stated it is a daily rate of approximately \$30.

Supervisor Schaefer asked about how much the Lakeland Health Care Center will receive in subsidized housing. Ms. Janiszewski stated it is \$3.6 million in 2011.

Correspondence – There were no correspondences.

Announcements –

Upcoming Events – Ms. Janiszewski notified the Board of the upcoming events at Lakeland Health Care Center.

Supervisor Grant asked the fundraiser luncheon. Ms. Janiszewski stated this is a regular event in which food is sold to people outside the Center with the proceeds going towards the resident fund. Ms. Janiszewski also stated that the dining in idea presented by the Lakeland Health Care Center Food Services Manager, Mr. Digieso, has been a huge hit with the residents.

Next Meeting Date – The next meeting is tentatively scheduled for July 20, 2011 at 1:00 p.m.

Adjournment – **On motion and second by Supervisor(s) Hawkins/Schaefer, Chair Grant adjourned the meeting at approximately 1:12 PM. Motion carried 5-0.**

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



**LAUDERDALE LAKES LAKE
MANAGEMENT DISTRICT
MINUTES of 6-18-11**

Meeting called to order by Chairman Mason, at the Lake District Community Center at 8:00 A.M.

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

B. Agenda: Dorothy moved and Wally seconded a motion to accept the Agenda for the meeting of June 18th, 2011, the motion passed unanimously.

C. Minutes: Dorothy moved and Wally seconded a motion to accept the Minutes of the May 21st, 2011 meeting, the motion passed unanimously.

D. Committee Reports:

1.) County Report: Dorothy stated that the Lake District could expect to get a letter for a County Report at the Lake Districts Annual Meeting but a representative in person was not likely.

2.) Town Report: Don reported that the Town has been taking action to repair the Sewers in the Sterlingworth Bay area that as a result of the vortex have been found to need repair. The bid for the contractor portion of the project has been accepted and is \$132,000. It was awarded to Reson Construction. Don estimated that the total project may cost greater than \$200,000. The plans call for construction to begin shortly after the 4th of July and should take about one week.

3.) Septic Report: Wally stated that the Lake District has solicited proposals for septic pumping. We have received two bids to date and the balance will be due by the end of the month.

4.) Insurance: Jack reported that he has submitted a revised claim for expense reimbursement from last year's storms.

5.) Weed Harvesting: Peter reported that the weed harvesting is ahead of schedule this year as the colder water has not promoted as much growth.

6.) Pier Inspector: Peter stated that the final Agreement for Pier Inspecting is now complete and the District will soon begin full review and implementation of this program.

7.) Clean Boats Clean Water: Peter reported that the program is going well and we received a grant for 2010 and used about one half of it. We will be able to use the unused portion according to the DNR. We will apply for a similar grant in 2011.

8.) Water Patrol: Nestor reported that the Patrol is now up and running, but poor weather has slowed the hours. There is one boat patrolling now. Nestor reported that the DNR will provide an extra boat over the 4th of July weekend. He stated that the Water Patrol will likely add two more officers this year.

9.) Treasury Report: Nestor reported that we received the first of three payments from the Town and the treasury is in good shape. Nestor stated that the terms of the Golf Course loan provide for early payments beginning in October, he is considering doing so as this will save some interest expense.

10.) Web Site: No report.

11.) Dam Report: Jack stated that the culverts have lead to a more stable lake water elevation. Peter stated that we should set up a work day to add mortar to the existing buildings. Jack will organize a work day.

12.) Golf Course Report: Chairman Mason reported that the Golf Course has started the year satisfactorily. The Landscaping portion of the Water Tower restoration has begun and Chairman Mason stated that it looks very nice.

13.) Wetlands: Chairman Mason stated that the Lake District has installed the geo matting and the Land Trust likes it. A meeting mainly pertaining to the Ski Club's activities was held with the County, DNR, Lake Management District and the Kettle Moraine Land Trust attending. It was reported that most of the issues are being worked out.

D. Aquatic Invasive Species representative: Chairman Mason moved and Nestor seconded a motion to authorize a resolution that names Peter VanKampen to be authorized to apply, on behalf of the Lake Management District, for an Aquatic Invasive Species grant in 2012, after brief discussion the motion passed unanimously.

E. Core sampling bottom of the Lake: This item will be addressed in the future when a more affordable cost structure allows for discovery of the sub water surfaces.

F. Consider an engineering study regarding the Sterlingworth Bay: After discussion pertaining to how the repair of the storm sewer being undertaken by the Town relates to the leak which had occurred in Sterlingworth Bay, Chairman Mason moved and Peter seconded a motion to authorize discovery about the expenses to begin soils sampling and to get direction from an engineer to recommend a direction for taking action to insure that the leak (vortex) which occurred in Sterlingworth Bay will not reoccur. Jack explained that the repair of the storm line may or may not affect the leak and that due to the nature of the soils in the area it may still be prone to leak even after the storm sewer has been corrected. There was a question about the timing of our proposal, which is to get approval at the Annual meeting in 2011 and then plan and do the necessary work in 2012. Peter explained questions about the possible route of the leak thru or around old pipes and why filling pipes with concrete slurry may not solve the potential issue. The suggestion was made that the Lake District consider picking up the cost of discovery of the problem from the Town instead of those expenses being added to the residents sewer service area. Others felt like the entire sewer system should be funded by the Lake District. We will get Geotech bids by the July meeting, in-order to prepare a presentation for a vote at the Annual meeting. The motion passed unanimously.

G. Preliminary 2012 Budget:

Nestor stated that he will send budget and actual LLLMD financial information for the 2011 year to date for our review of individual line items prior to the next meeting. He would like to try to wrap up the 2012 budget at the next meeting, as opposed to two more meetings.

H. New Business:

Don reported that Pam Schense of the DNR stated non compliant piers will have one year to register to establish their non compliant nature with the DNR. The DNR is looking more closely at piers and will be disallowing non compliant piers.

The next meeting was set for July 9th, 2011 at the Community Center at 8:00 A.M.

A Motion for Adjournment was made by Wally and seconded by Nestor, the motion passed. The meeting ended at approximately 9:30.

Respectfully submitted by,

Jack Sorenson, Secretary

Draft 6-19-11

PLEASANT LAKE PROTECTION AND REHABILITATION DISTRICT
BOARD MEETING
SATURDAY, JUNE 18, 2011, 11:00 AM
CAMP POTTAWATOMIE HILLS

MINUTES

Present: Dave Stamm (2012), Doug Behrens (2013) Pat Kachur (2014), Ted Slupik
(2012), Marcia Sahag (2013), Don Sukala (Town), Bob Arnold (County)

Absent:

Motion to approve the agenda (Bob/Doug). Carried

Election of Officers:

Motion to elect Dave Stamm Chairman (Marcia/Bob). Carried

Motion to elect Marcia Sahag Secretary (Dave/Ted). Carried.

Motion to elect Ted Slupik Treasurer (Doug/Marcia). Carried.

Motion to adjourn (Ted/Bob). Carried.

Respectfully submitted,

Marcia M Sahag, Secretary

Telephone: (262) 728-4140
Fax: (262) 728-4142

WALWORTH COUNTY METROPOLITAN SEWERAGE DISTRICT

975 W. Walworth Ave. • Delavan, WI 53115

June 14, 2011
1:30 p.m.

CALL TO ORDER

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

ROLL CALL

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

Others Present:

Karla Eggink, Administrator
Cindy Moehling, Assistant Administrator
Gail Vangen, Confidential Secretary
Timothy Fenner, Axley Brynelson
Steven Scheff, Maintenance Manager
Thomas Johnson, Collection Services Manager
Ron Altmann, Operations Manager
Denise Pieroni, City Administrator, City of Delavan
Pat Prah, Geneva National Sanitary District

VISITOR COMMENTS:

None

APPROVAL OF MINUTES OF REGULAR MEETING, May 10, 2011

Commissioner Henriott made a motion to approve the minutes of the Regular Meeting, May 10, 2011. Commissioner Eck seconded and the motion carried.

ADMINISTRATOR'S REPORT

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 upon past experience or actual estimates by contractors. Actual costs frequently differ from estimates. The Treatment Plant

Maintenance budget is roughly 23% spent. The largest expenditure this past month was for High Voltage Maintenance and Equipment Repair. The Collection System Maintenance program's largest budget item is the lining of the gravity sewer main. Currently the budget is less than 2% expended. The GIS/Asset management evaluation continues. Staff will be meeting with Walworth County to discuss their GIS hosting for County communities to determine if this would meet WalCoMet's GIS needs.

b. PERMIT COMPLIANCE UPDATE

The wastewater facility met all permit requirements for the month of May, 2011.

c. STAFF TRAINING ACTIVITIES

Administrator Eggink attended the WEF Annual Meeting in Brooklyn Park, Minnesota. Ron Altmann attended a seminar on Targeting Water Quality Improvements hosted by the Rock River Coalition.

d. BLOWER PROJECT UPDATE

A blower project kick-off meeting was held on June 2. Design and installation parameters were reviewed. Installation is expected to take place in October, and take approximately three weeks to complete.

e. ANNUAL REPORT PRESENTATIONS

Presentation of the annual report to the District's contributing entities began on June 7th with the Town of Darien. Presentations will continue through June and July.

RECEIPTS AND DISBURSEMENT REPORT

Commissioner Johnson made a motion to accept the Receipts and Disbursement Report as presented. Commissioner Henriott seconded and the motion passed

ACCOUNTS PAYABLE LISTING

Commissioner Johnson motioned to approve the Accounts Payable Listing for June, 2011 in the amount of \$110,696.26. Commissioner Henriott seconded and the motion passed.

OLD BUSINESS

None

NEW BUSINESS

- a) **Elkhorn No. 2 Grinder Repair.** The Elkhorn No. 2 lift station's wet well grinder is 9 years old with 75,000 hours of run time and in need of repair. Repairs were postponed to 2011 by request of the City of Elkhorn. Quotes were solicited from three contractors.

Cost will be paid by Elkhorn as outlined in the Inter-Municipal Cooperation Agreement between the City of Elkhorn and WalCoMet, effective September 7, 2001. Commissioner Eck made a motion to award the repair of the Elkhorn No. 2 lift station grinder unit to the lowest bidder, William Reid, Ltd, to provide a new lower cutter unit, using the old gear reducer and motor at a cost of \$29,255.00, which includes approximately \$800.00 for freight. Commissioner Shorterhaus seconded and the motion passed.

- b) **Evaluation of Sampling Frequency.** The Commission was asked to provide general guidance on whether or not to hire MSA Professional Services, to evaluate sampling procedures being used, and determine if some type of data smoothing would be appropriate. A concern was raised by a WalCoMet entity to Administrator Eggink regarding the variability of bills from month to month, affecting their budgetary planning and cash flow. It was noted that as a cost saving effort, sampling methods have changed from sampling every day to sampling one week per month, on random weeks. Overall, the average yearly cost has remained consistent, but fluctuations from month to month do occur. It was also discussed that when flow fluctuates significantly from month to month, waste water characteristics also change and cause a corresponding change in treatment cost to the entities. The idea of creating a budget bill pay system combined with a yearly readjustment (plus or minus) for those entities that want it was discussed. Commissioner Johnson stated that he was not in favor of spending any additional money for an evaluation by MSA, as meetings were held with all entities when the sampling procedure changed and it was explained to them at that time that the new method would create these types of fluctuations. He also stated that WalCoMet had already paid MSA to do a study, and the results had been agreed upon by the Commission. Mr. Fenner stated that it is not a rate issue, but a payment issue and that such a payment system might also benefit WalCoMet's monthly flow-based swings in revenue. The Commission directed Administrator Eggink to research the creation of an average budget bill payment system and asked that the subject be placed under Old Business for continued discussion at the next Commission meeting.
- c) **Process Chlorination Piping System.** Staff is recommending the installation of a gas chlorine system dedicated to the activated sludge process to control filamentous bacteria growth. The 250 pound-per-day chlorine ejector already on site would be put back into service and would require installing new piping from the chlorine room to a new injection point. The 150 pound chlorine cylinder used as a part of this system would be on-site only during times of treatment. Upon completion, staff will install the existing chlorinator, scale and process gages, and complete all painting and labeling. Safety equipment, including a chlorine emergency leak kit and two, level "A" chemical suits, will also be purchased. Commissioner Johnson made a motion to approve a contract with Illingworth-Kilgust Mechanical to complete the process chlorine piping project at a cost of \$9,996.00 and direct staff to purchase required safety equipment for approximately \$3,600.00. Commissioner Henriott seconded and the motion passed.
- d) **Resolution 2011-11 Compliance Maintenance Annual Report.** The CMAR is a mandatory report required by the Department of Natural Resources to measure the performance of all Wisconsin wastewater treatment facilities in a standardized format. The WalCoMet facility earned a final GPA of 4.0, on a 4.0 scale. Commissioner

Shortenhaus asked for clarification under the Replacement Funds section of the report. After discussion, it was decided that Assistant Administrator Moehling would add an appropriate note to explain the "subtractions" from the account during 2010. Commissioner Logterman read Resolution 2011-11 in its entirety. Commissioner Eck made a motion to adopt Resolution 2011-11, which states that the year 2010 Compliance Maintenance Annual Report has been reviewed and adopted on June 14, 2011 and is hereby approved for submittal to the Wisconsin Department of Natural Resources. Commissioner Shortenhaus seconded and the motion passed.

- e) **Resolution 2011-12 Appointment of District Treasurer.** Under Wisconsin Statutes, the city, village or town with the highest equalized value within a metropolitan sewerage district shall act as treasurer of such district. According to information from the Wisconsin Department of Revenue, the Town of Delavan, located within the District, now has the largest equalized valuation of property within the District. Consequently, the treasurer for the Town of Delavan must now be appointed as the treasurer for the District. Commissioner Shortenhaus made a motion to adopt Resolution 2011-12 appointing the treasurer of the Town of Delavan as the Walworth County Metropolitan Sewerage District Treasurer. Commissioner Henriott seconded and the motion passed.
- f) **Clarifier Cathodic Protection.** The original twenty-five year old cathodic protection system for secondary clarifiers No. 1 and 2 is in need of replacement. Cathodic protection is an electrical method of preventing corrosion. Four contractors were invited to submit proposals. After discussion, Commissioner Johnson made a motion to approve the Clarifier Cathodic Protection Project by contracting with Earth Engineering Services to complete the work as proposed for the sum of \$11,980.00. Commissioner Eck seconded and the motion passed.

ADJOURN

Commissioner Eck made a motion to adjourn, seconded by Commissioner Henriott and the Regular Meeting adjourned at 2:15 p.m.

Thomas Eck, District Secretary

APPROVED: 7-12-2011

PUBLISHED: _____

Wisconsin River Rail Transit Commission

X- Com Mtg – Friday, 10 June 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 | | X |
| | Vacant | | |
| Dane | Gene Gray | Treasurer | X |
| | Jim Haefs-Fleming | | X |
| | Forrest Van Schwartz | Advocate | X |
| Grant | Ivan Farness | | |
| | Margaret Ruf (left at 11:45) | Secretary | X |
| | Robert Scallon | 2nd Vice Chair | X |
| Iowa | Charles Anderson | X- Committee | X |
| | Gerald Dorscheid | Vice Treasurer | X |
| | Robert Zinck | | |

| | | | |
|----------|-----------------------------------|---------------------|---|
| Rock | Ben Coopman | Alternate | |
| | Wayne Gustina | | X |
| | Alan Sweeney | Vice Chair | X |
| | Terry Thomas | | X |
| Sauk | Joel Gaalswijk | | |
| | Rob Sinklair (arrived at 11am) | Assistant Secretary | X |
| | Scott Alexander | | X |
| Walworth | Marty Krueger | Alternate | |
| | Jerry Grant | | |
| | Richard Kuhnke | X- Committee | X |
| Waukesha | Allan Polyock | | |
| | Karl Nilson | Chair | X |
| | Richard Manke | | |
| | Fritz Ruf | | |

Others present for all or part of the meeting:

Amy Seebth (SWWRPC / WRRTC Administrator); Frank Huntington (WisDOT); Ken Lucht (WSOR); Brett Hulsey (WI Assembly District 77); Terri Griffith (Rep. Brooks Assistant, WI Assembly District 50)

3. Motion accepting Seebth's certification of Public Notice. *Polyock / Gustina - passed unanimously.*
4. Motion accepting the Agenda prepared by Seebth. *Cornford / Anderson - passed unanimously.*
5. Motion approving the draft May Minutes. *Kuhnke / Dorscheid – passed unanimously.*
6. Public Comment – None
7. Correspondence & Communications – Seebth informed the Commission that Charles Anderson was re-appointed by Iowa County for another term.

REPORTS & COMMISSION BUSINESS

8. WRRTC Financial Report– Jim Matzinger, Dane County CPA / WRRTC Accountant, was not present but left copies of the treasurer's report for each Commissioner.
 - Motion accepting the treasurer's report for May and payment of bills. – *Van Schwartz / M. Ruf – passed unanimously*
9. Wisconsin & Southern Railroad's Report on Operations – Ken Lucht, WSOR, presented on the following:

Monthly maintenance Activities: WSOR is very busy now that they are into the summer. Their weed control program is underway and they are working on spraying all 600 miles of their system. They are doing their general track inspections and broken rail repair. They found over 200 internal defects between Milton Jct. and the City of Waukesha so far (it is 90lb rail and almost 100 years old). They are completing some bridge repair work including John Nolan Drive in Madison. They are also working on a bridge 1.3 miles east of Spring Green.

Update on Capital Projects: The Phase Two Welded rail project between Stoughton and Madison will take place this year. The rail has been ordered for this Phase Two and they plan to start installing it in July. This project is funded by the Commission and the WDOT. WSOR will be inviting the Commissioners out sometime this summer to watch the welded rail be installed. Also, 24-25 miles of continuous welded rail is being installed on the Milwaukee to Slinger line. They will start in Slinger. A couple of bridges in the WRRTC region are being worked on as well.

11. **WRRTC Administrator's Report** – Seeboth reported that she will soon be contacting the County clerks to check on re-appointments to the Commission. She is also updating the website as she goes and will let the Commission know when a fairly final version is up so that they can review it and let her know if they have any comments or suggestions.
12. **WDOT Update** – Frank Huntington, WDOT, reported on the UW Power Plan project, that there was a miscommunication between the UW-Madison, the contractor and the WDOT and the rail was bulldozed before the permit was finalized. The WDOT is working on fixing this as they need to recoup the cost of some of the material that was not salvaged. Huntington also reported on a possible sale of property in Avalon- the WDOT will be selling some of the excess corridor there to Mallard Grain. He also said that funding for next biennium FRPP may potentially be reduced. The WDOT cannot do much about the budget at this time - as it is working its way through the legislative process, they must wait and see. Jim Tracey will be retiring later this month and they do not know if they will be able to refill his position.
13. **Consideration and action on private crossing (Ekleberry/Defabbio) in Town of Muscoda –**
 - **Motion permitting a joint private crossing to the Ekleberry and Defabbio's in the Town of Muscoda– Poloyock / Gustina – passed unanimously**
14. **Consideration and possible action on coordinating a WRRTC response to Joint Finance Committee's action to cut funding for FRPP-** Brett Hulsley and Terri Griffith (Rep. Brooks from most of Sauk County) attended the meeting. Lucht provided a background on this topic and passed out a map of the rail system. He said that 75% of the system still only meets the standards of 100 years ago and that the currently proposed budget restrictions will result in a major delay to planned WSOR projects.

Hulsley added the following: one of the main reasons he supported the HSR money was that the rail between Madison and Milwaukee severely needs money and \$60 million is not enough. The Federal money would have taken care of many of these needs. He said that freight needs to work more closely with passenger rail and he appreciates the WRRTC's support. He is looking to bump up the FRPP budget amount to \$120 or \$130 million (this is the amount that WDOT thinks they can handle).

Van Schwartz said that he, Lucht and Gray put together a response to the FRPP proposal- they sent it directly to a number of representatives and also handed them out at the Capitol.

- **Motion that Seeboth email all State representatives this afternoon asking that they vote in favor of \$60 million for FRPP in the next budget. Include a copy of the letter WRRTC already mailed them, the summary from Van Schwartz, the WSOR Map handed out today, and a copy of a letter of support from the Mayor of Plymouth– Thomas / Van Schwartz – passed unanimously**

The Commission Recessed for a 10-minute break at 11:20

15. **Consideration and action on construction permit for Washington/Water Street in Prairie du Sac**
 - **Motion approving amendment of the construction permit for Washington/Water Street in Prairie du Sac allowing the tracks to be removed – Grant / Sinklair – passed unanimously**
16. **Update on Sauk County Rails-and-Trails Stakeholder Group** – Van Schwartz was the stakeholder appointed by the Commission to attend these meetings- he provided us with the following update: The final meeting was held in Baraboo on May 23rd. There was a plan at that time that met unanimous consensus to end the overall stakeholder group meetings and Chairman Kruger is going to appoint small stakeholder groups in Sauk County to deal with specifics. Small groups have not been formed yet, Van Schwartz got the impression that these groups will be made of the Sauk County folks.
17. **Update and review of Shorewood Hills concrete pad, ditch and plantings-** Huntington reported that a Madison would like to expand the stop area and do some landscaping/tree planting on the rail corridor next to a bus stop located on University Ave. WSOR has reviewed this and indicated that as long as it complies with State / WSOR standards (line of sight etc), it is okay.

- **Motion to concur with the WDOT permit to allow expansion of the University Avenue bus stop and plantings onto rail corridor**– *Gustina / Gray – passed unanimously*
- 18. Update and review of Big Hollow flood control project under the railroad corridor in Spring Green** – Huntington updated the Commission on this item. He said that during the heavy rains that occurred three years ago, a fairly substantial portion of a subdivision flooded in Spring Green. That area has been demolished and a multi-million dollar effort has begun to drain the water from that area to the Wisconsin River. To do this, they are proposing a drainage pipe that goes under the corridor and WDOT is permitting this as a utility permit. Huntington wants the Commission to know about this project and provide concurrence with it if they find it okay. WSOR has said that they are okay with the project.
- **Motion acknowledge receipt of document CF9F6981 and concurrence with project as outlined by Huntington** – *Van Schwartz / Anderson - passed unanimously*
- 19. Discussion and possible action regarding Badger Army Ammunition Plant easement and Sauk City / Prairie du Sac Rail-to-Trails** - Huntington explained that if this track is not used for its intended purpose (rail or trail) within two years of the original agreement date, the easement will dissolve. The agreement was signed in October of 2009, and it has not yet been used in either way. The WDOT would like to begin developing an interim trail use and rail bank agreement between WDOT, DNR, and WSOR.
- **Motion to allow Seeboth to start initial work on an interim trail use and rail bank agreement with WDOT, DNR, and WSOR for BRAPP**– *Sinklair / Dorscheide – passed unanimously*
- 20. Consideration and possible action on WRRTC 2012 liability insurance with Richgles-Shaefer Insurance**
- **Motion to contract with Richgles-Shaefer for 2012 Liability Insurance at \$15,553**– *Van Schwartz / Alexander – passed unanimously*
- 21. Motion adjourning the meeting at 12:08 p.m.** - *Cornford / Sinklair - passed unanimously.*

Walworth County Board of Adjustment

MINUTES

June 8, 2011 - Hearing - 8:00 AM

June 9, 2011 - Meeting - 8:00 AM

County Board Room

Government Center - Elkhorn, Wisconsin

A hearing and decision meeting of the Walworth County Board of Adjustment was held on June 8 & 9, 2011, in the County Board Room of the Government Center in Elkhorn, Wisconsin. Those present on June 8, 2011, were Chair John Roth, Vice-Chair Gregory E. Guidry and Secretary Ann Seaver. Deb Grube, Senior Zoning Officer, and Wendy Boettcher, recording secretary of the Land Use & Resource Management Department were in attendance. Those present on June 9, 2011, were Chair John Roth, Vice-Chair Gregory E. Guidry and Secretary Ann Seaver. 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 June 8, 2011, and June 9, 2011, are kept on file as a matter of record.

The June 8, 2011, hearing was called to order by Chair John Roth 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 Gregory E. Guidry. Motion carried. 3-favor, 0-oppose. Gregory E. Guidry motioned to approve the May 11 & 12, 2011, Minutes and dispense with the reading. Seconded by Ann Seaver. Motion carried. 3-favor, 0-oppose. After testimony of all cases, Gregory E. Guidry motioned to recess until 8:00 A.M. on Thursday, June 9, 2011. Seconded by Ann Seaver. Motion carried. 3-favor, 0-oppose. The June 8, 2011, hearing went into recess at approximately 9:45 A.M.

On June 9, 2011, at 8:00 A.M., Chair John Roth called the decision meeting to order. Wendy Boettcher conducted roll call and verified that there was a quorum. Those present were same as listed above. Ann Seaver motioned to approve the agenda as printed. Seconded by Gregory E. Guidry. Motion carried. 3-favor, 0-oppose. After the decisions were completed, Gregory E. Guidry motioned to adjourn until the July 13, 2011, hearing at 8:00 A.M. Seconded by Ann Seaver. Motion carried. 3-favor, 0-oppose. The June 9, 2011, decision meeting adjourned at approximately 9:07 A.M.

Three variance hearings were scheduled and details of the June 8, 2011, hearings and the June 9, 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 #8:03:05 - 8:31:44 / Disc #2 Decision - Count #8:01:43 - 8:25:54

Disc #1 Hearing - Count #9:31:00 - 9:44:30

The First Hearing was John J. Stoss and Carla K. Giorgi, owners - Section(s) 18 - East Troy Township

Applicants are requesting a variance from Section(s) 74-167 / 74-182 of Walworth County's

Code of Ordinances – Shoreland Zoning to construct a raised A/C platform and stairway.

REQUIRED BY ORDINANCE: The Ordinance requires a 70.5' shore yard setback (average).

VARIANCE REQUEST: The applicants are requesting an 18' shore yard setback for a raised platform and a 21' shore yard setback for a stairway. The request is a variance from Section(s) 74-167 / 74-182 of Walworth County's Code of Ordinances – Shoreland Zoning to construct a raised A/C platform and stairway.

After testimony given by John Stoss at the hearing on June 8, 2011, ~~a motion was made by John Roth to table this discussion until the end of the meeting. Seconded by Ann Seaver. Motion carried. 3-favor 0-oppose~~

After the third hearing, the John J. Stoss and Carla K. Giorgi hearing was re-opened. John Stoss gave the Board additional information.

BOARD OF ADJUSTMENT DECISION: The Walworth County Board of Adjustment, during the meeting on June 8 & 9, 2011, for the petition of John J. Stoss and Carla K. Giorgi, owners voted to **DENY** the request for a 21' shore yard setback for a stairway, voted to **APPROVE** the request for an 18' shore yard setback for a raised platform, railing and the screening of the HVAC units.

John Stoss appeared at the decision meeting.

~~A motion was made by Ann Seaver to take the decision in three sections. Seconded by John Roth. Motion carried. 3-favor 0-oppose~~

~~A motion was made by Gregory E. Guidry to deny the variance request for the stairs with a 21' shore yard setback. Seconded by Ann Seaver. Motion carried. 3-favor 0-oppose~~

~~A motion was made by Ann Seaver to approve the railing for discussion. Seconded by Gregory E. Guidry. Motion carried. 3-favor 0-oppose~~

~~Ann Seaver rescinded her motion to approve the railing. Gregory E. Guidry rescinded his second.~~

~~A motion was made by Ann Seaver to approve the platform with the railing. Seconded by Gregory E. Guidry. Motion carried. 3-favor 0-oppose~~

~~A motion was made by Ann Seaver to approve the screening of the units for discussion. Seconded by John Roth. Motion carried. 3-favor 0-oppose~~

BOARD OF ADJUSTMENT FINDINGS:

DENIAL of the stairway with a 21' shore yard setback: The Board found to deny the request for the stairway would not cause unnecessary hardship. The Board found the owner has options other than a stairway to access the platform for HVAC unit maintenance. The Board also found that a stairway to access a platform is not a requirement of OSHA.

APPROVAL of platform and railing: The Board found the platform would provide 3' of clearance from the equipment for maintenance and to be an OSHA requirement. The Board found to approve the railing was a code requirement and would provide safety for service people.

APPROVAL of screening: The Board found to approve the screening of the HVAC units would permit the owner / installer to follow the recommendations of the manufacturer. The Board found to approve the request would cause no harm as long as the manufacturer's recommendations stay within the guidelines of the County Zoning Ordinance.

There were two letters of approval and supporting documentation from the Town of East Troy, a letter of support from a neighboring property owner and a letter of support from DMJ Services, LLC. There was no opposition.

Disc #1 Hearing – Count #8:32:04 – 8:40:30 / Disc #2 Decision – Count #8:25:55 – 8:29:40
The Second Hearing was Karl J. & Wendy E. Hawley, owners – Section(s) 36 – La Grange Township

Applicants are requesting a variance from Section(s) 74-167 / 74-181 / 74-221 of Walworth County's Code of Ordinances – Shoreland Zoning to construct an addition (screened room) to a single-family residence.

REQUIRED BY ORDINANCE: The Ordinance requires a 41.35' shore yard setback (average).

VARIANCE REQUEST: The applicants are requesting a 35.81' shore yard setback. The request is a variance from Section(s) 74-167 / 74-181 / 74-221 of Walworth County's Code of Ordinances – Shoreland Zoning to construct an addition (screened room) to a single-family residence.

BOARD OF ADJUSTMENT DECISION: The Walworth County Board of Adjustment, during the meeting on June 8 & 9, 2011, for the petition of Karl J. & Wendy E. Hawley, owners voted to **APPROVE** the request for a 35.81' shore yard setback.

A motion was made by Gregory E. Guidry to approve the screen porch over the deck as presented. Seconded by John Roth.

Gregory E. Guidry rescinded his motion to approve the screen porch over the deck as presented. John Roth rescinded his second.

A motion was made by Gregory E. Guidry to approve the screen porch for the Hawley residence with the condition that it will not be made into a 3-season habitable space. Seconded by John Roth. Motion carried. 3-favor 0-oppose

BOARD OF ADJUSTMENT FINDINGS: The Board found to approve the request with the condition the addition (screened room) remain a screen room and not be made into a 3-season habitable space. The Board found to approve the request as presented would cause no harm to neighbors or public interests. The Board found to approve the request would not place the

structure closer to the water than structures on neighboring properties. The Board found to approve the request would not increase the footprint of the existing structure (deck) or further encroach into the shore yard. There was one letter of support from the Town of La Grange and two letters of support from neighboring property owners.

Disc #1 Hearing – Count #8:40:40 – 9:30:51 / Disc #2 Decision – Count #8:29:41 – 8:35:35
The Third Hearing was Linda D. Friedman, owner – Section(s) 35 – La Grange Township

Applicant is requesting a variance from Section(s) 74-167 / 74-181 / 74-221 of Walworth County's Code of Ordinances – Shoreland Zoning for the location of a patio and walkway in the shore yard.

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

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

BOARD OF ADJUSTMENT DECISION: The Walworth County Board of Adjustment, during the meeting on June 8 & 9, 2011, for the petition of Linda D. Friedman, owner, voted to **APPROVE** the request for an 11.7' shore yard setback.

~~A motion was made by Gregory E. Guidry to approve the variance request for the patio paver in the shore yard setback. Seconded by Ann Seaver for discussion. Motion carried. 3-favor 0-oppose~~

BOARD OF ADJUSTMENT FINDINGS: The Board found the slope of the neighboring properties, the slope of the impervious surface of the road and the wet area to be unique property limitations. The Board found to approve the request, per plans submitted, would cause no harm to neighbors. The Board found the pavers to be a part of the design of getting the water away from the property. The Board found to approve the request would improve safety for access to the lakefront. The Board found the variance request for pavers to be a smaller increment of relief than a previous request for pavers. The Board found the variance request did meet the criteria for approval. A landscaper spoke in support. There was one letter of support from a neighboring property owner. There was a letter of opposition for the Walworth County Land Conservation Division and a letter of opposition from the Wisconsin Department of Natural Resources.

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

Other

- A. Discussion / possible action on Jerry Dean correspondence regarding waiver of Board of Adjustment fee

After discussion the Board of Adjustment decided not to waive the Special Exception application fee for Jerry Dean.

A motion was made by Gregory E. Guidry to deny the waiver of the \$450 fee to Jerry & Ellen Dean. Seconded by John Roth. Motion carried. 3-favor 0-oppose

- B. Discussion / possible action regarding the Board of Adjustment vacancy
Elizabeth Sukala will be appointed to fill the vacant 1st Alternate position on the Board of Adjustment.
- C. Oath of Office for new Board of Adjustment member
The Oath of Office will be postponed to the July 2011 Board of Adjustment meeting.
- D. Discussion / possible action regarding the Board of Adjustment start time
After discussion it was decided to leave the start time for the Board of Adjustment hearing / meeting at 8:00 A.M. but to review the matter at the staff level and to return to BOA with any concerns.

Staff Reports

- A. Court cases update - none
- B. Distribution of reports, handouts and correspondence
 - 1. Letter from the Town of Richmond asking to be put on the Board of Adjustment agenda to discuss the Board of Adjustment making decisions without Township recommendation.
 - 2. Memorandum Decision on Petitioner's Writ of Certiorari.
Board members received a copy of the court decision regarding Walworth Homes LLC.

Proposed discussion for next agenda

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

- A. Oath of Office
- B. Discussion / possible action regarding making BOA decisions without township recommendation on Town of Richmond applications
- C. Discussion / possible action regarding the Board of Adjustment start time
- D. Court cases update - Walworth Homes LLC
- E. Distribution of reports, handouts and correspondence



ANN SEAVER

WALWORTH COUNTY BOARD OF ADJUSTMENT

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



**LAUDERDALE LAKES LAKE
MANAGEMENT DISTRICT
MINUTES of 5-21-11**

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

A. Attendance: Present: Chairman Mason, Jack Sorenson, Nestor Dyhdalo, Peter Van Kampen, Wally Yandel and Dorothy Burwell were all present, Don Sukala was excused and absent.

B. Agenda: Jack moved and Peter seconded a motion to accept the Agenda for the meeting of May 21th, 2011, the motion passed unanimously.

C. Minutes: Dorothy moved and Wally seconded a motion to accept the Minutes of the April 16th, 2011 meeting, the motion passed unanimously.

D. Consider pier inspector agreement with the Town of LaGrange: The Town Board has approved the finalization of the agreement giving Frank the authority to complete the agreement with the Lake District. Peter made a motion to authorize Scott and Jack to finalize the agreement with the Town, the motion was seconded by Nestor and after brief discussion passed unanimously. Two candidates were interviewed for the pier inspector position and one individual was hired. He has a lot of good law enforcement and public service experience. He has been instructed to help establish the focus of the new pier ordinance and to establish credibility with the people of the lake and Town. Peter stated that he is very pleased and feels that he will take the time to properly organize and develop the program. The existing pier ordinance will likely be reviewed for clarity.

E. Consider Water Patrol Agreement with the Town: The existing Agreement was established in 2005, so Nestor reported that it is time to review and update the agreement. Nestor stated that the new agreement will have changes such as; state that we are not a Police Department, add language about hiring new officers and trial periods and will be renewable every year. Wally made a motion which was seconded by Peter, to approve the updated Patrol Agreement, the motion passed unanimously.

F. Committee Reports:

- 1.) County Report: No report.
- 2.) Town Report: No Report.

3.) Septic Report: Wally stated that there are 77 holding tanks, 147 non-pressurized systems, 14 pressurized tanks and 3 fixed drop lines. Discussion ensued regarding the fact that the State law requires pumping every three years. Nestor stated that 14 residents have refused the pumping by Otto Jacobs; he stated that most of those use another pumper. We discussed the benefits and the need of continuing the program. In order to continue the program, we feel we should receive a benefit for the lake environment or have a cost benefit or determine that the program provides a desirable service for our Lake Residents. The estimate of cost per pump per tank for a standard pump is estimated at \$120; compared to \$90 per pump per system thru our program. We decided to bid the pumping and present the benefits and costs to the Annual Meeting forum for a decision.

4.) Insurance: Jack will continue to follow up on the claim for the storm damage done to the Golf Course property and the Community Center.

5.) Weed Harvesting: Peter reported that the weed harvester has a new diesel engine. The Harvester is 20 years old and has been maintained very well. Many similar weed harvesters are replaced with new ones by the time they are this age.

6.) Lake Ordinance Inspector: Peter stated that the new inspector is now receiving applications from the Town.

7.) Clean Boats Clean Water: Peter reported that an application for a grant for this program has been submitted to the DNR office, and we have until August to apply for a grant for next year. Peter reported that Floyd is moving from ramp to ramp to provide maximum coverage.

8.) Water Patrol: Nestor reported that the Patrol is now up and running, but poor weather has slowed the hours. There is one boat patrolling now. Nestor reported that the DNR will provide an extra boat over the 4th of July weekend. He stated that the Water Patrol will likely add two more officers this year.

9.) Treasury Report: Nestor reported that we received the first of three payments from the Town and the treasury is in good shape. Nestor stated that the terms of the Golf Course loan provide for early payments beginning in October, he is considering doing so as this will save some interest expense.

10.) Web Site: No report.

11.) Dam Report: No report.

12.) Golf Course Report: Chairman Mason reported that the Golf Course was opened in mid March, but that the weather has not been the best this spring. He stated that the Golf Course and its equipment are in good shape.

13.) Wetlands: Chairman Mason stated that the Lake District is working with the Kettle Moraine Land Trust on a Memorandum of Understanding pertaining to the conservancy easements. It has had several revisions and after discussion Nestor moved and Peter seconded a motion to approve the Memorandum of Agreement, as amended, the motion passed unanimously.

Chairman Mason also stated that Don had Wetland signs made and they have been installed upon the wetland properties. Repair work on the main board walk continues. More buckthorn and invasive plants has been removed from the Lake District wetland areas. Chairman Mason reported that the company installing the bio-logs, along the Lake District shore line, will continue their work next month. The bio-logs will be extended further east than previously.

G. Miscellaneous:

1.) Chairman Mason reported on the status of the proposed storm system improvements in the Sterlingworth Bay area, the Lake District Dam lot is a part of the area. The Town is spearheading this effort. There are apparently 61 properties involved in the Special Service Area and the financing terms are proposed to be ten years. Should an affected property owner wish to make a onetime payoff, their share would be approximately \$3,000.

Discussion ensued pertaining to the Storm System improvements and how they relate to the leak which prompted the attention to this storm sewer. It was pointed out that there are possibly two issues. The Storm System improvements are needed, but that may not completely affect the situation, that caused the previous leak into the Honey Creek. Nestor stated that if the lake were to drop 6 or 7 feet it would affect all lake residents. Peter explained that some sort of underground dam maybe required to be sure of preventing a future leak. There was consensus that there could be two separate issues and the Lake District will continue to pursue investigation of conditions that could create a potential for leakage from Sterlingworth Bay.

2.) Peter reported that there have been chemical weed treatments introduced into Don Jean Bay over a number of years. Peter suggested that we add a study to the agenda for our next meeting to sample the muck at the bottom of the lake in these areas, to determine toxicity of the soils.

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

Respectfully submitted by,

Jack Sorenson, Secretary

Wisconsin River Rail Transit Commission

Full Commission Mtg – Friday, 06 May 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 | | X |
| | Vacant | | |
| Dane | Gene Gray | Treasurer | X |
| | Jim Haefs-Fleming | | X |
| | Forrest Van Schwartz | Advocate | X |
| Grant | Ivan Farness | | X |
| | Margaret Ruf | Secretary | X |
| | Robert Scallon | 2nd Vice Chair | X |
| Iowa | Charles Anderson | X- Committee | X |
| | Gerald Dorscheid | Vice Treasurer | X |
| | Robert Zinck | | X |

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

Others present for all or part of the meeting:

Amy Seeboth (SWWRPC / WRRTC Administrator); Frank Huntington, Sheri Walz, Ron Adams, and Roger Larson (WisDOT); Ken Lucht and Steve Beske (WSOR); Virgil Casper (Pink Lady RTC); Bill Wentzel (Sauk County) and Jennifer Erickson (Sauk County UW-Extension).

3. Motion accepting Seeboth’s certification of Public Notice. Grant / Manke- passed unanimously.
4. Motion accepting the Agenda prepared by Seeboth. M. Ruf / Thomas - passed unanimously.
5. Motion approving the draft April Minutes. Dorscheid / F. Ruf – passed unanimously.
6. Motion approving the Executive Committee March Minutes. M. Ruf / F. Ruf - passed unanimously.
7. Public Comment – None
8. Correspondence & Communications – Seeboth updated the Commission on a number of correspondences received.

REPORTS & COMMISSION BUSINESS

9. WRRTC Financial Report– Jim Matzinger, Dane County CPA / WRRTC Accountant, was not present but left copies of the treasurer’s report for each Commissioner.
 - Motion accepting the treasurer’s report for May and payment of bills. – Van Schwartz / Cornford – passed unanimously
10. Presentation on Sauk County Rail Economic Impact Analysis- Jenny Erickson, Community Resource Development Agent, Sauk County UW-Extension, presented on her research on this topic. In order to help the local communities make an informed decision about whether or not the purchase of the rail in Sauk County would be a good investment, Jenny interviewed ten rail users and developed an IMPLAN economic impact assessment. The study found that, among other things, rail users pay their employees \$86.6 million/year and pay \$808,000-\$988,000/year in property taxes. The full report can be found on the WRRTC Website.
11. Wisconsin & Southern Railroad’s Report on Operations – Ken Lucht, WSOR, presented on the following:

Monthly maintenance Activities: WSOR is spraying for weed control right now along all corridors. They are also doing general track inspections to find defective ties and rail breaks. They are undertaking a number of bridge projects

including bridges in Madison and in Spring Green. They are doing some brush cutting near Merrimac and, in Cross Plains, they recently began installing some ties.

Update on 2010 Capital Projects: The welded rail installation on the Madison Sub is well-underway. They hired a contractor to install switches on the track between Milton Jct. and Stoughton. They have rebuilt a number of crossings and some switches- they have a 2-3 more crossings to complete still on this project.

Update on 2011 Capital Project Planning: WSOR is going to continue their welded rail project on the Madison Sub (16 miles). They will also be doing a Phase 1 project to install welded rail in Slinger. Waukesha will be getting some welded rail as well.

Continuing Issues / Topics: WSOR will soon be sending out their second quarter newsletter and Commissioners should receive them in the next couple of weeks. WSOR has been dealing with flooding issues in the Prairie du Chien area and are back in business now. Lucht handed out some economic information that they have developed on the rail system, system-wide: the "2010 economic profile" and also "Wisconsin's Public Freight Rail System". These handouts can be found on the WRRTC Website.

11. **WRRTC Administrator's Report** – Seeboth reported to the Commission on several ongoing issues including the Ekleberry crossing in Muscoda, PRTC is exploring adjusting their local match to WRRTC and the history of this match, the Sauk County construction projects that the Commission approved earlier, and the PRTC trail study.
12. **WDOT Update** – Frank Huntington, WDOT, reported that Feb. 1st was the application deadline for DOT Freight Rail Preservation Program (FRPP) grants. They do not yet know what is going to be the funding level for this program this year, the Governor's proposal has been reduced by the Joint Finance Committee. The DOT has applications worth about \$90 million for this program this year. The acquisition of the UP line from Madison to Reedsburg and the WSOR Bridge Study are two big WSOR applications. Ron Adams pointed out that the new Joint Finance Committee budget proposal says that in the future they will give projects with more than 20% match a greater weight in the FRPP ranking process.
13. **Discussion of WRRTC Mission and Purpose** – The Commission was provided with copies of their Mission. The entire WRRTC Charter can be found on the WRRTC Website.
14. **Consideration and possible action on developing a WRRTC response to the Wisconsin Joint Finance Committee decision to cut the Freight Rail Preservation Program to \$30 million in this next biennium.** Lucht explained that on Wednesday, the Wisconsin Joint Finance Committee decided to cut the Freight Rail Preservation Program (FRPP) biennium budget from \$60 million to \$30 million. Lucht explained that this would have a big impact on freight rail viability in the State, and on the Commission. He encouraged the Commissioners to reach out to their legislatures. Van Schwartz requested that each Commissioner meet with their representatives on this. Adams said the vote was 14-2 in favor of cutting the budget.
 - **Motion to draft and send a letter to WRRTC representatives explaining the benefits of rail to Wisconsin and asking that FRPP be funded at \$60 Million in the budget. Seeboth and Lucht are to work together on drafting this letter** - *Gustina / Grant – motion passed (one opposing vote by Sinklair)*

The Commission Recessed for a 10-minute break at 11:22

15. **Discussion of WSOR Contractual Obligations to WRRTC** – Polyock requested this agenda item. Questions have arisen at MoreAgri, a company along the line that is running at 20% capacity because they can't get enough trains into Chicago. Polyock has been in conversation with WSOR about this and is wondering what WSOR is trying to do or going to do to get more trains into Chicago. Lucht said they have restrictions into Chicago. They do have one alternate access point into Chicago but it is limited to grain. Beske added that this is something that they talk about a lot and something that WSOR is working on. WSOR is in negotiations with Class 1 railroads to get more access into this area. All of these negotiations should be resolved in the next 2-3 years, none of the options are cheap. The problem in part is that all of the Class 1's are near or at capacity themselves already. Beske also spoke about shipping bottlenecks in general; that the systems are not flowing as well as they should.
16. **Update on Sauk County Rails-to-Trails Stakeholder Group** - Krueger, Sauk County Board Chair, Presented to the group. He first pointed out that this agenda item should be called the Rails AND Trails Stakeholder Group. He explained that the goal of the Sauk County Economic Development Committee is to assure that all of the assets of the County have an economic development impact. The rail and trail issue was one of the first topics that the

economic development committee took on, and specifically, the Merrimac Bridge. The Committee asked WSOR to do a study on this Bridge and Sauk County contributed \$5,000 to this study. Then, once they knew the condition of that bridge, the Committee decided to explore how to allow various uses (trails and rails) could co-exist. A little over a year ago the Committee developed a Stakeholders Group for this issue. Krueger passed around resolution 22-11 which stated that the County will pursue the development of a Trail. The Resolution was passed unanimously by their Board and forwarded to the Governor and the Secretary of Transportation. Tentatively on May 23rd, Sauk County will have their last large stakeholder group on this subject and then may transition into a subcommittee to move this process forward.

17. **Consideration of sponsoring application to purchase Union Pacific Segment from Madison to Reedsburg-** Huntington explained that The Wisconsin DOT had been negotiating with UP to buy this track as part of the High Speed Rail (HSR) project. WSOR submitted an application to WDOT to purchase this track. If and when the DOT buys the Track, the agreement would be with WRRTC, not WSOR, so it would be more appropriate that the application be coming from the Commission rather than WSOR. Frank would like the Commission to assume responsibility of this application going forward. He assured the Commission that nothing would change other than the name on the application; WSOR would continue to tack responsibility for the negotiations, etc.
 - **Motion to have the Commission co-sponsor the application with the WSOR to purchase the UP line from Reedsburg to Madison – Gaalswijk / Sinklair – passed unanimously**
18. **Discussion and possible action regarding Badger Army Ammunition Plant easement and Sauk City / Prairie du Sac Rail-to-Trails** - Huntington explained that if this track is not used for its intended purpose (rail or trail) within two years of the original agreement date, the easement will dissolve. The agreement was signed in October of 2009, and it has not yet been used in either way. The WDOT would like to begin this discussion at this point. Huntington asked the Commission how they want to approach this, via committee or regular commission meetings. The Commission requested that this be placed on next month's agenda, that they would like to start with initial discussion as a Commission and see if it spins off into a committee.
19. **Update and possible approval of Charter Street / UW Power Plant Project Changes** – Huntington provided Commissioners with a map of the Charter Street Power Plant. Since the Plant will no longer be converted to biofuels, the Plans for track changes are being changed again. UW-Madison is re-working the plans right now- they would like some of the corridor for a parking area. Any agreement with UW-Madison would specify very clearly that the corridor would convert back to rail if it is needed in that way. Huntington asked that the Commission approve this concept today.
 - **Motion that the Commission adopt the UW-Madison Charter Street Power Plant Concept allowing use of the railroad right-of-way for parking purposes, with some minor modifications possible. The corridor may revert back to the railroad if needed at anytime with one year's notice– Van Schwartz / Anderson – Passed Unanimously and WSOR expressed consent as well**
20. **WRRTC 2011 Elections**
 - **Motion to re-elect the officers as currently exist for another year with the secretary casting a unanimous ballot– Manke / Grant – passed unanimously**
21. **Motion adjourning the meeting at 12:21 a.m. - Sinklair / Scallon- passed unanimously.**

Draft 7-19-11

PLEASANT LAKE PROTECTION AND REHABILITATION DISTRICT
FINANCE COMMITTEE MEETING
SATURDAY, APRIL 16, 2011, 9:00 AM

NOTES/MINUTES

Present: Ted Slupik, Chairman, Kevin Smith, Bob Arnold, Rick Callaway, Paul Higdon,
Marcia Sahag

Absent: Ozzie Mohr

- Request bids for projects of \$2500 or more (ie weed control, drain)
- Designate a portion of the reserves for capital expenditures
- Designate \$3000 for Property Owners Assn as a line item in the budget not to be dispersed until POA's budget is approved. The importance of maintaining a viable Property Owner's Assn was discussed especially in the event of Land Development on the Lake
- Budget for the Drain study
- Budget the maximum for Weed Control based on prior years
- Budget \$2100 for Insurance
- Budget for Clean Boats Clean Water \$500. In the event the program receives a grant, Pleasant Lake's contribution will be no more than 5% of local funding not to exceed \$500.

Audit Committee volunteers are Paul Higdon, Kevin Smith and Rick Callaway. The committee will make recommendations to the electors at the annual meeting based on the audit.

Ted will send committee members a copy of the revised budget proposal
Meeting adjourned at 10:10 AM

Respectfully submitted,

Marcia M Sahag



**LAUDERDALE LAKES LAKE
MANAGEMENT DISTRICT
MINUTES of 4-16-11**

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

A. **Attendance:** Present: Chairman Mason, Jack Sorenson, Nestor Dyhdalo, Don Sukala (Town Representative), Wally Yandel and Dorothy Burwell were all present, Peter Van Kampen was excused and absent.

B. **Agenda:** Wally moved and Dorothy seconded a motion to accept the Agenda for the meeting of April 16th, 2011, the motion passed unanimously.

C. **Minutes:** Dorothy moved and Wally seconded a motion to accept the Minutes of the February 19th, 2011 meeting, the motion passed unanimously.

D. **Consider pier inspector agreement with the Town of LaGrange:** In the past, if a pier application was applied for which met the Ordinance it would be approved and inspected upon completion. If the application did not meet the Ordinance it would be passed on to the Town Board and considered for a variance. The Town building inspector has been the one who has inspected the piers. Monday night the Town approved a conceptual agreement to be finalized between the Town and the Lake District for pier monitoring and inspecting. After discussion, Jack moved and Don seconded a motion to authorize Chairman Mason to work on the details of a pier agreement which calls for cooperation between the Town and Lake District for the inspection, approval process and monitoring of the piers at Lauderdale Lakes and bring the Agreement back to each respective board for approval, the motion passed unanimously.

E. **Trial update:** Chairman Mason stated that the trial resulting from three citations issued to the Lake District by Walworth County, pertaining to the use of the Lake Districts land along Don Jean Bay began on March 16th, 2011, at 1:30 P.M. and continued to almost 5:00 P.M. it has been continued to a date in the future.

F. **Committee Reports:**

1.) **County Report:** No report.

2.) **Town Report:** Don stated that in order to provide more space, the

Town will be moving the launch pier at the Sterlingworth Bay to the south side of the ramp.

3.) Septic Report: Wally stated that this year we will be soliciting bids for a double three year contract for septic pumping. Mike Flitcroft, in the audience, asked why the County doesn't handle this from their list of properties. He thinks we may be missing quite a few properties. He believes that some are missed as the contractor sends out the list of properties not the County. The State law was changed in 1986 or 1988, and since then requires that all properties be pumped every three years. Discussion was held pertaining to the requirements of pumping sewers and holding tanks relative to the Districts program. At the next meeting Wally will provide some information about the number of failed systems discovered, since our pumping inception, to determine the effectiveness of our program.

4.) Insurance: No report

5.) Weed Harvesting: No report.

6.) Lake Ordinance Inspector: Discussed under Town report.

7.) Clean Boats Clean Water: No report.

8.) Water Patrol: Nestor reported that the Patrol is getting ready for operation. A boating class will be held today and there will be two classes held in June. Nestor stated that two officers will be added to the Patrol as two quit last year.

9.) Treasury Report: No Report

10.) Web Site: No report.

10.) Dam Report: No report.

11.) Golf Course Report: Chairman Mason reported that the Golf Course was opened in mid March, but that the weather has not been the best this spring.

12.) Wetlands: Chairman Mason stated that the new pier has been built for access to Mill Lake. The wharf connecting the Ski Team pier and the Patrol Boat pier has also been completed. This will help to keep foot traffic off of the flora. It will also act as a wave break and help to preserve the bio-logs. He stated that the bio log work should be completed next month.

G. Miscellaneous:

1.) The Town has started back ground preliminary work and preparation for installing a new storm water sewer to run approximately from the boat launch area, in the street, toward and discharging into the Honey Creek. The early estimate of cost is approximately \$172,000 with \$42,000 having been spent to date. The storm sewer work is targeted to be done this summer. A Special Service District (of approximately 4.5 acres and certain piers) is under consideration for the properties lying within the drainage and/or service area.

2.) The Lake District received a revised Memorandum of Understanding from the Kettle Moraine Land Trust ("KMLT"), pertaining to the environmental easements of the Lake District properties. A brief review and discussion ensued and upon further review and study it will be discussed with the KMLT.

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

Respectfully submitted by,

Jack Sorenson, Secretary

BOOTH LAKE MANAGEMENT DISTRICT
P.O. BOX 778
EAST TROY, WISCONSIN 53120-0778
REGULAR MEETING OF THE BLMD COMMISSIONERS
March 24, 2011

Present:

Hank Hubbell, Bill Sullivan, Gary Hegeman, Stan Muzatko (County Board Rep.), Greg McElwee, Barry Loveland, Jeff Trapp (Town of Troy Board Rep.). Two other individuals were in attendance.

1. Meeting called to order at 7:00 pm.
2. APPROVAL OF MINUTES
December 16, 2010 Meeting - Motion for approval of the minutes of the December 16, 2010 meeting by Stan Muzatko, 2nd by Greg McElwee. Motion approved.
3. TREASURER'S REPORT
Motion for approval of the Treasurer's report (attached) by Gary Hegeman, 2nd by Barry Loveland. Motion approved.
4. CHAIRPERSON'S REPORT
 - Water Quality Analysis: Hank Hubbell reported that there was little change between the Fall and Spring water sampling testing and analysis. Hank is looking into obtaining a more detailed analysis report of water samples from UW-Stevens Point.
 - Fish Habitat: Another Fish crib was put into the Lake last week. Informal feedback continues to indicate a possible improvement to the fish population.
 - Board Membership. There has been no positive feedback from informal solicitations of District members regarding interest in serving on the BLMD Board of Commissioners. A few District members were identified as potential Commissioners and they will be individually contacted by other Commissioners to determine interest in serving on the Board. It was also noted that some of the current Commissioners terms expire this year. These individuals will have to be re-elected/re-appointed at the annual meeting if interested in serving another term.
5. OLD BUSINESS
None.
6. NEW BUSINESS
 - Greg McElwee discussed the potential changes to the current phosphorus use law in Wisconsin. The proposed changes will lift some of the current restrictions and allow more phosphorus to be used. This law may be tied to the Governor's budget bill. The Commissioners discussed these potential changes and agreed to keep track of the proposed legislation.
 - Hank Hubbell indicated he would like to start the lake treatment early, possibly before Memorial Day. There is milfoil growing in the Beach swim area and he has offered to treat this area provided the Beach covers expenses.
 - There is some confusion over the process and responsibility for maintaining an

updated address listing of District members. Greg McElwee offered to assist.

7. Motion to adjourn the meeting by Bill Sullivan, 2nd Stan Muzatko. Meeting adjourned at 7:39 pm.

Respectfully submitted by
Gary Hegeman – BLMD Secretary

BOOTH LAKE MANAGEMENT DISTRICT

TREASURER'S REPORT

MAR 12, 2011

| | | | | |
|-------------------------------|--------------|--------------|--|-------------|
| OPENING BALANCES | | | | |
| CHECKING F & m BANK | NOV 30, 2010 | \$1,049.62 | | |
| CHECKING FIRST CITIZENS | NOV 30, 2010 | \$1,731.25 | | |
| CD'S F & M BANK | NOV 30, 2010 | \$13,109.54 | | |
| CD'S FIRST CITIZENS | NOV 30, 2010 | \$10,000.00 | | |
| | | | | ----- |
| | | | | \$25,890.41 |
| REVENUE | | | | |
| TAX LEVY | | \$14,645.02 | | |
| TROY, TOWN OF | | \$0.00 | | |
| INTEREST INCOME | | \$0.00 | | |
| | | | | ----- |
| | | | | \$14,645.02 |
| | | | | \$40,535.43 |
| EXPENDITURES | | | | |
| ADMINISTRATIVE EXPENSES | | \$182.96 | | |
| EDUCATION | | \$0.00 | | |
| INSURANCE | | \$0.00 | | |
| LAKE MANAGEMENT | | \$0.00 | | |
| LEGAL & PROFESSIONAL | | \$5,000.00 * | | |
| MAINTENANCE | | \$0.00 | | |
| WATER QUALITY STUDY | | \$143.00 | | |
| | | | | ----- |
| | | | | \$5,325.96 |
| | | | | \$35,209.47 |
| PURCHASED CD'S FIRST CIT | FEB 22, 2011 | \$9,000.00 | | |
| | | | | ----- |
| | | | | \$9,000.00 |
| REDEEMED CD'S | | \$0.00 | | |
| | | | | ----- |
| | | | | \$0.00 |
| CLOSING BALANCES | | | | |
| CHECKING F & M BANK | MAR 12, 2011 | \$1,049.62 | | |
| CHECKING FIRST CITIZENS ST BK | MAR 12, 2011 | \$7,050.31 | | |
| CD'S F & M BANK | MAR 12, 2011 | \$13,109.54 | | |
| CD'S FIRST CITIZENS ST BK | MAR 12, 2011 | \$19,000.00 | | |
| | | | | ----- |
| | | | | \$40,209.47 |
| | | | | \$35,209.47 |
| | | | | ===== |

LEGAL RESERVE-NON CASH EXPENSE *

Julia Y. Sullivan

3/24/2011

**WALWORTH COUNTY METROPOLITAN SEWERAGE DISTRICT
MINUTES OF SPECIAL MEETING**

March 11, 2011

2:30 p.m.

CALL TO ORDER

The Special Meeting was called to order at 2:32 p.m. by Commissioner Logterman.

ROLL CALL

Present: Dean Logterman, Brandon Johnson, Ron Henriott, Thomas Eck by speakerphone from Florida, Harold Shortenhaus.

Others Present:

Karla Eggink, Administrator
Cindy Moehling, Assistant Administrator
Gail Vangen, Confidential Secretary
Steven Scheff, Maintenance Manager

VISITOR COMMENTS

None

DISCUSSION/ACTION RELATIVE TO COMPENSATION/BENEFIT CHANGES DUE TO THE BUDGET BILL. Wisconsin Governor Scott Walker enacted a new State policy requiring employees in the Wisconsin State Pension and Health Insurance programs to begin contributing additional amounts toward pension and health insurance costs. This measure was enacted to help reduce the Wisconsin State budget deficit. For WalCoMet employees this equates to a 5.8% Retirement Contribution and an additional 10%, for a total 12% contribution for the Health Insurance plan elected by each employee. The Retirement Contribution increase is tentatively effective as of the pay period April 2, - April 10, 2011 (pay date April 15, 2011) for those WalCoMet employees not covered under a collective bargaining agreement. The Health Insurance Contribution increase is tentatively effective January 1, 2012 for those WalCoMet employees not covered under the collective bargaining agreement. For those WalCoMet employees that are covered under a collective bargaining agreement, the increased contributions will begin when the current collective bargaining agreement contract has expired, January 1, 2013. In addition, the new legislation limits annual employee wage increases to the CPI (Consumer Price Index) percentage. Overtime, premium pay, automatic increases, incremental increases and performance bonuses are excluded in this restriction. This wage cap is tentatively effective March 27, 2011.

Factors discussed by the Commission included:

- WalCoMet is not funded by the State of Wisconsin. Making the six employees whole for the remainder of the year would not be an increased cost to WalCoMet.

- The pension costs have already been budgeted for 2011 for WalCoMet. The retention by WalCoMet of the budgeted pension contributions for the six non-bargaining unit employees' for the remainder of 2011 would provide additional funds for WalCoMet.
- The approximately \$16,000.00 of contributions previously budgeted for the six employees could be used to purchase new doors or equipment for the plant.
- The immediate negative financial impact on the six employees and whether it is fair that WalCoMet union employees have an approximate two year period before being impacted by the increased costs, as opposed to the 6 non-union employees' immediate impact of the pension cost, and the added January 1, 2012 impact of the insurance contribution increase.

The Commissioners did not reach a consensus as to how to treat the increased costs to the six employees after considering the above. Commissioner Logterman felt that since it did not impact WalCoMet this year and because it only affected 6 individuals and not everyone, he wanted to wait. He suggested that the issue be put on the agenda for the 2nd quarter in July to be reevaluated at that time.

Commissioner Logterman motioned that the issue of compensating or making whole the six employees affected by the immediate pension contribution increase be put on the agenda for the July 12, 2011 WalCoMet Commission meeting. Commissioner Shortenhaus seconded and the motion passed.

ADJOURN

Commissioner Johnson motioned to adjourn. Commission Eck seconded. The meeting was adjourned at 3:12 p.m.

Thomas Eck, District Secretary

APPROVED: _____

PUBLISHED: _____



**LAUDERDALE LAKES LAKE
MANAGEMENT DISTRICT
MINUTES of 2-19-11**

Meeting called to order by Chairman Mason, at the Lake District Community Center at 10:00 A.M.

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

B. **Agenda:** Rick moved and Wally seconded a motion to accept the Agenda for the meeting of February 19th, 2011, the motion passed unanimously.

C. **Minutes:** Rick moved and Wally seconded a motion to accept the Minutes of the November 20th, 2010 meeting, the motion passed unanimously.

D. **Consider award of Mill Lake and Don Jean Bay Piers:** Chairman Mason stated that we have received several bids to replace the Mill Lake Golf Course pier. The lowest bid was \$3,500 submitted by Somerset for a 35 foot by 50 inch wide steel pier. Chairman Mason then stated that the lowest bid for the wharf in Don Jean Bay also submitted by Somerset was \$10,925 for a wharf along the shoreline measuring approximately 105 feet by 5 feet wide. It will run from the L at the safety patrol pier to the pier that the ski team has used. We have received a variance from the Town of LaGrange and there is no permit needed from the County. After discussion pertaining to both installations, Nestor made a motion which was seconded by Rick, to hire Somerset to install both items, the motion passed unanimously.

E. **Consider a use policy for the Community Center:** The board discussed various thoughts and considerations pertaining to reservation requirements and format for the Community Center. Chairman Mason distributed a Calendar that can be used for reservations. Jack will draft a hold harmless agreement for users.

F. **Committee Reports:**

- 1.) **County Report:** No report.
- 2.) **Town Report:** Rick stated that the Town has issued a use permit to the Lauderdale Aqua Skiers for use of Don Jean Bay. The Town has also passed a new ordinance for the pier inspector. The Town will appoint an inspector, likely Floyd Pochowski.

Rick discussed the Sterlingworth Bay drainage situation and stated that John Massey has recommended that the Town could install a new storm sewer and pay for it by forming a Special Service Area including those properties that drain into the area that the new sewer line would serve. Apparently the Sterlingworth Bay Association has been non responsive on this issue.

3.) Septic Report: Wally stated that this year we will be soliciting bids for the next three years of septic pumping. Discussion was held pertaining to the review of the bids and the way the comparative analysis is done. The bidding will take place during 2011 and the winning company will begin pumping in 2012. Discussion pertaining to additional charges for sodium water softening systems ensued.

4.) Insurance: Jack stated that the policies have been renewed or are in the process of renewal. The liability policies are renewed and the property policy renews on April first. Exclusions to the policies include storm, earthquake and terrorist related damages.

5.) Weed Harvesting: No report.

6.) Lake Ordinance Inspector: Discussed under Town report.

7.) Clean Boats Clean Water: No report.

8.) Water Patrol: Nestor reported that the audit of the Patrol operations for 2010 came up about \$5,200 short of the expenses. The DNR commended the Safety Patrol on its diversity of citations. Nestor stated that he will likely add some new officers for the 2011 season and we are expecting to invite all of last year's officers back. Nestor stated that the safety committee is making plans to increase the patrol over the Fourth of July weekend.

9.) Treasury Report: Nestor handed out copies of the 2010 final budget.

10.) Web Site: No report.

10.) Dam Report: No report.

11.) Golf Course Report: Chairman Mason reported that they are performing maintenance on the Golf Course equipment. He is shooting for a March 15th Golf Course opening. Chairman Mason reported that damage to the course from snowmobiles was very minimal. Chairman Mason reported that the County Variance committee did approve the Water Tower restoration project but did not approve the sign request for the project.

12.) Wetlands: Chairman Mason stated that the Lake District will be installing signs demarking the area as a wetland.

G. Miscellaneous:

1.) Chairman Mason reported that the trial on the citations issued last year is set for March 16th, 2011 at 1:30 PM.

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

Respectfully submitted by,

Jack Sorenson, Secretary