



**Walworth County Board Finance Committee
MEETING MINUTES
Thursday, May 19, 2011**

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

The meeting was called to order by Chair Russell at 9:34 a.m.

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

Board members present: Supervisor Kathy Ingersoll.

County staff present: David Bretl-County Administration/Corporation Counsel; Nicki Andersen, Stacie Johnson, Dale Wilson-Finance; Bernie Janiszewski-Lakeland Health Care Center; Tracy Moate-Lakeland School; Shane Crawford, Peggy Watson-Public Works.

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

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

Approval of minutes of last meeting(s) — April 28, 2011 — **Supervisors Stacey and Grant moved to approve the meeting minutes; carried 4-0.**

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

Unfinished business — No unfinished business was presented.

Consent items -

Budget amendments

Department of Public Works

- PW004 – Establish budget for Automatic Vehicle Location-Global Positioning System (AVL-GPS) — **Supervisor Grant moved approval of budget amendment PW004. The motion was seconded by Supervisor Stacey.** Crawford explained that we will be fully reimbursed by the State, through a Federal grant. This Department of Transportation program requires installation of GPS units in all county vehicles which can potentially be deployed to work on State roads. In addition to the GPS capability, the units being installed also include sensors that will collect data and tell us where snowplows were located, how fast they were going, and the appropriate amount of seasonal material application. A pilot program was previously implemented in a couple of counties. **Motion to approve carried 4-0.**

Bids/contracts

- Consultant to assist in the development and implementation of Criminal Justice System programs — **Supervisors Kilkenny and Grant moved and seconded awarding the contract to the Pretrial Justice Institute.** Bretl noted that we received four very solid proposals. His sense was that the Walworth County Criminal Justice Coordinating Committee (CJCC) was looking for a broad approach to this issue. They sought a firm that would bring ideas to the CJCC, do research for them, and make recommendations. Based on overall points, PJI appeared to be the best choice. He added that although the firm is not local, we are working with them on video hookups to minimize some of the travel and expenses. **Motion to award the contract carried 4-0.**

Declaration of surplus

- Recommendation to declare two Department of Public Works shoulder spreaders as surplus and to sell at auction — **Supervisors Stacey and Kilkenny moved to approve the recommendation to declare the specified equipment as surplus; carried 4-0.**

New business

Resolution **-06/11 Resolution Awarding the Sale of \$7,440,000 General Obligation Promissory Notes — Brad Viegut, from Robert W. Baird & Co., the county's financial advisor firm, was introduced. We will have a 10-year repayment schedule with a call feature in 2018 for notes maturing in 2019 and 2020. Those notes represent 35% of the total issue. At its January 11, 2011 meeting, the County Board adopted the initial resolution to authorize the issuance of bonds. The next step for County and Baird staff is to bring the issue to market. That includes having a Moody's Investors Service rating assigned, preparing exposure documentation, marketing the obligation to underwriters nationwide, and accepting bids. Bids will be accepted until June 14th, at which time a recommendation will be made to the County Board. Funds will be available on July 6, 2011.

Viegut added that the interest rate environment remains attractive and that rates are still low. The preliminary financing plan includes the repayment schedule for this 2011 issue and estimates approximately \$2 million hypothetical future financing as placeholders for planning purposes. Based on these factors, the county's debt service will be reduced to \$6.6 million for 3 years and decrease after that. Viegut anticipates that Moody's will reaffirm the county's Aa1 rating. This is the second highest rating. The credit standing of nationwide issuers is of paramount importance to investors, and he feels our rating will help secure attractive bids. Our rating for the last bond issuance was Aa2. However, last April, Moody's recalibrated their rating schedule so municipal and corporate obligations are rated using the same "yardstick." Walworth County's rating was not upgraded; Aa1 simply shows our standing within that recalibrated schedule.

Current interest rates are in the 2.65 to 2.85% range. Baird staff used 3% for planning purposes but Viegut would expect the actual rate to be a little lower. Russell asked if there is a benefit to periodic borrowing to keep us in the marketplace and rated by Moody's. Investors will first consider our high

credit rating. However, the county's issues are relatively small when looking at the overall market-place so we would likely not attract enough attention to keep our name in the market. **Supervisors Grant and Kilkenny moved approval of the resolution and recommend the sale of \$7,740,000 general obligation promissory notes to the County Board; carried 4-0.**

Resolution **-06/11 Authorizing Use of Contingency Fund Balance to Repair Underground Fuel Storage Tanks to Comply with State of Wisconsin Requirements — Russell noted that this resolution was amended by the Public Works Committee at its meeting on Monday, May 16, 2011. A copy of the amended resolution was distributed to the Finance Committee at today's meeting. **Supervisor Grant moved approval of the resolution as amended by the Public Works Committee. Motion seconded by Supervisor Stacey.** Crawford explained that tank monitoring alarms are required for us to be in compliance with the State. **Motion to approve carried 4-0.**

Discussion and possible action regarding request to submit Focus on Energy grant application — **Supervisors Grant and Kilkenny moved approval of the grant application request; carried 4-0.**

Discussion and possible action regarding 2010 Single Audit and Management Findings — Lanser stated that the findings were received from our auditor shortly before this morning's meeting and were not previously available for inclusion in the agenda packet. Grant asked if this item could be tabled to next month's meeting. Andersen requested that the findings be discussed today. Staff would like to have the findings issued and completed by our audit firm so we can submit our financial reports to the State in a timely manner. She added that this report is a draft. The final version will be available at next month's meeting.

Our auditors wanted to bring one item in the Management Letter to the county's attention, i.e., department accounting and reporting. The auditors feel it is working well to have the accounting for smaller departments done by finance staff. They suggest extending this process to the larger departments so they also have finance oversight. Lanser added that finance staff are asking the Committee for suggestions on how to respond. At their May 18, 2011 meeting, the Human Resources Committee unfroze the Health and Human Services accounting position which reports to the HHS department.

The audit report includes 5 findings. The first related to an accounts payable invoice that was received after the 60-day window to record in the prior year. This \$100,000 entry for a public works capital project should have been recorded back to 2010 but was missed. Lanser indicated our management response will be to amend the county's administrative procedures to state that such invoices will be recorded to the prior year up to the point at which the audit is conducted, rather than up to 60 days into the current year. Andersen explained that material products or services received prior to December 31 should be booked to the prior year, no matter when the invoice arrives.

The second finding, according to Lanser, related to Lakeland School M-5 forms which were not signed by the parent/guardian to authorize us to bill Medicaid for those services. Our response will

be that the school will amend their procedures to review claims and ensure that all signatures are obtained before they are submitted.

The third finding related to HHS. The department has to complete quite a few reconciliations and reports which are then submitted to the State. The HHS accountant is completing the reports but they are not being reviewed before being sent to the State. The auditors have suggested the reports be reviewed on a monthly basis. Finance will be looking to HHS Director Linda Seemeyer to identify how she would implement a review process.

The fourth finding is similar in that HHS also generates a WIMCR report. This is a more extensive report. Receipt of grant funds is related to how we fill out the report. A State desk audit identified inaccuracies in our reported information. The errors have been corrected. Finance will look to HHS Director Linda Seemeyer for an audit response.

Lanser added that the fifth finding relates to our medical systems transportation grant. The wrong mileage reimbursement rate was reported by HHS staff, as well as the number of people being reported. One trip should have reflected one reimbursement rather than multiplying the rate by the number of people in the vehicle. We have already made the appropriate correction to the State. Grant asked if we have to reimburse the State for funds overpaid. Andersen said they generally make a reduction in our next payment.

Bretl asked if there was a change in the law with regard to signatures being required on the school's M-5 forms. Moate replied that signatures are no longer mandated as consent to collect Medicare, pursuant to the Federal Authorization Act of 2008. She talked to the auditor, who had seen the signature process traditionally being required by school districts. Such signatures are not required, although many school districts continue to have parents sign the form. Russell asked if the audit finding would be changed. Andersen replied that the applicable narrative should have been removed from the audit findings. Moate said new software, called Skyward, was implemented in September which gives us the ability to electronically manage paperwork.

Bretl said the other issue the committee may wish to discuss was discussed at the Human Resources Committee yesterday. The question of centralization of accounting needs to be addressed as an organization. A number of departments are already centralized, such as County Administration, Land Use & Resource Management and Lakeland School. Those who voluntarily wanted this model are already on board. As an organization, we hold department heads accountable and they need to be empowered to run their departments without too many requirements. However, if our desire as an organization is to centralize, then the next step would have to be to mandate centralization.

Russell commented that auditors do not make recommendations lightly. She feels the finding to centralize may be repeated year after year if we don't implement the practice. Walworth County has a great reputation and receives awards for our financial reporting so she is reluctant not to follow the auditors' recommendation. Kilkenny asked what the HR Committee's recommendation was. Bretl said there is a position open in HHS for a finance individual. HR's discussion was whether to unfreeze that position, which they did authorize. That is the first opening in the 4 departments cur-

rently not centralized. Kilkenny asked if the audit recommendation was available to the HR Committee. In terms of complying with the recommendation, what process would we need to follow? Bretl said departments are governed by County Board policy premised in Chapter 15 of the Code. There is no question we want to follow the recommendation in audit findings. We have excellent people working for us but have reached the point where there won't be more departments voluntarily seeking financial centralization. The question is whether this step should be mandated. A number of departments have proven that they can do a quality job by having their own individual who reports to the department head. A higher quality product could result from centralization because you would have finance/accounting staff supervised by other finance/accounting people. Bretl said his department uses centralization. He feels it works particularly well for smaller departments whose staff don't regularly work with the automated financial systems. Moate has been with the program a couple of years. She currently has a part-time person from the finance department. Her business manager at the school was diligent but didn't have an accounting background so it did take her a little longer. She added that the part-time finance staff is extremely helpful in bringing the mathematical/statistical/analytical perspective. However, Moate relies on her business manager's familiarity with the school's programming, which is just as critical. Andersen agreed that both accounting and technical expertise are important. Finance is looking for shared reliance, not taking over the management of a department's programs. We simply provide the expertise to ensure grants are recorded properly, reports are reconciled, and fiscal responsibilities completed appropriately. Her staff provide the fiscal support, not program management.

Bretl's hope for centralization was for other departments to see the system working and decide to join in. Russell thinks the Finance Committee should make a recommendation to the Board regarding centralization but centralization was not agendaized for this meeting. Bretl agreed. We may want to address centralization at a Committee of the Whole meeting. Kilkenny suggested putting the item on the next Finance Committee agenda to set up a framework. We may be able to move forward through attrition. Bretl said we can include centralization on the June agenda. He would also like to understand how the practice works in other counties. He agreed with Kilkenny that opportunities might exist when vacancies occur. We may also want to establish ground rules that the finance individual is there to keep the books as opposed to "running the department." Russell asked how having an accounting person who reported to the finance department worked at the nursing home. Janiszewski said this occurred years ago, as a pilot program. Her department doesn't have as much accounting as other large departments but they do maintain interaction with finance. Although having a finance person on board might help them a lot, Janiszewski expressed concern that no LHCC positions be eliminated. Russell said she is not looking at this from the standpoint of eliminating positions but rather to do things uniformly and consistently so we don't have audit findings. The finance person would be doing reporting and information gathering only, and provide another set of eyes to help people understand the financial aspects.

Andersen reiterated her earlier explanation about how finance staff function with the departments to which they currently provide centralized services. The accountants assigned to those departments deal directly with the department head, or whomever the department assigned to oversee management of fiscal issues. She would not generally have any interaction unless some issue arises with her employee. From her perspective, the accountant acts just like any other employee of the given

department. They compile information when requested and give it to the department head, who determines what the recommendation will be. That is the department's responsibility. Finance staff are there to provide the department with accurate information, to ensure reports are completed correctly, and to meet audit program requirements. The latter can be onerous. Each program is unique and has to have data booked a certain way. That is what finance wants to provide, leaving management to those in the department. Andersen sees her finance staff as providing technical support. Grant asked whether finance or HHS staff would handle the department's grant writing. Andersen said HHS, in particular, is not grant writing as much as it is managing the funds the State allocates to us for various programs. She feels grant writing would be a shared responsibility. The HHS program manager would identify how the money could be used and the accounting personnel would pull together the facts to support funding for which we are applying.

Bretl said the idea of controlling a department through the accounting function is not necessarily a valid concern. We can address that through appropriate ordinances or administrative procedures. The second concern, from the departments' perspective, is that they don't want to lose positions or have them under new leadership. His feeling is that, as long as the work is getting done, he personally doesn't care who staff report to. The heart of the matter is that sometimes you have to mandate things, and centralization may be one of those instances. We can't take this issue lightly because we want the departments to remain invested in what they are doing so everything works well. This is a countywide issue. It may be appropriate to agendaize this item for the Finance Committee to recommend a Committee of the Whole meeting. Russell agreed that we should proceed by including centralization on the Finance Committee's June agenda. Should the HHS position be filled as it was determined yesterday, or not? The incumbent is still in the position, according to Bretl, and it will take time to recruit and fill the position. Staff will provide a recommendation at our June meeting.

Russell asked if the committee needs to take action on the findings. Andersen thinks not. We literally received the report right before the meeting so staff have not had an opportunity to scrutinize the language. Most of the findings are technical in nature, and we can easily draft the management response.

Discussion and possible action regarding 2012 budget — Bretl said one of the only interesting developments was revision of the levy cap. Andersen said the State Joint Finance Committee passed a motion allowing entities that had unused levy limits last year to carry forward a maximum of 0.5% from the prior year. Since we were under the levy limit last year, we have additional room for dollars to bring forward. Our base limit will still be last year's levy, as adjusted, plus the option of the additional 0.5%. Using that special carryforward would require a "super majority" of the County Board, although Andersen was not sure whether that means a 2/3rds or 3/4ths majority. For years 2013 and after, the increase would be net new construction or 1.5%, whichever is greater. The State proposes that to be a permanent levy limit cap. However, future legislation could still change that. Kilkenny believes using the additional 0.5% could perhaps be politically difficult. Bretl noted that we haven't yet sent a figure to the full County Board with regard to budget guidance. If the State budget passes in June, we may have a clearer picture. He does not want to go to the Board with a methodology or figure because that could change when the State budget passes.

Andersen is very conscious of public opinion, however, she wanted the committee to be aware that there are financial concerns not necessarily for 2013 but for the levy freeze the year after that. The half percent could give us some flexibility. Bretl recommended seeing what the Legislature actually passes and then go to the Board to get their “buy-in” on our budget numbers.

Discussion and possible action regarding Town of East Troy Resolution 2011-4 stating objection to Governor Walker’s 2011-2013 biennium budget which cuts aids to the Town of East Troy (Referred by the County Board — Supervisor Grant moved to put the Town of East Troy resolution on file. The motion was seconded by Supervisor Stacey; carried 4-0.

Review and modification of investment strategy for other post-employment benefits (OPEB) fund — County ordinance requires that our investment strategy be reviewed periodically by the Finance Committee, according to Andersen. She asked if there are any issues with the strategy as it is currently operating. Russell said the best investment strategy is generally to stay the course. Grant feels we are sufficiently diversified. **Supervisors Grant and Kilkenny moved to confirm the investment strategy currently in existence; carried 4-0.**

Reports

- Out-of-state travel report(s)
 - Information Technology — Dave Ortin, Tyler Connect 2011, Nashville, TN — This item is just for reporting purposes, according to Russell. Andersen said the conference pertained to the software we are using for the general ledger, payroll, and so forth. Staff are excited about the upcoming new release. The software has been completely rewritten using new technology. We feel this version has significant enhancements so we will skip one version and implement this one when it becomes available.
- Quarterly Investment Report – January-March, 2011 — Andersen thanked Lanser for her efforts. She has been doing double-duty since the investment position became vacant.

Lanser said our first quarter annualized return is 0.87%, up from 0.84% at the end of the 4th quarter 2010. Based on what she’s been seeing and information from our brokers, there may not be much movement this year. Since the end of the first quarter, we have had quite a few of our securities called and have had to reinvest that money at lower rates. At the end of 2010, the market was doing a bit better with agency securities. We had about \$130,000 in unrealized gains at the end of the year. Market fluctuations can be difficult to predict, but we don’t want those fluctuations to affect our budget. Staff would like to have funds set aside in case of a negative market at year end. She will bring a recommendation next month with regard to handling those market adjustments. Andersen added that these are paper adjustments that we are required to book based on financial standards. We generally hold securities to maturity and don’t realize any gain or loss unless we actually sell the securities.

The rate of return on our current holdings is 0.88%, compared to the LGIP which is 0.17%. Kilkenny asked if there are any accounts not included in this report. Andersen replied that the

Clerk of Courts funds, managed by Sheila Reiff, are invested separately, as are a couple of trust funds for which other departments are responsible. **Supervisors Kilkenny and Grant moved to accept the Quarterly Investment Report and place it on file; carried 4-0.**

- Update on tax incremental financing (TIF) district(s) — Kilkenny asked if we have received annual reports from all municipalities. Lanser replied that we have reports from the cities of Delavan, Lake Geneva and Elkhorn but a number of reports have not yet been received.

Correspondence — No correspondence was presented.

Confirmation of next Finance Committee meeting — Upcoming Finance Committee meetings were confirmed as follows:

- **Special Meeting** — Tuesday, June 14, 2011, Time to be determined, County Board Room 114 at the Government Center — The meeting time has not yet been determined, according to Andersen. We are waiting to see what other meetings may be scheduled for that afternoon. She explained that a representative from the Lakeshores Library System will be present to provide an update on the status of the Walworth County Library Plan, indicate which libraries are in compliance, and discuss proposed changes with the State Budget that may affect our level of funding. Stacey asked the status of the East Troy library. Andersen's understanding is that they are not in compliance with the Plan.
- **Regular Business Meeting** — Thursday, June 23, 2011 at 9:30 a.m., County Board Room 114 at the Government Center

Russell asked if the 2012 budget could be agendized for the special meeting on June 14th as she is unable to attend on June 23rd. Bretl did not know when the State would pass the bill. If we get clear direction from the State in time, we may be able to include it on the June 14th agenda.

Adjournment of Finance Committee

Upon motion and second by Supervisors Kilkenny and Grant, Chair Russell adjourned the meeting at approximately 11:25 a.m.; carried 4-0.

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

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

County Zoning Agency

MINUTES

May 19, 2011 – 4:00 p.m.

100 West Walworth Street

Elkhorn, Wisconsin

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

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

A “sign-in” sheet listing attendees on May 19, 2011, is kept on file as a matter of record.

Details of the May 19, 2011, meeting are on a recorded disc which is on file and available to the public upon request.

Dave Weber motioned to approve the agenda as printed. Second by Russ Wardle. Motion carried. 6-favor 0-opposed.

Dave Weber motioned to approve the April 21, 2011, Minutes. Second by Richard Kuhnke, Sr. Motion carried. 6-favor 0-opposed.

Zoning Enforcement / Disc Count #3:01:50 – 3:10:45

Three committee members had questions regarding the zoning enforcement handout. Possible options for reducing the number of zoning staff required to attend the County Zoning Agency meetings were requested. Committee members received a handout showing zoning / sanitation staff territories in Walworth County as well as contact numbers.

Subdivision Items – Old Business / None

Subdivision Items – New Business / Disc Count #3:10:54 – 3:14:13

Lost Nation Farms West Subdivision Final Plat, Lost Nation Farms LLC applicant. Proposed 8-lot, 1-outlot planned residential subdivision located in Section 3, Town 3 North, Range 16 East, Town of Sugar Creek, Tax Parcel #'s G SC 300003, GLNF 00006 and GLNF 00007. The site is 46.24 acres and is zoned C-2. The site is served by a private road accessing on to County Trunk Highway “H” and an easement accessing on to Lost Nation Road additionally two lots access directly on to Lost Nation Road.

Senior Planner Neal Frauenfelder presented the proposed Final Plat and has made the determination that the Final Plat conforms substantially to the Preliminary Plat and therefore recommended approval of the Final Plat with the following conditions: 1) Approval is subject to constructing turn tapers on County Trunk Highway "H" to current Wisconsin Department of Transportation Standards and 2) Approval is subject to meeting all applicable State Statutes and County Ordinances. Attorney Robert Leibsle spoke on behalf of Lost Nation Farms LLC. Noone spoke in support. Noone spoke in opposition. **Dave Weber motioned to approve. Second by Russ Wardle. Motion carried. 6-favor 0-opposed.**

Old Business / None

New Business / Ordinance Amendment / None

Discussion / possible action: Communications from Wassel, Harvey & Schuk, LLP with Town of Bloomfield Ordinance No. 1061, Ordinance No. 1062, and Ordinance No. 1063 / Disc Count #3:14:22 – 3:22:03

Attorney Brian Schuk with Wassel, Harvey & Schuk, spoke on behalf of the Town of Bloomfield. Attorney Schuk asked that no action be taken on Ordinance No. 1061 and that portion of the request be tabled.

Jim Van Dreser motioned to table Ordinance No. 1061. Second by Richard Kuhnke, Sr. Motion carried. 6-favor 0-opposed.

Jim Van Dreser motioned to approve Ordinance No. 1062. Second by Russ Wardle. Motion carried. 6-favor 0-opposed.

Richard Kuhnke, Sr., motioned to approve Ordinance No. 1063. Second by Dave Weber. Motion carried. 6-favor 0-opposed.

This item will be placed on the June 14, 2011, Walworth County Board of Supervisors meeting agenda.

Agenda item numbers six, seven and four were moved to better accommodate the applicants and the public.

Discussion / possible action: Jerry and Ellen Dean, Town of Walworth, Rezone .43 acres of M-1 to A-5 / Disc Count #3:22:04 – 3:26:40

Jerry Dean appeared to explain why the special exception application has not been submitted. He stated that he could not afford the fee right now and would apply later this summer. A copy of receipts for payments made to the Land Use and Resource Management Department by Mr. Dean was submitted.

Jim Van Dreser made a motion to recommend to the Board of Adjustment the special exception application fee be waived. Second by Dave Weber. Motion carried. 6-favor 0-opposed.

This item will be placed on the June 9, 2011, Board of Adjustment agenda.

Discussion / possible action: Matthew A. & Mary E. Polyock, Town of Linn / Disc Count #3:26:41 – 3:30:24

Amendment of conditional use for outdoor commercial corn storage area to include a storage building.

Matt Polyock appeared to speak on his own behalf. There was no support. There was no opposition.

Jim Van Dreser made a motion to approve subject to conditions of approval.

Second by Russ Wardle. Motion carried. 6-approve 0-opposed

Amended 5-19-11 to include storage building

NAME: MATTHEW A. & MARY E. POLYOCK

TOWN: LINN

A conditional use permit for an outdoor commercial corn storage area as specified in Chapter 74, Division 4, Walworth County Code of Ordinances, Walworth County, Wisconsin, on lands proposed to be zoned A-4 Agricultural Related Manufacturing, Warehousing and Marketing District, and described as follows:

Part of Tax Parcel #I L 3300004A

Has been APPROVED subject to the following conditions:

1. Approved as per plan submitted as an open air commercial grain storage pad **and amended 5-19-11 to include a 160 ft. by 66 ft. storage building** 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. 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.
13. No general public sales allowed on premises.
14. No business activities other than specified in the plan of operations may be conducted from out of the facilities.
15. 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.
16. No storage of chemicals, petroleum products and flammable materials shall occur on site unless stored in a containment facility meeting State requirements.
17. Staff may conduct inspections necessary to ensure site is operated and maintained according to applicable regulations.
18. 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:

19. The property owner must only load grain onto the railroad spur by use of the neighboring approved grain elevator or provide an amended easement agreement for the use of the railroad spur.

20. The property owner must obtain a road access easement from the owner of tax parcel I L 3300003 for the driveway access leading to the storage facility and record the easement within 60 days of this approval. Zoning permit approval for the storage building will not be granted until the access easement is recorded.

21. This approval includes a restriction modification relocating the 100 foot building restriction area as specified on the approved plan in order to allow the new building to be constructed completely within the A-4 zone area on the parcel.

Discussion / possible action: parking ordinance amendment / Disc Count #3:30:25 – 3:34:29

Deb Grube spoke regarding the proposed shared parking zoning and shoreland zoning ordinance amendment.

Dave Weber made a motion to move this item forward to public hearing on the June 16, 2011, Walworth County Zoning Agency agenda. Second by Russ Wardle. Motion carried. 6-approve 0-opposed.

Discussion / possible action: Corridor – groundwater recharge areas possible ordinance amendment / Disc Count #3:34:30 – 3:45:58

Michael Cotter and Deb Grube spoke regarding the corridor / ground water recharge areas proposed amendments to the Walworth County Zoning and Shoreland Zoning Ordinance(s).

Dave Weber made a motion to move this item forward to public hearing on the June 16, 2011, Walworth County Zoning Agency agenda. Second by Jim Van Dreser. Motion carried. 6-favor 0-opposed.

Discussion / possible action: Streamlining staff services / Disc Count #3:45:59 – 4:10:41

Michael Cotter led a discussion on ways to streamline staff services and achieve more efficient rezone and conditional use processing. Supervisors Van Dreser and Wardle agreed to try receiving their monthly packets digitally.

Discussion / possible action: accessory structure ordinance amendment / Disc Count #4:10:42 – 4:18:21

Deb Grube spoke regarding the proposed accessory structure amendment to the Walworth County Zoning and Shoreland Zoning Ordinance(s).

Jim Van Dreser made a motion to move this item forward to public hearing on the June 16, 2011, Walworth County Zoning Agency agenda. Second by Richard Kuhnke, Sr. Motion carried. 6-approve 0-opposed.

Discussion / Disc Count #4:18:22 – 4:20:42

The County Zoning Agency received numerous pieces of correspondence related to the Center Pivot Nutrient Application and Confinement Animal Feeding Operations. The agency tabled these same issues in April 2011. These items may remain tabled or the agency may place these items on the June 2011 County Zoning Agency Agenda for

discussion and possible action. The merits of these issues may not be discussed at the May 2011 meeting as the items are tabled.

Jim Van Dreser motioned to table this item and wait for direction / recommendations from the DNR. Second by Richard Kuhnke, Sr. 5-favor 1-opposed (Supervisor Redenius).

Russ Wardle motioned to recess until 5:30 p.m. Second by Dave Weber. Motion carried. 6-favor 0-opposed.

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

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

Comprehensive Plan Map Amendment / None

Rezoning / None

Conditional Use / Renee R. Taylor / Tax Parcel #J G 1200001C / Section 12 / Geneva Township / Disc Count #4:34:25 – 4:35:44

Conditional use approval for a commercial horse stable with horse shows as a farm family business on lands zoned A-1 Prime Agricultural District.

Matt Weidensee received a message from Renee Taylor indicating she would not be able to attend the meeting. No representative appeared. Matt Weidensee recommended tabling this item.

Jim Van Dreser motioned to table this item. Second by Richard Kuhnke, Sr. Motion carried. 6-favor 0-opposed.

This item will be placed on the June 16, 2011, Walworth County Zoning Agency agenda.

Conditional Use / Jeffrey S. Widner / Tax Parcel #DA333300001 / Section 11 / Whitewater Township / Disc Count #4:35:45 – 4:40:33

Conditional use approval for a marina – boat storage facility with a caretaker's residence on lands zoned B-4 Highway Business District.

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

A revised plan was made available to the committee members at the hearing.

Jeff Widner appeared and spoke on his own behalf.

Dave Weber made a motion to approve subject to the conditions stated. Second by Russ Wardle. Motion carried. 6-approve 0-opposed.

NAME: JEFFREY S. WIDNER

TOWN: WHITEWATER

A conditional use permit for construction of a boat storage facility with use of the existing farm residence as a caretaker's quarters on land zoned B-4 Highway Business District. The project includes the potential for future expansion of the facility with additional storage buildings and a marina show room and offices.

The parcel is described as follows:

Part of Tax Parcel DA3333-1.

The request has been APPROVED subject to the following conditions:

General:

1. Approved as per plan submitted for an indoor and outdoor boat storage facility with expansion for a marina and pier and retaining wall installation business and use of an existing home as a caretaker's residence with all additional conditions.
2. Storage limited to material and goods directly associated with business. Outside storage shall be limited and located as identified on the plan of operations. No outside storage areas including displays of goods shall be allowed in the required setback areas.
3. Parking must meet with requirements of the county zoning ordinance. All parking must be setback 25 feet from the roadway. All parking must be in compliance with County requirements within 60 days of this approval.
4. The existing driveway must be brought up to 24 foot wide commercial standards prior to use by the facility.
5. Outside Lighting to be shielded and located as identified on the approved plan.
6. Hours of operation shall be as identified on the approved operations plan.
7. Must meet all applicable Federal, State, County and local regulations.
8. The applicant shall be required to obtain sanitary approval from the County prior to use of the caretaker's residence.
9. Use of the residence shall be limited to use by a caretaker's and shall be removed from premises at the time it is no longer needed in connection with the operation.
10. If the residence is no longer used for housing a caretaker, the applicant must notify the Walworth County Zoning Office.

11. 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.
12. The applicant must obtain the required County zoning permit prior to construction
13. The residence must meet with County, State, Federal and local regulations.
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. Zoning permits for the construction of the buildings shall not be issued until all stormwater concerns from the County Land Conservation Office are addressed.

Adjournment

A motion was made by Jim Van Dreser to adjourn. Second by Russ Wardle. Motion carried. 6-favor 0-opposed. The meeting was adjourned at 5:42 p.m.

Submitted by Wendy Boettcher, Recording Secretary.

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

DRAFT

**Walworth County Board of Supervisors
Public Works Committee
MEETING MINUTES
Monday, May 16, 2011
Walworth County Government Center, County Board Room 114
100 West Walworth Street, Elkhorn, Wisconsin**

Chair Nancy Russell called the meeting to order at 4:02 p.m.

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

Others present:

County staff: County Administrator David Bretl; Deputy County Administrator-Central Services Shane Crawford; Public Works Director of Operations Larry Price; Captain Dave Gerber, Sheriff's Office; Nicki Andersen, Deputy County Administrator-Finance

Agenda withdrawals/approval

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

Approval of minutes

Supervisors Schaefer and Ingersoll moved approval of the April 19, 2011 meeting minutes. The motion carried 5-0

Supervisors Schaefer and Wardle moved to approve the April 25, 2011 meeting minutes as prepared. The motion carried 5-0.

No one from the public was present to offer public comment.

Regular Business

Monroe County Resolution #04-11-14 Opposing Elimination of Municipal Recycling Grant Programs (May 10, 2011 County Board Referral)

Crawford reported that in Walworth County, the local municipalities are the Responsible Units who elect to receive grant funding for their programs and, as such, it would be more appropriate if those entities supported this resolution. **Supervisors Stacey and Schaefer moved to receive the resolution and place it on file. The motion carried 5-0.**

Request from Sheriff's Office to name and sign the west road from CTH NN to Huber parking lot to honor a deputy killed in the line of duty

Captain Dave Gerber from the Sheriff's Office reported that Deputy Patrick Bolton was electrocuted in 1966 while investigating an auto accident. Deputy Bolton is the only Walworth County officer to die in the line of duty. He said that the Sheriff's Office would like to honor Deputy Bolton by naming the west driveway from County Road NN to the Huber facility in the back of the Sheriff's Office. Capt. Gerber said that Crawford informed him he would need endorsement from this Committee to name the drive and erect proper signage. Gerber added that they would also like to honor their fallen deputy in conjunction with National Police Officer Memorial Week. **Supervisors Stacey and Schaefer moved to honor the Sheriff's Office request to rename and sign the roadway Patrick Bolton Drive. The motion carried 5-0.** County Administrative Bretl said that staff would prepare a resolution in time for the Sheriff's Office ceremony on May 20, and would forward the draft resolution to the County Board for approval.

Bid award – Brush Cutter/Forestry Mulching Head

Supervisors Stacey and Wardle moved approval of the bid award to Triebold Implement, Inc. for the Brush Cutter/Forestry Mulching Head in the amount of \$23,535.71, to be purchased from Public Works Department existing funds. The motion carried 5-0.

Update/potential bid award/consideration of alternate site for the Walworth County Child Advocacy Center

Crawford reported that subsequent to the bid advertising for the remodel of the space at the Government Center, a house on CTH NN came up for sale, and officials of the Center are looking at the property as a potential option. The bids for the downtown remodel came in under budget, he added, and the bidders have agreed to hold their pricing for 90 days. **Supervisors Wardle and Stacey moved to defer consideration of this item until the next committee meeting. The motion carried 5-0.**

Resolution Authorizing Use of Contingency Fund Balance to Repair Underground Fuel Storage Tanks to Comply with State of Wisconsin requirements

Crawford reported that during the State annual inspection this past fall, there were some deficiencies requiring corrective action in the underground fuel storage tanks at Public Works, the Government Center and Judicial Center. He and the Deputy County Administrator-Finance concurred that it would be advantageous to repair the problems as soon as possible and that the contingency fund balance is the appropriate source of funding. Chair Russell said she thought that the word “failures” in the resolution could possibly give the public the false impression that our systems were inoperable. **Chair Russell and Supervisor Stacey moved to replace the word “failures” on line 9 of the resolution and to replace it with the precise verbiage as determined by the County Administrator, and to recommend the revised resolution to the County Board for approval. The motion carried 5-0.**

Walworth County Public Works Department 2010 Financial Report of Highway Operations

Crawford noted the Statement of Revenues, Expenditures and Changes in Net Assets and the Statement of Net Assets included in the Agenda packets. The entire report is posted on the County’s website, under “Departments/Public Works-Highway Division,” and a hard copy is available at the Public Works office if anyone is interested in reviewing the entire report. **Discussion of the report will be carried over to the June Committee meeting in order to allow supervisors adequate time for review.**

Next regularly scheduled Public Works Committee meeting date and time: Monday, June 20, 2011 - 4:00 p.m.

Adjournment

Supervisors Stacey and Wardle moved to adjourn the meeting. The motion carried 5-0, and the meeting concluded at 4:22 p.m.

Meeting minutes recorded by Becky Bechtel, Public Works Department

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

Walworth County Board of Adjustment

MINUTES

May 11, 2011 - Hearing – 8:00 AM

May 12, 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 May 11 & 12, 2011, in the County Board Room of the Government Center in Elkhorn, Wisconsin. Those present on May 11, 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 May 12, 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 May 11, 2011, and May 12, 2011, are kept on file as a matter of record.

The May 11, 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 April 13 & 14, 2011, Minutes and dispense with the reading. Seconded by Ann Seaver. Motion carried. 2-favor, 1-abstain (John Roth). After testimony of all cases, Ann Seaver motioned to recess until 8:00 A.M. on Thursday, May 12, 2011. Seconded by Gregory E. Guidry. Motion carried. 3-favor, 0-oppose.** The May 11, 2011, hearing went into recess at approximately 9:34 A.M.

On May 12, 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 to add: Discussion / possible action regarding correspondence from Jerome Burke associated with Tax Parcel #DM 00010. Seconded by Gregory E. Guidry. Motion carried. 3-favor, 0-oppose. After the decisions were completed, Ann Seaver motioned to adjourn until the June 8, 2011, hearing at 8:00 A.M. Seconded by Gregory E. Guidry. Motion carried. 3-favor, 0-oppose.** The May 12, 2011, decision meeting adjourned at approximately 8:51 A.M.

Three variance hearings were scheduled and details of the May 11, 2011, hearings and the May 12, 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 #7:04:30 – 7:36:41 / Disc #2 Decision – Count #7:01:19 – 7:19:16
The First Hearing was Connie R. & Gordon K. Erickson Trust, owner / Lowell Management, Scott Lowell, applicant – Section(s) 9 – Linn Township

Applicants are requesting a variance from Section(s) 74-167 / 74-181 / 74-221 / 74-232 of Walworth County's Code of Ordinances – Shoreland Zoning to construct additions to a single-family residence.

REQUIRED BY ORDINANCE: The Ordinance requires a 75' shore yard setback from Geneva Lake and a 63.5' (average) shore yard setback to a navigable stream.

VARIANCE REQUEST: The applicants are requesting a 50' shore yard setback (deck) from Geneva Lake, a 44' and 54' shore yard setback (additions) from a navigable stream and a 50' shore yard setback (deck) from a navigable stream. The request is a variance from Section(s) 74-167 / 74-181 / 74-221 / 74-232 of Walworth County's Code of Ordinances – Shoreland Zoning to construct additions to a single-family residence.

BOARD OF ADJUSTMENT DECISION: The Walworth County Board of Adjustment, during the meeting on May 11 & 12, 2011, for the petition of Connie R. & Gordon K. Erickson Trust, owner / Lowell Management, Scott Lowell, applicant voted to **APPROVE** the request for a 50' shore yard setback (deck) from Geneva Lake, a 44' and 54' shore yard setback (additions) from a navigable stream and a 50' shore yard setback (deck) from a navigable stream.

A motion was made by Gregory E. Guidry to approve the creekside variance request for a screened porch. Seconded by Ann Seaver for discussion. Motion carried. 3-favor 0-oppose

APPROVAL of a 44' shoreyard setback from a stream: The Board found the owner is eliminating portions of a deck that exists within the setback of the creek and will incorporate the proposed screen porch addition into the remaining existing deck.

A motion was made by Gregory E. Guidry to deny the gazebo out front. Seconded by Ann Seaver for discussion.

Gregory E. Guidry rescinded his motion to deny. Ann Seaver rescinded her second to deny for discussion.

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

APPROVAL of a 54' shoreyard setback from a stream: The Board found the owner is covering a portion of an existing deck and reducing the size of the deck therefore reducing the footprint of the structure and bringing the structure more into compliance.

A motion was made by Ann Seaver to approve the lakeside deck variance for both the bumpout and the piece of decking to the west. Seconded by John Roth. Motion carried. 3-favor 0-oppose

APPROVAL of a 50' shoreyard setback from a stream and a 50' shoreyard setback from the lake: The Board found to approve the variance request will permit a section of the existing deck to be replaced with a pervious material. The Board found to approve the request does not increase the footprint of the structure. The Board found to approve the request would lessen

impervious surface in the shore yard and benefit the property, the neighborhood and the entire community.

There were two letters of support from neighboring property owners. There was no opposition.

Disc #1 Hearing – Count #7:36:52 – 8:05:19 / Disc #2 Decisions – Count #7:19:23 – 7:23:50
The Second Hearing was G S T Exempt Trust FBO Patricia K. Heiser, owner / Home Design Mfg., applicant – Section(s) 3 – Richmond 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 patio, deck and retaining wall in the shore yard and to construct a stairway.

REQUIRED BY ORDINANCE: The Ordinance requires a 75' shore yard setback and only permits retaining walls where there is an erosion problem approved by the Land Conservation Division.

VARIANCE REQUEST: The applicants are requesting an approximate 59.7' shore yard setback for patios, an approximate 72.1' shore yard setback for a deck, an approximate 69.13' shore yard setback for a stairway and a retaining wall within the 75' shore yard setback. The request is a variance from Section(s) 74-167 / 74-181 / 74-221 of Walworth County's Code of Ordinances – Shoreland Zoning to permit the location of a patio, deck and retaining wall in the shore yard and to construct a stairway.

BOARD OF ADJUSTMENT DECISION: The Walworth County Board of Adjustment, during the meeting on May 11 & 12, 2011, for the petition of G S T Exempt Trust FBO Patricia K. Heiser, owner / Home Design Mfg., applicant, voted to **APPROVE** the request for an approximate 59.7' shore yard setback for patios and an approximate 72.1' shore yard setback for a deck. The request for approval of the approximate 69.13' shore yard setback for a stairway and a retaining wall within the 75' shore yard setback were withdrawn at the hearing.

A motion was made by Gregory E. Guidry to approve the deck and patio variance request. Seconded by John Roth. Motion carried. 3-favor 0-oppose

BOARD OF ADJUSTMENT FINDINGS:

amended May 20, 2011 The Board found the unique circumstances on the parcel to be a pre-existing gravel drive that was in the shoreyard in the same location as the new patio. The Board found the patio was constructed of bricks placed on top of the gravel. The Board also found that surveys of the shoreline had changed. The Board found to remove the structures would be unnecessarily burdensome. Information was provided to the Board that was not available to the Town of Richmond. The former property owner spoke in support. ~~There was a letter of denial from the Richmond Town Board.~~ There was a letter from the Town Planning Commission with a 2-2 decision with one member absent.

Disc #1 Hearing – Count #8:05:22 – 8:31:45 / Disc #2 Decisions – Count # 7:23:58 – 7:33:11
The Third Hearing was Andrew T. & Janus Smith and Phil & Sue Smith, owners – Section(s)

32 – Delavan 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 to a single-family residence (sunroom) and deck.

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

VARIANCE REQUEST: The applicants are requesting an approximate 23' shore yard setback to an addition and an approximate 28' shore yard setback to a deck. 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 to a single-family residence (sunroom) and deck.

BOARD OF ADJUSTMENT DECISION: The Walworth County Board of Adjustment, during the meeting on May 11 & 12, 2011, for the petition of Andrew T. & Janus Smith and Phil & Sue Smith, owners voted to **DENY** the request for an approximate 23' shore yard setback to an addition and an approximate 28' shore yard setback to a deck.

A motion was made by Ann Seaver to deny the variance request. Seconded by Gregory E. Guidry. Motion carried. 3-favor 0-oppose

BOARD OF ADJUSTMENT FINDINGS: The Board agreed with the Wisconsin Department of Natural Resources navigability determination results in finding the waterway to be a navigable stream rather than a drainage ditch. The Board found to grant the variance would not protect the public's interest in navigable waters and would undermine the purpose and intent of the ordinance. The Board also found the owner has use of the property for a permitted purpose without this variance. The Board found the owner could pursue options other than encroaching closer to the stream. The contractor for the project spoke in support. There was a letter of navigability determination results from the Wisconsin Department of Natural Resources. There was no opposition.

Other

A. Discussion / possible action regarding filling the Board of Adjustment vacancy
An applicant will be interviewed for the position on Monday, May 16, 2011.

B. Discussion / possible action regarding correspondence from Jerome Burke associated with Tax Parcel #DM 0010
Jerome Burke appeared and spoke briefly on his own behalf regarding a letter dated May 4, 2011. Jerome Burke had written to the Board of Adjustment to request a refund of \$350.00 paid January 19, 2009, for a decision appeal hearing held March 11 & 12, 2009, before the Board of Adjustment.

The refund request procedure was followed. The Board discussed the refund request and

John Roth made a motion to deny the request for a refund. Seconded by Gregory E.

Guidry. Motion carried. 3-favor 0-oppose

Staff Reports

A. Court cases update

1. Linda D. Friedman / La Grange Township / October 13 & 14, 2010 BOA agenda

The Board was advised the applicant has reapplied for a variance. The Board decided not to discuss the item at this time.

B. Distribution of reports, handouts and correspondence

1. None

Proposed discussion for next agenda

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

- A. Court cases update
- B. Discussion / possible action regarding swearing in the new Board of Adjustment member
- C. Discussion / possible action regarding the start time for Board of Adjustment hearings / meetings
- 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.

**County Board Human Resources Committee
MEETING NOTICE**

Wednesday, April 27, 2011 – 3:00 p.m.

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

Chairperson Ingersoll called the meeting to order at 3 PM.

A quorum of members was in attendance, including Chairperson Ingersoll, Vice Chairperson Grant and Supervisors Brandl, Redenius and Wardle.

Others in attendance included Nancy Russell, County Board Chair; Shane Crawford, Deputy County Administrator - Central Services; Crystal Zarnstorff, Office Manager – District Attorney's Office; Jessica Lanser, Comptroller; Nicole Andersen, Deputy County Administrator – Finance; Vicki Blakeslee, Lakeland School Teacher; Liz Aldred, Deputy Director of Health & Human Services; Dale Wilson, Payroll/Employee Benefits Manager; Suzi Hagstrom, Labor/Employee Relations Director; John Orr, Information Systems Director; Kurt Picknell, Undersheriff; Bernadette Janiszewski, Administrator, Lakeland Health Care Center; Linda Seemeyer, Director of Health & Human Services; Tracy Moate, Lakeland School Director of Special Education; Sheila Reiff, Clerk of Circuit Court; and, Dave Bretl, County Administrator.

Agenda approval. The agenda was approved, with no withdrawals, on motion and second by Supervisors Brandl and Wardle. The motion carried 5 – 0.

Approval of minutes. Approval of the following minutes was moved and seconded by Supervisors Grant and Brandl: March 8, 2011 Human Resources meeting; March 8, 2011 joint Human Resources committee/CDEB meeting; March 16, 2011 Human Resources committee meeting; and, March 21, 2011. The motion included a correction to the March 16 HR minutes, on page 6, to reflect that during the tie vote (2 – 2) concerning “unfreezing” the Clerk of Courts’ Office Supervisor position, Supervisors Brandl and Redenius opposed the motion made by Supervisor Wardle and Vice Chair Grant.

Public comment period. There was no comment from members of the public, but Mr. Bretl indicated that he was helping the County Clerk’s office with the Supreme Court Justice recount and might need to leave during the meeting.

Unfinished Business

Discussion and possible action regarding amendment to Section 15-519 of the Walworth County Code of Ordinances Relating to Holiday Pay Provisions. Suzi Hagstrom asked if Supervisors had had time to review the holiday bank departmental survey results pertaining to this item and whether they any had questions. She indicated that practices vary widely from department to department. Vice Chair Grant indicated that current practice appears to work o.k. but he thinks practices should be consistent across departments of the county. Differences are not fair to

everyone; consistency is important, he said. Ms. Hagstrom asked if he could describe what that consistency might look like. **Grant indicated that if an employee works on a holiday, whether banking or taking a pay-out, they need to declare which they would like, before the time is worked. Once the cap is hit, it needs to be paid out. Once the time is "banked" the only way to get that time would be to take time off with supervisor approval, contingent upon personnel to cover. Supervisor Grant made this a motion, which was seconded by Ingersoll for discussion purposes.** Supervisor Wardle asked what is state law concerning overtime and holiday pay for non-union employees. Hagstrom indicated there is no state law concerning holiday but there is for overtime and comp time worked. County practice now is consistent with law but not consistent across departments. In terms of state law, said Bretl, County practice is compliant with the law and exceeds it. Anything above what state law allows is an enhancement that has been negotiated in collective bargaining. Holiday pay is all over the board when it comes to the unions but consistent for non-represented employees. The issue before the committee concerns non-represented, salaried employees. Chair Ingersoll asked if it would be difficult to accomplish a consistent protocol across departments. Isn't the practice in the Sheriff's Office different than other departments? At the Sheriff's Office and nursing home, 24/7 staffing and coverage cause the need for a different approach, said Hagstrom. Administration staff is never required to work on holiday. Bretl and Hagstrom indicated that committee direction is needed and appreciated. Supervisor Wardle asked if holiday pay is not negotiable. Ms. Hagstrom indicated it is eligible to be changed for non-represented and salaried employees. With wages and benefits, management has tried to provide consistency between union employees and non-represented employees. Supervisor Russell indicated that she thought the proposed ordinance looked very good as drafted. The question was asked whether a calculation as to what, if any, changes would be required as far as the bottom line upon adoption of the ordinance. Is there an additional cost or additional savings? Dale Wilson had calculated costs in February. As an example, concerning accrued time off that is paid out, if banked for time off later but then the employee requests the time to be paid out, it could be an issue if not budgeted for in that department. What about holiday pay on time off for workers compensation? Supervisor Russell indicated she thought that this was excessive. Ms. Hagstrom stated that if management wanted to do something in regard to workers compensation (employees are made whole under their bargaining contract and current ordinances) that could be done at another time. State law only requires that an employee receive 2/3's of their wages. Under current county policy, employees receive a full paycheck while on workers comp time off. The ordinance would need to be reviewed. **Supervisor Brandl moved amending Vice Chair Grant's motion to limit banking hours to 40 and amending the ordinance consistent with that. Supervisor Grant was agreeable to this amendment, pertaining to non-represented employees only.** Supervisors asked who the non-represented employees are. Hagstrom explained they are salaried staff under the county's pay-for-performance and non-represented hourly employees, including special education aides at Lakeland School, RN's and LPN's at Lakeland Health Care Center and clerical staff throughout the county. Including the aides, there are less than a hundred employees, but of those only a small percentage who work holidays. Nicole Andersen requested clarification concerning the motion. Supervisor Grant clarified his motion is intended to be applicable to non-union/non-represented employees. "Can time be banked now and be paid later," asked Ms. Andersen. "No," said Grant. "At what rate is

holiday time to be banked?” asked Andersen. Supervisor Wardle asked why the county can’t just pay double time and be done with it and asked what the problem or advantage was. The departments mostly affected are the Sheriff’s Office and nursing home. Those departments are now paid time and a half for holiday banked time. Undersheriff Picknell stated that he prefers the flexibility in not permitting overtime to have someone cover for an employee who wants to take their banked holiday time as time off later. Holiday time is banked up to 80 hours. Chair Ingersoll asked for how long employee holiday bank limits have been at 80 hours. Ms. Hagstrom indicated it had been at least fifteen years. She requested clarification concerning the committee’s intention regarding revising the ordinance: on an employee’s holiday worked, is the time to be banked or paid out? Picknell asked about banked time that might not be able to be taken as approved time off. A 40-hour bank would stay until time can be taken or paid out (Supervisor Grant). If the bank is at its limit and time off can’t be taken, the bank would be paid out automatically. Dale Wilson asked for clarified of the committee’s intention for anyone whose bank currently exceeds 40 hours. It was suggested to grandfather those employees who are above 40 hours and let them “use the time down” and any future holiday time would be paid until they were under the 40-hour cap. Mr. Bretl suggested that staff incorporate the changes discussed be incorporated into the draft ordinance for review again at the May Human Resources committee meeting. Ms. Hagstrom agreed. Supervisors expressed agreement to review the ordinance again in May unless it was deemed necessary to hold a special HR meeting before the May 10 County Board meeting. Wardle asked for one more clarification: is paid time and a half and 8 hours banked the current practice pursuant to ordinance? This is not as generous as some of the union contracts. The issue is varied throughout the county. Wardle said he is not a fan of banking time and doesn’t understand why we need to be so generous. Under State law, none of this has to be done. Ms. Hagstrom reminded the committee that changes can be made to the ordinance from time to time, unlike changes to union contracts. Chair Ingersoll said there are more union employees that work on holidays than there are non-represented employees who work on holidays. **The Grant/Brandl motion carried 4 – 1 (Supervisor Wardle opposed).**

Market Study Review of the following departments. Ms. Hagstrom explained that half of the departments were in attendance at today’s meeting; the other half will appear in May, following which an initial recommendation will be made and the second-quartile “Average” cell would be set by the committee in the performance pay matrix.

- Administration Office. Ms. Hagstrom indicated the HR portion is staffed similar to comparable counties as to positions and numbers: in the middle or near the bottom. She stated there are no issues. Mr. Bretl indicated that Corporation Counsel attorney positions are, on average, slightly lower on the pay scale than comparable counties; nevertheless, they are competitive and we have been able to attract and retain quality lawyers.
- Clerk of Courts. Sheila Reiff indicated that certain positions existed when the market study began last fall, but now the only position that currently exists in Walworth County is the Office Manager (Courts) position. There were no questions from committee members. Reiff said staff are not always comparing apples to apples from county to county. She said

that Washington County usually is comparable to Walworth County. Supervisor Wardle had noticed the same.

- District Attorney. Phil Koss has two positions. The office manager is in the middle of the comparables. Koss asked if paralegal positions were looked at. Other counties have attorneys doing the work so there are not many comparables. Koss uses a law clerk for such duties. He said the arrangement works great. Supervisor Grant asked if Koss utilized attorneys, how they would be classified. Those employees would be on the county payroll. The State only pays the district attorney and assistant D.A. salaries.
- Health & Human Services. Liz Aldred indicated there are two positions currently red-circled in the HHS department. The HS Supervisor - ADRC and HS Supervisor – Ongoing Case Management ranked low with their comparables. Ms. Hagstrom will address these positions in her initial recommendations at the May HR meeting. Supervisor Wardle asked about the deputy director HHS positions; Dodge and Washington counties are the two closest comparables. Wardle thinks Waukesha County should not be used as a comparable. He said it appeared that Walworth County is 10-15 % above Dodge and Washington county averages fairly consistently and said it seemed like we are over-paying staff. Ms. Aldred said we have a lower income level in our population base and higher number of clientele accessing HHS services than many of our comparables.. In addition, we also offer more diverse services than comparable counties. In terms of overall philosophy of the HHS management, Mr. Bretl said that in regard to the director and deputy director positions, our nursing home is under management of those positions.
- Information Technology. IT is unique in that some departments don't have the same issues, said John Orr. IT employees have been drawn solely from the private sector in the past 10 years. Mr. Orr was concerned that our IT department has become a training ground for others, he said. He indicated that he thought Mr. Crawford and Ms. Hagstrom had done a great job in putting together comparables. Some counties have multiple staff to cover duties in their IT departments. Our IT staff each have combined duties. Our desktop lead server specialist also does lead server support. The pay schedule makes it seem that we pay high; however, our staff's duties are greater compared to other counties. Our Applications Supervisor also maintains GIS functions; no other county does the same. Many positions have been combined over the past decade and individuals have been cross-trained. There are fewer staff in Walworth County's IT department than in other counties. Two positions were not even categorized. The Supervisor of Network Operations and Network Specialist positions are being analyzed and a recommendation will be brought to the committee in the future. Those positions are paid below or at mid-point to comparables. There has been significant turn-over in the department; individuals have left for better paying jobs, said Orr, who recommended reviewing the two positions and said he would defer to the HR director's recommendation about salary. Burnout can occur, said Vice Chairman Grant, in IT departments. Eight to ten people have been hired in the past ten years due to attrition. Half of the staff are from the eastern Wisconsin counties. There are not many technologically savvy individuals in the county pool from which to draw and hire. The amount of time and money spent training IT people has been a concern, said Orr.
- Public Works. Shane Crawford noted that his pay is among the top three in this region of the state (amongst our comparables). Most other public works directors are PW directors or

highway commissioners. He also supervises purchasing and has Deputy County Administrator duties. In this department, as well, position duties have been combined significantly. For example, there are positions doing plowing that are paid more than his assistant road superintendents due to their ability to get overtime. If he continues to contract out positions instead of filling vacancies, it will be difficult to promote from within since many staff positions already have combined duties.

Other departments will be reviewed next month. Ms. Hagstrom indicated that those departments which were reviewed today will be included in her recommendation to the committee next month.

New Business

Approving Side Letter Agreement between Walworth County & Highway Employees' Union 1925 regarding 4-10 work schedule. This is the fourth year a side letter has been approved. The agreement saves the county money; more work gets done in a safe environment. The agreement has not changed since last year. **Supervisors Grant and Redenius moved and seconded approval.** Supervisor Wardle asked if, in a ten-hour work day, employees get an [additional] afternoon break. Staff answered that they do not; two 15-minute breaks are part of the schedule. Wardle wanted to know if staff thinks the workers are really more productive after 8 hours of work. Mr. Crawford answered that this has been monitored over the past few years. Some staff who worked four 10-hour days on the highway crew are now in management ranks; they believe it is working well. The union voted in support of it. Management sometimes works later than the crew to monitor work [flow and production]. Avoiding Fridays has been a great approach because the traffic volume on I-43 is so much higher on Fridays, which is a safety issue. That is one of the primary reasons for continuing the four 10-hour day practice. Setting up a construction zone takes time so the longer it can be utilized and staff can work in a construction zone, the better it is. This is an advantage, said Mr. Bretl, who supports adoption of the 4-10 work schedule again this year. He said he agreed it should be reviewed annually. Management is working not only the ten-hour day but also on Fridays. **The Grant/Redenius motion carried 5 – 0.**

Discussion and possible action regarding releasing one or more positions "frozen" pursuant to Section 15-3 (b) of the Code in the following departments

Clerk of Courts. The Office Supervisor position is frozen. There was a tie vote at the last HR committee meeting concerning unfreezing it. Chair Ingersoll stated that she had asked Sheila to bring some bullet points to today's meeting, i.e., key factors as to why Reiff feels the position should be unfrozen. Ms. Reiff's list was provided to the HR committee members. When the person who formerly filled the Register in Probate position retired, Sheila researched it and wanted to turn a full-time position into contracted position. She wanted an attorney to take on the register in probate duties but it can't be done fiscally so the office manager and Sheila took on the additional duties. The judges appoint the Register in Probate. Annual evaluations, judgments, bonds and warrants are matters that can, potentially, be a liability if the work doesn't

get done. To cover the Register in Probate duties, Sheila and the office manager must be able to have someone handle the daily office management of employees. Sheila pointed out CCAP funding, and stated that she is trying, at the state level, to get more funding for the county. There are three staff on family leave at present, who can, under federal law, take up to 12 weeks off work. After reviewing the bullet point, she asked if committee members had any questions. Vice Chairman Grant said he thinks the position is needed. Supervisor Brandl asked if it could be a non-supervisory position. The position needs to be able to work on confidential issues, including hiring, firing and disciplinary notices, which cannot be done by a lead worker; however, said Ms. Hagstrom, such activities can be directed by management staff. Could a lead worker be comfortable writing up a disciplinary notice on another employee, a co-worker, for Sheila's review? That practice is actually done in the Sheriff's office, said Hagstrom. Supervisor Grant said he'd had that experience in the police department in Whitewater and he understands the issue. He reiterated that he thinks the office manager position is needed. Sheila said she is always seeking ways to save money, get more funding. It was noted that grant money will be cut 10% by the State. The State public defender indigency level has not been raised in many years. This will have a substantial effect on next year's Clerk of Courts budget. Supervisor Brandl asked if Sheila needed the money to keep other functions going. She stated she had already received part of the grant money for the year. **Vice Chairman Grant moved to un-freeze Clerk of courts position; Chair Ingersoll seconded the motion.** Sheila stated that she is looking at restructuring her office even further, which may save more money. **The motion carried 3 – 2, with Supervisors Brandl and Redenius opposing it.**

Lakeland Health Care Center. The following positions are currently frozen: 0.2 FTE CNA, 0.2 FTE CNA, 0.5 FTE CNA and 0.6 FTE LPN. Similar positions have been reviewed in past months. Bernadette Janiszewski said if the RN level at the LHCC is reviewed, our county is low compared to other nursing homes. Our RNs are paid higher, but we have fewer and they supervise a memory care unit that is covered 24/7. The CNA ratio is the same as in other facilities. Housekeeping and food service are being outsourced through attrition. If staff are willing to work OT, could money be saved? Not all staff are willing to work overtime, and it cannot be mandated. Staffing through a staffing agency is problematic. Janiszewski was asked if it would be worth trying for 6 months to see if current staff would be willing to work OT. If not, temporary staffing agency staffing must be utilized to cover position duties and hours. Covering the hours associated with the frozen positions would entail approximately 104 hours/month, said Hagstrom. **Vice Chairman Grant moved to unfreeze all four positions. The motion was seconded by Chair Ingersoll and carried 3 – 2; Supervisors Brandl and Redenius opposed.**

Finance department. The Financial Analyst position is frozen. Nicole Andersen was in attendance with Jessica Lanser, Comptroller, who supervises the position. Finance staff recently took over (2009) investment oversight for the county. The frozen position is responsible for the calculations of County investment worksheets. There is close to \$600,000/year more in investment earnings since this work was taken over by a dedicated position. At present, investments are sitting in the government pool because staff does not have the time to devote and at the same time keep up with the other duties. The salary for the Financial Analyst is

\$50,000. Qualifications for the position are a 4-year accounting degree and 2-3 years of experience. Ms. Andersen was asked how much money is available to invest. \$175 million or \$60 million on the low side. Summers investments are higher when the county is holding property tax money. Why are investors not scrambling to handle the county's investments? A number of different brokers do provide advice. The county has an outside investment advisor for OPEB investments, said Ms. Andersen. The Finance committee has not historically recommended using an outside investor. County Board Chair Russell stated she is frugal but thinks that this position, based on her experience at finance committee having County investments monitored, has saved the county money. Counties are restricted in the types of investments they can make. Brokers want to make money on the investments they handle. Russell recommended replacing the position. She said it would be "penny wise and pound foolish" not to re-fill the position. The position also assists with end-of-year financial statements and software implementation. Mr. Bretl stated that he feels strongly about this because how the county invests taxpayer money can reflect strongly on the county's financial rating overall. He said it is worth spending the money for the position considering the money that is at stake. With \$120 million at stake, many brokers are clamoring for the county business. Bretl recalled that in 1985, a broker sold collateralized investments which cost the county thousands of dollars. Supervisor Grant commented that he recalled that as well. The county took the broker to court to try to collect. There were 30-year obligations, not a liquid way to invest tax dollars. **Supervisors Brandl and Redenius moved and seconded unfreezing the Financial Analyst position; the motion carried 5 – 0.**

Guidance regarding the future of the hiring freeze. Mr. Bretl said he was requesting committee guidance. The first germane question is, how to see the end game of this process, which has been difficult for committee members. He stated that he hoped everyone had collectively learned from the process. Bretl asked when the committee wanted to entertain wrapping up review of frozen positions. He suggested that perhaps July would be timely. He begins meeting with departments to review 2012 budget proposals in August and typically waits to fill vacant positions until November, after the 2012 budget adoption date. July should be the absolute latest month. He recommended at least one more session of reviewing frozen positions. He thinks it is a good idea to let departments know when the "last call" will be. Ultimately the county board has the say. In September, around Labor Day, the full Board has opportunity for input. Chair Ingersoll suggested wrapping up in June. In addition, she thanked the committee during the difficult time of review during the past many months and for giving thought to the review process. Departments have also worked hard; she thanked everyone for their part. **Supervisors Brandl and Wardle moved and seconded concluding review of frozen positions in June; the motion carried 5 – 0.**

Mr. Bretl asked committee members whether they wished to give any further consideration to the UW-Extension Clerk III position. The request to unfreeze the position was not granted in November of 2010. Bretl's interpretation of the committee's vote was not to queue up any further discussion about unfreezing the position. If the committee wants to review it again in May, a motion would be needed. If, on the other hand, members are comfortable leaving the position frozen, no further action is needed. Supervisor Wardle said he wanted to leave it

frozen. Supervisor Grant asked if a report from the Extension department head would be in order. Chair Ingersoll stated she was in favor of an updated report about how it is working without the position filled. If a status report is provided, it should be without the expectation of unfreezing the position. **Vice Chairman Grant moved the Extension department head, Christine Regester, providing the committee with a current status report at the May meeting. Chair Ingersoll seconded the motion. There was no further discussion. The motion carried 3 – 2 (Brandl and Redenius opposed).**

Lakeland Education Association communication regarding continuation of commitment in meeting the needs of students with special needs in the county. We are in a period of great uncertainty because of state overspending, budget repair bill and state biennial budget, said Mr. Bretl. He doesn't believe if there is an easy answer. There is disagreement among the counties as to whether there is a budget bill. County staff is working toward the day when the budget bill passes and the union contract is no longer a reality if the state bill becomes law. He strongly recommended a joint human resources committee and CDEB meeting sometime before June 30, 2011 and inviting members of the bargaining unit to provide their ideas. Ms. Hagstrom agreed that a joint meeting is needed. Management has been meeting for over a month, putting teacher rules into ordinance format, to be reviewed by CDEB and HR committee for consideration by the County Board in June. Supervisor Ingersoll expressed concern about a joint meeting date and time. The LEA union president tentatively set up a meeting following the County Board June meeting to allow time for the union members to hear and absorb the changes. A May joint meeting would work. Tracy Moate said that would work for her, as well. Does the committee want management to respond to the LEA correspondence? **Vice Chair Grant moved support of a joint May 18 Human Resources committee meeting with CDEB and administration responding to the LEA. The motion was seconded by Wardle and carried 5 – 0.**

Chair Ingersoll said she had no reports or announcements.

The next meeting date and time were confirmed for Wednesday, May 18, 2011 at 3:00 p.m.

Chair Ingersoll adjourned the meeting at approximately 4:55 on motion and second by Supervisors Grant and Brandl.

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

**County Board Executive Committee
April 25, 2011 at 10:00 AM
County Board Room 114
Walworth County Government Center
100 W. Walworth St., Elkhorn, Wisconsin**

Draft Minutes

Chairman Weber called the meeting to order at 10 AM.

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

Others in attendance included Linda Seemeyer, Director of Health & Human Services; Nicole Andersen, Deputy County Administrator – Finance; Supervisor Kathy Ingersoll; Shane Crawford, Deputy County Administrator - Central Services; John Orr, Information Systems Director; Dave Graves, Sheriff; John Ennis, Emergency Management Director; Supervisor Carl Redenius; Ken Yunker, Executive Director of the Southeastern Wisconsin Regional Planning Commission (SEWRPC).

Agenda approval was moved by Supervisor Hawkins, amending it as suggested by County Administrator Bretl, to move up discussion regarding the County redistricting, to immediately follow public comment. The motion was seconded and carried by a 5 – 0 vote.

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

Public comment period. Mr. Bretl indicated today was the first meeting at which we are piloting use of video streaming meetings. Supervisors will have an opportunity to review the video. Information Technology staff has made worked on the system to get it ready for operation. Bretl wanted to ensure that Supervisors were aware that pressing their microphone would cause the video camera to run.

Ongoing/unfinished business

Community Development Block Grant (CDBG) emergency relief funding, 2008 flood damage update – John Ennis, Emergency Management Director. Staff is moving forward with offer to purchase the house in Whitewater. Ennis met with the title company that will handle the closing.

FEMA expense recovery from the February 2011 snow storm – Emergency Management Director John Ennis referred to the storm as “ground hog day blizzard.” Walworth County has applied to the state for financial aid relief following an official declaration as a disaster area. Approximately \$300,000 was expended by the county in clean-up. FEMA staff is now on-site in the county reviewing community expenses. We will probably recover 75 – 85% of our costs, said Ennis. He told Supervisors they may get calls from constituents about this. At the briefing two weeks ago, FEMA reported that the county should be reimbursed within two to three months.

Jail study

- 1) Update regarding JAG Criminal Justice Coordinating Councils (2009) grant application. Mr. Bretl said the grant application was submitted late in the process, a grant available to CJCCs. One part of the grant funding was for newly-formed CJCCs; the second part was for programming for existing CJCC activities. The Walworth County CJCC was formed in 2004. Our grant application proposed using funding to expand e-monitoring and study the effects of its use. We were recently informed that we would not be receiving any grant funding. Bretl said he felt that it was, nevertheless, worthwhile to do the exercise. All CJCC members were in consensus in support of expanding e-monitoring. Furthermore, Sheriff Graves is still committed to moving forward with electronic monitoring expansion in the jail.
- 2) Update regarding Criminal Justice Coordinating Committee (CJCC) activities. Alcohol court training is scheduled to take place in June in Michigan. A group of Walworth County judges, the District Attorney and law enforcement officials is planning to attend. Mr. Bretl reported that today is the day staff is reviewing four proposals that were received for an assistant to the CJCC. A group of judges and CJCC members will be reviewing the proposals and bringing the information to the Executive committee.
- 3) Goals of criminal justice system. There may be merit in pulling together some thoughts and guidance based upon the committee's jail study of the past fifteen months. Mr. Bretl asked members what items stood out from the study for them. Evidence-based jail alternative practices is one that stood out when he reviewed the committee's proceedings of the past year, said Bretl. Vice Chairman Kilkenny said he had read the JSONline article about the Milwaukee District Attorney's initiatives to implement a different approach in the criminal justice system in that county. Kilkenny agreed with Mr. Bretl about evidence-based practices and said the County Board is a steward of public funds. He said he did not think anyone would disagree with those two points. In addition, Kilkenny stated that based upon his experience, one thing that has shifted is the courts staying sentences. Supervisor Russell said the committee had, at one point, discussed the importance of incarcerating those we are afraid of, not those we are angry at. She said that, included with the points made by Mr. Bretl and Supervisor Kilkenny, would cover it. In addition, rehabilitation of jail inmates, which is covered in evidence-based practice, is important. Those people who are incarcerated should be those that are a danger to society, said Russell. Chairman Weber said another goal statement might include shifting jail resources from the back end to the front end of the criminal justice system. Mr. Bretl stated that he would summarize the committee's stated goals and provide a draft policy statement to be reviewed at the May meeting.

Appointments

- a) Aging and Disability Resource Center (ADRC) Board. County Administrator Bretl's nominations of Mary Polachowski and Ken Sathern were recommended on motion and second by Supervisors Kilkenny and Hawkins, subject to a favorable vote of the HHS Board. The vote carried 5 – 0.
- b) Board of Adjustment - County Administrator's nomination for appointment to a vacant alternate position. Pursuant to the requirement in section 2-131 (a) (4) c of the Walworth County Code of Ordinances, the committee will interview BOA nominees. Supervisors Russell and Brandl moved and seconded inviting Elizabeth Sukala to be interviewed at the May committee

meeting. Interview questions and Ms. Sukala's citizen notice application will be provided to committee members before the next meeting to review. **The Russell/Brandl motion carried 5 – 0.**

c) Lake Geneva Public Library Board. County Administrator's nomination of Fritz Oppenlander for reappointment was recommended by Vice Chairman Kilkenny and Supervisor Russell, and carried 5 – 0.

Consent items . Supervisors Hawkins and Russell moved and seconded approval of the following claims. The motion carried 4 – 0 (Supervisor Kilkenny abstained).

- a) Mileage reimbursement claim of Richard Kuhnke, Wisconsin River Rail Transit Commission representative, in the amount of \$66.30
- b) Mileage reimbursement claim of Supervisor Kilkenny in the amount of \$52.02

New business

Recognition of Walworth County United Way fund-raising drive. At the point we had discontinued a county drive, Mr. Bretl explained, there were only four County employees on payroll deduction. We promoted awareness at the county to participate in the 2010 drive when the Lake Geneva and Delavan United Way chapters combined. There was a combination of payroll deduction, including overall one-time contributions and creative/innovative fund-raising efforts throughout the county in 2010. Mr. Bretl requested consideration of the committee sponsoring County Board recognition of two employee groups at the May or June Board meeting. LHCC employees would be recognized for creativity. Government Center employees won both one-time donations and payroll deductions. Since the Register of Deeds and Veterans offices had 100% participation, they could be invited to attend the Board meeting on behalf of Government Center employees. **Supervisors Russell and Kilkenny moved support of recognizing County departments at the next County Board meeting that department heads are available to attend. The motion carried 5 – 0.** Mr. Bretl indicated that he plans to order plaques to be presented to the departments for their offices to display.

Resolution recognizing Badger High School culinary team for 2011 ProStart Invitational Culinary Competition championship. Supervisor Russell moved recognizing the culinary team at the May County Board meeting. **The motion was seconded by Supervisor Hawkins and carried 5 – 0.**

Discussion regarding questions for SEWRPC relative to redistricting. Every 10 years the United States Census necessitates redrawing supervisory district lines. The goal is to ensure each district represents approximately the same number of residents. In January, the County Board adopted a resolution directing SEWRPC to draw a redistricting map and plan following the guidelines provided by the County Board. This has been done based upon computer models, and the map was distributed to Supervisors at the April 19, 2011 County Board meeting. Mr. Bretl asked Executive committee members if there was there was any other work for SEWRPC to do between now and the May 10, 2011 public hearing on the redistricting plan. He explained that there is a short turn-around time. The county must provide its new plan to the municipalities within 60 days of adoption. It was suggested that today's meeting be utilized to review the methodology used by

SEWRPC. The following criteria were provided to SEWRPC in the Board's January 2011 resolution:

- Making the population of each supervisory district the same within a 3% variance.
- Following existing ward boundaries. There were only 2 locations where they could not be followed, the City of Whitewater because wards could not be combined and remain within City boundaries, and the Town of Linn where it was not possible to combine wards and include the City of Lake Geneva without cutting across township.
- Districts should consist of whole, contiguous municipalities – trying to avoid splitting a city, village or town into municipal supervisory districts. SEWRPC reviewed ten different versions of a redistricting plan that were viable. Compared to current supervisory districts, some remain the same, but there are some changes related to getting municipalities into a single supervisory district.
- No consideration of the residence of any current supervisor.

Chairman Weber asked whether there was consideration of school districts. SEWRPC attempted to minimize the number of ballots in municipalities, said Mr. Yunker, but school district boundaries really do not follow municipal boundaries. It is not possible to accomplish both objectives, Mr. Yunker stated. Weber asked if there was consideration regarding the constituency in districts. In the past, his district encompassed a constituency that shared interests and problems. The last redistricting changed that composition, he said. Yunker, who is executive director for SEWRPC, said that was not among the criteria and guidance provided to SEWRPC by the County Board. Most towns fall into one supervisory district. Vice Chairman Kilkenny asked about the variances, specifically. They range from .11% to 2.47%, said Yunker. Variances could have been tighter but wards would have to have been split. To the extent possible, wards are supposed to be maintained. Kilkenny lives in the town of Darien adjoining city limits. He said it appeared the new district really crosses school district lines and the new districts may not represent communities in the best way possible. School districts are where the community is, said Kilkenny. Postal zones are not contiguous with supervisory districts, said Weber. Traditionally the east portion of Delavan township was Williams Bay School district, said Weber. Now that is not so. Lake Geneva by itself is not populace enough to comprise a supervisory district. Trying not to break apart wards and maintain municipalities in a single supervisory district was of primary importance. Perhaps in the future criteria might include "communities of interest," such as lake residents, etc., said Weber. Supervisor Russell said the executive committee established the criteria that were adopted by the County Board for SEWRPC's work in drafting new supervisory district maps. She stated that she does not think at this point it would look good to the public to change the criteria or do something that could be construed as supervisors looking out for their own interests. Kilkenny asked if there are statutory criteria that must be followed. Statutory requirements include a plus or minus 3% variance, districts comprised of whole census blocks, contiguous wards and utilization of the 2010 Census data. Supervisor Kilkenny stated that he shared Supervisor Russell's concerns. Chairman Weber asked Mr. Bretl for his advice. From SEWRPC's point of view, a relatively small change to one district can create a shift in another district. At the last redistricting, there was an issue because there was no candidate for supervisor in La Grange township. If the clock were turned back, former supervisors might express the same concerns that are being expressed today. During the last redistricting efforts, in 2000 and 2008, Supervisors were forced to run against each other in the election. Bretl thanked SEWRPC for

their work in following scrupulously the criteria established by the Board. By May 21, we must have something approved to provide to the municipalities. Now would be the time to request SEWRPC look at a particular aspect if the committee wanted SEWRPC to consider alterations to the map. Kilkenny asked about a map that shows the ward blocks. Weber said he did not want to sound self-serving, but said there are constituents who have approached him about their concerns regarding Highway 50 expansion. He seemed to point to this as an example of a “community of interest.” Those residents would be in the 5th supervisory district in the new district plan. Supervisor Weber said he thought some degree of consideration should be given to such dynamics. Supervisor Kilkenny agreed to support reviewing districts 5 and 7 to try to meet the objective of “community of interest” district representation. Mr. Bretl stated that it’s important to articulate exactly what we want SEWRPC to look into; it needs to be narrowed down. Given the timeframe and timelines, what specifically do Supervisors want SEWRPC staff to review? Existing supervisory representation was not a criterion that was considered based on the resolution adopted by the County Board. It is not illegal to consider the addresses of current supervisors; however, that is a different criterion than “communities of interest.” Considering communities of interest at a countywide level is a more difficult (and broad) task. Supervisor Weber mentioned certain areas, such as Westshire neighborhood in Delavan Township and the west side of the Delavan inlet. He also mentioned Highway F and Mound Road, what is known as the Shodeen development, in Delavan township. Weber described these as “communities of interest.”

Supervisors Kilkenny and Weber moved and seconded consideration of a revised supervisory district map based on these considerations. The motion failed by a 2 -3 vote, with Supervisors Hawkins, Russell and Brandl voting in opposition. In her district, there are three very different communities of interest represented, said Supervisor Russell. The Badger High School district is currently split into two different supervisory districts. She expressed concerns and said they were her reason for voting against reviewing and setting different criteria for the supervisory district map.

Discussion regarding addition of members to local library boards. Mr. Bretl said a member of the Delavan Aram Library Board requested that the county appoint an additional member to their board. Statutes provide for representation based the county apportionment to support the library’s operations. It is sometimes difficult to find citizens interested in serving on library boards, said Bretl. Oftentimes, we don’t receive any applications when a library board position needs to be filled. We would need to conduct a financial analysis to see what the county’s apportionment is to each local library board before determining whether the county could legally appoint an additional member to the Aram Board. Supervisor Russell asked about polling the townships concerning appointing a town member to represent them on the library boards. Mr. Bretl indicated that the Wisconsin statute pertaining to county appointments to municipal and joint public library boards states that counties “may” appoint. Perhaps the question could be posed to towns and local library boards. Russell said that from her perspective, it seems some libraries are not even aware of the statute. **Supervisor Russell moved to poll the library boards and towns concerning county appointments to their boards. Supervisor Kilkenny seconded the motion, which carried 5 – 0.**

Jackson County resolution no. 9-3-2011 expressing support for U.S. Department of Interior, Bureau of Indian Affairs, Indian Reservation Roads Program. Shane Crawford indicated that

there are no reservations in Walworth County. **Supervisors Kilkenny/Hawkins moved and seconded placing the resolution on file; 5 – 0.**

Langlade County resolution #15-2011 supporting veteran benefits funding. Supervisors Russell and Hawkins moved and seconded sponsoring a similar resolution for County Board adoption. The motion carried 5 – 0.

Langlade County resolution #16-2011 supporting the Orville Lemke Bill – Fast Track Process for Purple Heart and Other Military Related Honors. Veterans Services Officer Chris Jordan indicated that from her perspective, the conveying of Purple Heart honors was a matter that was best left under federal purview. **Supervisors Kilkenny and Russell moved and seconded placing the resolution on file. The motion carried 5 – 0.**

Portage County resolution no. 140-2010-2012 – a bill for fast track process for Purple Heart and other military honors. This resolution is similar to the Langlade County resolution. **Supervisors Kilkenny and Brandl moved and seconded placing this resolution on file; motion carried 5 – 0.**

Pepin County resolution No. 30-2010 to establish a non-partisan election for the Legislature and county offices. The notion of county offices being non-partisan makes sense, said Vice Chairman Kilkenny, who stated support of drafting a modified version of this resolution to express support of *county offices* being non-partisan; **so moved and seconded by Supervisors Kilkenny and Russell; the motion carried 5 – 0.**

Wood County resolution #11-3-17 supporting action by the Wisconsin State Legislature to end predatory lending in Wisconsin. Mr. Crawford indicated that the committee had reviewed a resolution similar to this from another county within the past year and voted to place it on file. **Supervisors Kilkenny and Hawkins moved and seconded placing the Wood County resolution on file. The motion carried 5 – 0.**

Chairman Weber indicated he had no reports or announcements.

The next meeting was confirmed for May 16, 2011 at 10 AM.

Claims and litigation. Supervisors Kilkenny and Brandl moved and seconded convening in closed session, and all members voted “aye.” At 11:20 AM, the committee convened in closed session pursuant to the exemption contained in Section 19.85 (1) (g) of the Wisconsin Statutes, “conferring with legal counsel for the governmental body who is rendering oral or written advice concerning strategy to be adopted by the body with respect to litigation in which it is or is likely to become involved,” relative to the items listed below:

- a) Claim of Cynthia Lentz for vehicle damage. Recommend denial and clerk serve disallowance.
- b) Notice of subrogation claim of Progressive Insurance in regard to their insured, Thomas Barkas.

Supervisors Kilkenny and Hawkins moved and seconded reconvening in open session. All members voted “aye.” Supervisors Hawkins and Kilkenny moved and seconded disallowing the Lentz claim; the motion carried 5 – 0. Supervisors Kilkenny and Hawkins moved and seconded Corporation Counsel Bretl proceeding as discussed by the committee in closed session relative to the Barkas subrogation matter. The motion carried 5 – 0.

Chairman Weber adjourned the meeting at approximately 11:30 AM on motion and second by Vice Chairman Kilkenny and Supervisor Russell.

PLEASANT LAKE PROTECTION AND REHABILITATION DISTRICT

SPECIAL MEETING

SATURDAY, NOVEMBER 13, 2010, 9:00 AM
LAGRANGE TOWN HALL

MINUTES

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

Motion to approve the Agenda (Doug Behrens/Bob Arnold) Carried

Motion to increase the number of members of the board of commissioners to be elected from 3 to 5 with terms expiring at the annual meetings in 2012 and 2013 and subsequently at 3 year intervals (Doug Behrens/George Kroupa) Discussion of reasons to increase the board members; increased involvement, more help to more effectively do the work of improving and maintaining quality of the lake. Motion carried.

Motion to nominate Ted Slupik for board commissioner with term expiring at the annual meeting in 2012 (Rick Callaway/Marcia Sahag) Carried

Motion to nominate Pat Kachur for board commissioner with term expiring at the annual meeting in 2012 (Bohdan Kachur/ Dave Stamm) Carried

Motion to close the nominations (Rick Callaway/Doug Behrens) Carried

Phil Holland and Brett Holland counted the ballots.

Ted Slupik was elected for board commissioner with the term expiring at the annual meeting in 2012.

Motion to nominate Marcia Sahag for board commissioner with term expiring at the annual meeting in 2013 (Doug Behrens/Bernie Slupik) Carried

Motion to nominate Pat Kashur for board commissioner with term expiring at the annual meeting in 2013 (Ozzie Mohr/Brett Holland) Carried

Motion to close nominations (Doug Behrens/Cheri Scharbach) Carried

Phil Holland and Brett Holland counted the ballots

Marcia Sahag was elected for board commissioner with the term expiring at the annual meeting in 2013.

Motion to adjourn the special meeting (Ted Slupik/Doug Behrens) Carried.

Respectfully submitted,

Doug Behrens, Secretary

