

County Zoning Agency
MINUTES
December 20, 2012 – 4:00 p.m.
100 West Walworth Street
Elkhorn, Wisconsin

Chair Rick Stacey called the meeting to order at 4:03 p.m.

Roll call – Committee members present were Chair Rick Stacey, Vice-Chair Dave Weber, Supervisors Rich Brandl, Carl Redenius and Tim Brellenthin, and Citizen Members Richard Kuhnke, Sr. and Jim Van Dreser (arrived 4:11 p.m.). A quorum was present.

County Staff present – Land Use and Resource Management Department Director Michael P. Cotter, Senior Planner Neal Frauenfelder and Watershed Technician Chris Rieck.

Present for a portion of the meeting / hearing were Walworth County Administrator David A. Bretl and Land Use and Resource Management Department Senior Zoning Officer Debora Grube.

A “sign-in” sheet listing attendees on December 20, 2012, is kept on file as a matter of record.

Details of the December 20, 2012, meeting / hearing are on a recorded disc which is on file and available to the public upon request / video to view on our website:
www.co.walworth.wi.us

Rich Brandl motioned to approve the agenda as amended to pull item 8.c.1. Mt. Zion Christian Temple Inc. Seconded by Dave Weber. Motion carried. 6-favor 0-oppose

Richard Kuhnke, Sr., motioned to approve the November 15, 2012, Minutes. Seconded by Dave Weber. Motion carried. 6-favor 0-oppose

Zoning / Sanitation / Land Conservation Enforcement – Michael Cotter
Webcam Count #0:1:37 – 0:2:35

Subdivision Items – Old Business - none

Subdivision Items – New Business

DLSG, LLC. Proposed 2-lot, 1-outlot Certified Survey Map, Section 13, Town 2 North, Range 17 East, Town of LaFayette Parcel #'s K LF1300004 and K LF1300004A. The proposed CSM contains 71.059 acres of land and is zoned A-1 Prime Agricultural Land District, C-4 Lowland Resource Conservation District (Shoreland) and C-1 Lowland

Resource Conservation District. This CSM requires CZA review and approval due to the creation of an outlot. – Neal Frauenfelder

Rich Brandl motioned to approve this item with the following conditions including the modification of Condition #4:

- 1) Approval is subject to showing the floodplain boundaries on the face of the CSM.
- 2) Approval is subject to moving the 50 foot wide easement from Townline Road to connect with the A-1 zoned portion of the outlot. (This condition has been satisfied.)
- 3) Approval is subject to adding a notation on the face of the CSM that identifies the outlot as appurtenant to one or both of the lots contained in the CSM.
- 4) Approval is subject to adding a notation on the face of the CSM that states: that restricts “The outlot to recreational use and prohibits the construction of any structures.”
- 5) Approval is subject to adding a notation on the face of the CSM that states: “No fill in the floodplains or wetlands”.
- 6) Approval is subject to deleting the reference to COMM 83 in note #3 on the CSM and replacing it with SPS 383 of the Wisconsin Administrative Code.
- 7) Approval is subject to meeting all requirements of state statutes and county ordinances.

Seconded by Dave Weber. Motion carried. 7-favor 0-oppose
Webcam Count #0:2:41 – 0:10:49

Old Business – Discussion Items

Discussion / possible action on Boss Family LLC. (Dan Boss – Applicant) Section 33, Richmond Township. Rezone approximately 8.4 acres of A-1 Prime Agricultural District to A-4 Agricultural Related Manufacturing, Warehousing and Marketing District in order to bring an existing contractor storage yard into compliance with the County Zoning Ordinance by obtaining a conditional use permit. Part of Tax Parcel C R 3300002.

The rezone and conditional use permit has been APPROVED subject to the following conditions:

General:

1. Approved as per plan submitted as a contractor storage yard with office and outside storage 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. On site hours of operation shall be from 6:00 a.m. to 6:00 p.m. Monday through Saturday with hours after 6:00 p.m. for off premise work and returning of equipment to the premises seven days a week.
4. Must meet all applicable Federal, State, County and local regulations.
5. Outside lighting shall be shielded and directed on site.
6. The applicant must obtain all required zoning permit approvals including a sign permit.
7. No fill, debris, branches or leaves may be brought back and disposed of on site. No burning of waste materials shall occur on site.
8. The applicant must obtain a County Land Disturbance Erosion Control and Stormwater Management Permit from the County Conservation Office. The applicant must submit and obtain approval of a landscaping plan from the County Conservation Office.
9. 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.
10. The project site must be kept neat, clean, and mowed.
11. If the Land Management Department determines that changes in either the character of the use or the intensity of the use are not consistent with this approval, then those changes must be brought before the County Zoning Agency for approval.
12. Failure to actively exercise this conditional use within three years of the approval date shall result in automatic dismissal without prejudice. The property owner may request a time extension for actively exercising the conditional use. A time extension for actively exercising the conditional use must be requested in writing during the original three year period. Any extension requested during the three year active exercise period greater than one year beyond the original three year period shall require additional Town and County committee approvals.

Specific conditions:

13. No general public sales allowed on premises.
14. The number of employees shall be limited to the owner and three employees as specified.

15. No business activities other than specified in the plan of operations may be conducted from out of the contractor storage facilities.

Dave Weber motioned to approve the rezone and the conditional use. Seconded by Jim Van Dreser. Motion carried. 7-favor 0-oppose

The rezone petition will move forward to the January 8, 2013, Walworth County Board for possible action.

Webcam Count #0:10:50 – 0:14:49

New Business – Discussion Items - none

At 4:18 p.m. Rich Brandl motioned to recess before the public hearing portion of the meeting. Seconded by Dave Weber. Motion carried. 7-favor 0-oppose

Public Hearing:

Chair Rick Stacey called the meeting to order at 5:30 p.m.
Mt. Zion Christian Temple Inc. – Lyons will not be heard.

Ordinance Amendments - none

Rezones

Mt. Zion Christian Temple, Inc., Section 19, Lyons Township. The applicant is requesting a rezone of 15 acres from A-1 Prime Agricultural to P-2 Institutional Park District. The property is located on the west side of Hwy 120 approximately 1600 feet south of the intersection of Hwy 120 and Krueger Road and is identified as Tax Parcel NA162500001.

The rezone petition has been pulled at the request of the applicant who is waiting for Town approval.

Webcam Count #N/A

Richard Amon Trust – Kenneth Amon/Priscilla Schmall, Section 26, LaFayette Township. The applicant is requesting to rezone approximately .29 acres of M-3 Mineral Extraction District to A-5 Agricultural-Rural Residential District to create a single residential zoned lot for an existing home. The property is located on the north side of Hwy 11 approximately 600 feet west of the intersection of Hwy 11 and Bowers Road and is identified as part of Tax Parcel K LF2600010B.

Rich Brandl motioned to approve. Seconded by Jim Van Dreser. Motion carried. 7-favor 0-oppose

The rezone petition will move forward to the January 8, 2013, Walworth County Board for possible action.

Webcam Count #1:27:08 – 1:31:47

Conditional Uses – none

Adjournment

Rich Brandl motioned to adjourn. Seconded by Dave Weber. Motion carried. 7-favor 0-oppose

The meeting was adjourned at 5:34 p.m..

Submitted by Wendy Boettcher, Recording Secretary.

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

HONEY LAKE PROTECTION AND REHABILITATION DISTRICT

BOARD OF COMMISSIONERS

JOHN LUTZ: CHAIRMAN; (re-elected for 3-year term, 8/22/10.)
JUDITH CORRELL: SECRETARY; (re-elected for 3-year term, 8/28/11.)
GERALD SCHWARTEN: TREASURER; (re-elected for 3-year term, 8/26/12.)
MICHAEL WEINKAUF: ROCHESTER VILLAGE TRUSTEE REPRESENTATIVE
DONALD TRIMBERGER: SPRING PRAIRIE TOWN SUPERVISOR AS OF APRIL 2011
ROBERT E. McINDOE: REP. OF WALWORTH COUNTY CONSERVATION AS OF 8/15/11

DECEMBER 18, 2012 MONTHLY MEETING:

Present: Lutz, Schwarten, McIndoe, Correl, Weinkauf, Trimberger.

Meeting was called to order at 7:00 p.m by Chairman Lutz

Also present was:

**Racine County Deputy Cindy Milam.

Secretary Correll read the minutes of the November 20, 2012 monthly meeting which were subsequently approved. Treasurer Schwarten read the November, 2012 Treasurer's Report which was subsequently approved. (copies of these minutes and Treasurer's Report are attached.

Old Business:

Chairman Lutz said that there was still one area which needed to be cleared by Bienemann's Tree Service, and that would be taken care of shortly.

The property owners on Crescent Place have removed the three trees which were within the road right-of-way. They have indicated that they will also remove the "temporary" fencing before the first snowplowing of the season.

The two rotting board on the dam service bridge will be replaced early next year.

The lake level has been lowered.

Deputy Milam said that she had talked with Mr. Kempken (Racine County side) about a log across a seldom-used roadway adjacent to his property. Mr. Kempkem claimed that the log was not placed there by him, but that he would cut it up and remove it. He was also told that his vehicles parked along the road must be kept in his large garage.

NEW BUSINESS:

Chairman Lutz indicated that on three occasions someone has cut the wiring for his outdoor Christmas lighting, and a neighbor's car had been entered and rifled. Chairman Lutz has reported this vandalism to the Walworth County Sheriff's Dept.

Chairman Lutz indicated that after the Christmas season he will make a final "walk-over" on the dam to check its condition.

Commissioner Weinkauf indicated that, beginning next May-June, the bridge over the Fox river in downtown Rochester will be closed for 3-4 months for a complete rebuilding. This will require wide notification since it will drastically affect access to Hwy 36 and east of that by those from the west of the river.

Discussion held on how to now compensate resident Arlene Avadian who has, for many months, been scanning past HLPRD minutes and other documents on a voluntary basis, and will be up-to-date upon completion of scanning the Dec., 2012 minutes. Arlene was asked to give us, at the January, 2013 meeting, some estimate of the time she has spent.

Treasurer Schwarten read the bills to be paid, with a motion then made and seconded to pay them.

A motion was made and seconded to adjourn the meeting at 7:45 p.m.

Respectfully submitted,

A handwritten signature in cursive script, appearing to read 'Maw' or 'McIndoe', written in black ink.

Robert E. McIndoe 12/19/12

DRAFT

**Walworth County Board of Supervisors
Public Works Committee
MEETING MINUTES
Monday, December 17, 2012
Walworth County Government Center, County Board Room 114
100 West Walworth Street, Elkhorn, Wisconsin**

Chair Nancy Russell called the meeting to order at 3:35 p.m.

Roll call was conducted, and all members were present: Chair Nancy Russell, Vice Chair Carl Redenius, Supervisors Ken Monroe, Joe Schaefer and Rick Stacey.

Others present:

County staff: Director of Central Services Kevin Brunner; County Administrator David Bretl; Director of Health and Human Services Linda Seemeyer; Controller Jessica Igl; Public Works Assistant Superintendents John Miller, Dale Poggensee and Dave Woodhouse; Public Works Business Office/Purchasing Manager Peggy Watson; Jail Administrator John Delaney; Jail Superintendent Steve Sax; Director of IT John Orr; Janet Cline, Solid Waste Assistant

Agenda withdrawals/approval. Supervisors Schaefer and Monroe moved approval of the agenda as presented. The motion carried 5-0

Supervisors Stacey and Schaefer moved to approve the November 19, 2012 meeting minutes as prepared. The motion carried 5-0.

Public comment period – no members of the public were present at the meeting.

Regular Business

Jail radio repeater project - request for change in scope of project

County Administrator Bretl asked Jail Administrator John Delaney for background on the project. The current radio system is 17 years old, and the repeater system, which was analog, was replaced in 2012. To complete the project, the original intent was to purchase digital portable radio replacements over time to make all radios fully compatible with the new system. The department now wants to eliminate all remaining analog repeaters and finish the project all at once. They received additional funds in December from the State for housing inmates. \$70,000 of these funds would complete the purchase of the portable radios. Bretl said there have been a number of year end requests from departments, and it is nice to have additional funds, but the committee should carefully consider the need to complete the project now. **Supervisor Stacey made the motion seconded by Monroe to approve the change in scope of the Jail radio repeater project to purchase additional digital replacement radios on the condition that funds provided for these radio replacements are removed from the County CIP in future years. The motion carried 5-0.**

Approval of a release by and between Walworth County and CenturyLink

Bretl said this came to his attention when the county received the check from CenturyLink, for damages caused on CTH ES. Assistant Public Works Superintendent Dave Woodhouse said that the incident happened in 2011 on CTH ES between East Troy and Mukwonago when two

companies accidentally cut through the county's culvert. Both companies were held 1/3 responsible and the county paid for 1/3. The payment from the first company came without requiring a release. **Supervisors Stacey and Monroe moved to approve the release with CenturyLink. The motion carried 5-0.**

Presentation of plan for Phase II of the Health and Human Services HVAC project

Central Services Director Kevin Brunner presented the plan. Phase I was the boiler installation, and the next phase is to put in the rest of the system, including piping, VAV boxes and controls, and relocating HHS personnel during the process. Brunner said Public Works, Health and Human Services and IT have worked together closely in developing the plan. Brunner presented the following schedule for the project: bids will be advertised on January 3, 10 and 17, 2013 to take advantage of the favorable bidding climate; and a special meeting of the committee will be held in late January. Projected project start is March 1. During the tour of the facility before this meeting, Brunner distributed a colored map which included the planned departmental moves during construction, and explained the moves that will occur as certain sections of the HHS building are completed. The exact timing for each phase will be negotiated through the contractor. Projected completion of the project is February 2014. Chair Russell asked if the new system would accommodate future expansion and Assistant Public Works Superintendent John Miller said that additional air handlers could be added and that expansion was taken into account when planning the project. Supervisor Monroe asked about rent to relocate departments, and Brunner said that a suitable leased site has been identified and that next month he will have a proposed lease for committee consideration. Brunner reiterated that the next steps are to come back to the committee with the proposed temporary lease and construction contract for the project. **Supervisors Monroe and Redenius moved to approve the Phase II plan and authorize the Central Services Director to negotiate a proposed lease for temporary staff accommodations during construction as well as to bid out the construction of Phase II. The motion carried 5-0.**

Proposed space improvements to Health and Human Services Center

Director of Health and Human Services Linda Seemeyer addressed the committee. Their department has received \$244,000 of unbudgeted State grant revenue, and wants to use a portion of the revenue, which will lapse if not used, to alleviate some space problems in the building. The department will need to house six additional employees during the coming year. Ms. Seemeyer distributed a handout showing their plan for expanding space, which consists of moving the mail room behind the current receptionist station to allow for office space for 9 employees; and for creating additional office space in the current Medical Records area. The renovations would cost \$160,000 - \$50,000 for scanning medical records; \$75,000 for necessary cubicles; \$30,000 for data and phone; and \$5,000 to put carpet in one area. Ms. Seemeyer thought as the money was available this year it would be good to go ahead and proceed, as it would better accommodate the HVAC project and buy more time before additional space at the facility is needed. Discussion ensued and Bretl urged the committee to spend time considering the request. There are budgeted 2013 funds for the relocation during Phase II of the HVAC project. Supervisor Monroe asked if the space improvements could be incorporated into the moving budget. Russell questioned putting the scanning expense in the same budget and Seemeyer said they could accomplish the moves without doing the scanning right away. Seemeyer said she doesn't want to tie Public Works' hands by using those budgeted funds. Russell said she recommended to first use money for the HVAC project and if additional funds were needed to find alternate sources. Director of IT John Orr said that \$130,000 in the project is for phone data, hardware and VPN associated costs. \$52,000 of that is a definite number for equipment. Approximately \$76,000 is for programming to be done by an outside vendor, which

is a bit of an unknown, depending on how many moves back and forth, changes, etc., would be necessary. Brunner indicated to the committee that, while there are funds set aside for the HVAC Phase II Project in the 2013 CIP, there may not be enough to cover the \$160,000 request from HHS for the outlined space improvements. He stated that if there was indeed a shortfall he would need to request additional funds from the County Contingency Fund to complete the project. The committee members agreed that this might occur but that will need to be determined later as the project progresses and final costs are known. **Supervisors Monroe and Stacey moved to approve the HHS space improvement plan and to use budgeted CIP funds from the HVAC Phase II project, except for the \$50,000 for the document scanning, which will come from another funding source. The motion carried 5-0.**

Supervisor Stacey commented that he was recently contacted by constituents in East Troy township. Taxpayers are scrutinizing county spending, and he hopes this project goes smoothly.

Solid Waste Issues

- **Renewal of agreements for Clean Sweep services**

Supervisors Stacey and Monroe moved approval of Agreement with Waukesha County for Clean Sweep services to Walworth County residents. The motion carried 5-0.

Supervisors Stacey and Redenius moved to approve the agreement with Jefferson County for Clean Sweep service provision to Jefferson County residents. The motion carried 5-0.

- **Report on 2012 Clean Sweep**

Brunner and Chair Russell commended Janet Cline for her hard work in coordinating the Clean Sweep program. This year we had 772 program participants and served 889 households. The statistics on the waste collected were included in the agenda packet. Chair Russell added that she gets many thanks from citizens for providing this program.

- **Future funding opportunities.** Brunner reported that in the past, revenue was generated through landfill expansion and increased tipping fees. Now that there is less use of the landfill we are seeing a downward trend. The Solid Waste restricted fund will be reduced to \$113,000 by the end of December. Brunner asked the committee to consider looking at alternative funding options such as looking towards other organizations for funding assistance. Chair Russell said the municipalities are already financially constrained and suggested approaching pharmacies, hospitals, and agricultural groups. Solid Waste Assistant Janet Cline said that the program costs approximately \$65,000 per year, which does not include staff time. Schaefer suggested contacting civic organizations in the county for assistance. Bretl added that another option would be to consider levying funds to continue the program. **Brunner was directed to work with Chair Russell to develop a list of people to approach for sponsorship and investigate alternative funding options.**

Presentation of Public Works Ten-Year Major Highway Maintenance Plan and consideration of policies

Brunner thanked Larry Price, Dale Poggensee, Jack Delaney and Dave Woodhouse, who worked extremely hard in putting together the annual PASER ratings for all segments of the County Trunk Highway (CTH) System. Brunner said there are 192 centerline miles of county trunk highway. The typical life of asphalt pavement is approximately 20 years, and performing 10 miles of rehabilitation every year is desirable. The county uses the PASER road evaluation system, which analyzes the condition of each segment of road. The rating system is from 1 to 10, 1 being the worst rating. The current average PASER rating of the CTH system sections is approximately 7. The ongoing goal is to maintain that current PASER average of 7 throughout the CTH system. A chart and map explaining the PASER ratings was presented to the committee. Brunner said he would like to establish a standard policy to maintain the road

standards. Bretl asked about the road rating on CTH NN. Dale Poggensee said currently it is at a 6. He said that for every \$1 spent on maintenance, we ultimately save \$4. People often question why better segments of road are done before others, but the department works from the newest/best condition roads backward, as crack filling early on is inexpensive and extends the life of the roadway. Chair Russell said the plan makes perfect sense and recommended putting it into ordinance form, including the informative charts used in the narrative. Poggensee added that if the crack fill and chip sealing is adhered to for several cycles, most of the road ratings can be brought up to 8 and pavement life can be extended up to 30-35 years. **Supervisors Stacey and Schaefer moved to approve/adopt the Public Works Department 10 year highway maintenance plan. The motion carried unanimously. Supervisors Stacey and Schaefer authorized staff to prepare an ordinance adopting the plan, and adding language in the ordinance that public informational meetings will be held prior to major road work. The motion carried 5-0.**

Capital Improvement Plan projects

- **Updates on 2012 projects**

Brunner distributed the list of 2012 Department of Public Works capital project carryforwards to 2013. He noted that most of the projects are complete, but we are waiting on punchlist completions and/or final payments.

- **Change order request – Government Center second floor meeting rooms**
Supervisors Schaefer and Stacey moved approval of Change Order KH-TRIN-001 in the amount of \$9,957. The motion carried 5-0.

- **CTH D project - update on liens against B.R. Amon & Sons**

Bretl said we had this issue on the CTH ES project and on the CTH D project. Staff is closely monitoring the status on the liens. Bretl added that Amon has been a good contractor, and the county has gotten good pricing from them over the years, but the nonpayment to subcontractors cannot continue. Business Office/Purchasing Manager Peggy Watson said as of November 16, the subcontractors are due \$173,000 from Amon. The County is currently withholding approximately \$125,000 (5% retainage on the contract). We do not have their final billing, but the county owes Amon in excess of \$173,000. Dave Woodhouse suggested that future contracts include a clause that subcontractors have to be paid within a specific timeframe.

Tour of second floor of the Government Center – Renovation Project

The committee went to the second floor west wing of the Government Center and toured the renovation project, which will provide additional meeting rooms and a serving kitchen. The project is approximately 65% completed and is scheduled for final completion in February, 2013.

Next regularly scheduled Public Works Committee meeting date and time: January 28, 2013 at 3:30, which will be the regular business meeting date

Adjournment

Supervisors Monroe and Schaefer moved to adjourn the meeting. The motion carried 5-0 and the meeting concluded at 5:36 p.m.

Minutes recorded by Becky Bechtel, Public Works Department

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

Walworth County Board of Adjustment
MINUTES

December 12, 2012 - Hearing – 8:30 AM

December 13, 2012 – Meeting – 8:30 AM

County Board Room

Government Center – Elkhorn, Wisconsin

A hearing and decision meeting of the Walworth County Board of Adjustment was held on December 12 & 13, 2012, in the County Board Room of the Government Center in Elkhorn, Wisconsin. Those present on December 12, 2012, were Chair John Roth, Secretary Ann Seaver and 1st Alternate Elizabeth Sukala. Deb Grube, Senior Zoning Officer, and Wendy Boettcher, recording secretary of the Land Use & Resource Management Department were in attendance. Those present on December 13, 2012, were Chair John Roth, Secretary Ann Seaver and 1st Alternate Elizabeth Sukala. Deb Grube, Senior Zoning Officer, and Wendy Boettcher, recording secretary of the Land Use & Resource Management Department were in attendance. “Sign-in” sheets listing attendees on December 12, 2012, and December 13, 2012, are kept on file as a matter of record.

The December 12, 2012, hearing was called to order by Chair John Roth at 8:30 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 Elizabeth Sukala. Motion carried. 3-favor, 0-oppose. Ann Seaver motioned to approve the November 14 & 15, 2012, Minutes and dispense with the reading. Seconded by John Roth. Motion carried. 2-favor, 0-oppose. Elizabeth Sukala abstained from voting. After testimony of all cases, Ann Seaver motioned to recess until 8:30 A.M. on Thursday, December 13, 2012. Seconded by Elizabeth Sukala. Motion carried. 3-favor, 0-oppose.** The December 12, 2012, hearing went into recess at approximately 9:48 A.M.

On December 13, 2012, at 8:30 A.M., Chair John Roth called the decision meeting to order. Wendy Boettcher conducted roll call and verified that there was a quorum. Those present were same as listed above. **Ann Seaver motioned to approve the agenda as printed. Seconded by Elizabeth Sukala. Motion carried. 3-favor, 0-oppose. After the decisions were completed, Elizabeth Sukala motioned to adjourn until the January 9, 2013, hearing at 8:30 A.M. Seconded by Ann Seaver. Motion carried. 3-favor, 0-oppose.** The December 13, 2012, decision meeting adjourned at approximately 8:48 A.M.

One variance hearing was scheduled and details of the December 12, 2012, hearing and the December 13, 2012, decision are on audio recorded discs which are on file and available to the public upon request / video to view on our website: www.co.walworth.wi.us.

New Business – Variance Petitions

12-12-12 Hearing – Webcam Count #0:03:42 – 1:17:45 / 12-13-12 Decision – Count #0:1:14 – 0:15:05

The First Hearing was Lauderdale Lakes Lake Management District, owner / Attorney Teague D. Devitt, Soffa & Devitt LLC, applicant – Section(s) 36 – La Grange Township

Applicants are requesting a variance from Section(s) 74-166 / 74-167 / 74-179 of Walworth County's Code of Ordinances – Shoreland / Floodplain Zoning to permit the location of a 7' wide walkway.

REQUIRED BY ORDINANCE: The Ordinance permits a 60" (5') wide walkway in the view / access corridor to the shore.

VARIANCE REQUEST: The applicants are requesting a 7' wide walkway in the view / access corridor. The request is a variance from Section(s) 74-166 / 74-167 / 74-179 of Walworth County's Code of Ordinances – Shoreland / Floodplain Zoning to permit the location of a 7' wide walkway.

BOARD OF ADJUSTMENT DECISION: The Walworth County Board of Adjustment, during the meeting of December 12 & 13, 2012, for the petition of Lauderdale Lakes Lake Management District, owner / Attorney Teague D. Devitt, Soffa & Devitt LLC, applicant, voted to **APPROVE** the request for a 7' wide walkway in the view / access corridor.

A motion was made by Elizabeth Sukala to approve the variance request. Seconded by Ann Seaver for discussion. Motion carried. 2-favor 1-oppose (John Roth)

BOARD OF ADJUSTMENT FINDINGS: The Board found the walkway is used by the weed-harvesting crew, the Water Safety Patrol and the public. The Board found to approve the variance request would address safety concerns and would permit a structure for a permitted use while protecting shoreland beauty. The Board found strict compliance with the ordinance would be unreasonable. The Board found the boardwalk exists. An officer from the Lauderdale Lakes Law Enforcement Patrol spoke in support, there were letters of support from the Kettle Moraine Land Trust, Lauderdale Lakes Improvement Association, East Baywood Property Owners Association and the Town of La Grange. There were two letters of opposition (1999 / 2012) from the WI Department of Natural Resources.

Other

- A. Discussion / possible action on Township correspondence - none

Staff Reports

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

Proposed discussion for next agenda

The following items were requested to be put on the January 2013 agenda, if applicable:

- A. Discussion / possible action on Township correspondence
- B. Court cases update
- C. Distribution of reports, handouts and correspondence

ANN SEAVER
WALWORTH COUNTY BOARD OF ADJUSTMENT

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



**Walworth County Board of Supervisors
Children with Disabilities Education Board & Finance Committee
JOINT MEETING MINUTES
Tuesday, December 11, 2012**

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

Secretary Jerry Grant called the Children with Disabilities Education Board to order at 4:34 p.m. Chair Nancy Russell then called the Finance Committee to order.

Roll call

- Finance Committee members present included Supervisors Jerry Grant, Daniel Kilkenny, Nancy Russell and Joseph Schaefer. Supervisor Rick Stacey was absent and excused. A quorum was declared.
- Children with Disabilities Education Board members present included Supervisors Jerry Grant, Ken Monroe, Joe Schaefer and Tim Schiefelbein. Supervisor Dave Weber was absent and excused. A quorum was declared.

Others present included:

- County Staff: David Bretl-County Administration/Corporation Counsel; Nicki Andersen, -Finance; Dr. David Thompson-Health & Human Services; Tracy Moate-Lakeland School; Kevin Brunner-Public Works.
- County Board: Tim Brellenthin, Carl Redenius.

Agenda withdrawals/approval — There were no agenda withdrawals. **Motion by Supervisors Schaefer and Kilkenny to approve the agenda; carried unanimously.**

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

New Business

Resolution No. 55-12/12 Accepting the KARA Foundation Donation for Use at Lakeland School — **Supervisor Kilkenny moved to approve the resolution. The motion was seconded by Supervisor Monroe.** Moate said this donation check was unexpected. Attorney Patrick DeMoon serves on the Board of Directors for the Geneva National Foundation and the KARA Foundation and solicited the donation for the School. KARA is a national foundation established on behalf of a young lady who died of cancer to help other young people with needs. Moate expressed appreciation for the KARA Foundation's generosity. Pursuant to county ordinances, acceptance of this donation requires approval by the Children with Disabilities Education Board, the Finance Committee and the County Board, according to Bretl. This process ensures donations are accepted formally and that the County Board is aware of any "strings" that may be attached. Second and more important, the Board is made aware of the generosity of those in the community. **By unanimous voice vote, the donation**

from the KARA Foundation was accepted by both committees and authorized to be presented to the County Board at tonight's meeting.

Reports/announcements — There were no reports or announcements by either committee.

Adjournment — Supervisors Monroe and Schaefer moved to adjourn the CDEB meeting at 4:42 p.m.; motion carried 4-0. Supervisors Kilkenny and Grant moved to adjourn the Finance Committee meeting; carried 4-0.

Submitted by Kate Willett, recording secretary. Minutes are not final until approved by the Children with Disabilities Education Board and the Finance Committee at their next regularly scheduled meetings.

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

DRAFT 12/8/12

PLEASANT LAKE PROTECTION AND REHABILITATION DISTRICT
FINANCE COMMITTEE MEETING
SATURDAY, DECEMBER 1, 2012, 9:00 AM
LAGRANGE TOWN HALL

Present: Ted Slupik, Chairman, Kevin Smith, Rick Callaway, Pat Kachur, Marcia Sahag, Bob Arnold
Absent: Paul Higdon
Public Attendance:

1. Approval of Agenda: Motion to approve the Agenda (Kevin/Rick). Carried unanimously.
2. Approval of prior meeting Minutes: Motion to approve the Minutes of 4/7/12 (Bob/Kevin). Carried unanimously.
3. Discussion of Budget: Ted developed budget worksheets for line items with the budget amount and expensed amount for 2012 and the budget amount for 2013 to be used to request the budget amount for 2014. There was discussion of the amount of \$13,998.50 to be included in the 2014 budget for the District's up front costs for the grant project. At the January meeting the committee will have the actual budget and expenses for 2012 and the budget for 2013 to use in planning the 2014 budget.
4. Assignment of budget tasks: Each committee member received line item worksheets and board member contacts to gather projected budget information. Worksheets and figures need to be returned to Ted by the end of December. The information will be compiled and discussed at the January 12, 2013 committee meeting. The target date for the audit committee is the end of April, 2013. The next Finance Committee meeting is scheduled for Saturday January 12, 2013, at 9:00 am.

Motion to adjourn at 9:45 am (Bob/Kevin). Carried unanimously.

Respectfully submitted,

Marcia M Sahag



**Walworth County Board Finance Committee
MEETING MINUTES
Wednesday, November 21, 2012**

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

The meeting was called to order by Chair Russell at 9:35 a.m.

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

Others in attendance included:

- Board members: Richard Brandl and Tim Brellenthin.
- County Staff: David Bretl-County Administration/Corporation Counsel; Nicki Andersen, Dale Wilson-Finance; Michael Cotter-Deputy Corporation Counsel/Land Use & Resource Management; Elizabeth Aldred, Roger Zierfuss-Health & Human Services; John Orr, Dave Ortin-Information Technology; Kevin Brunner, Peggy Watson-Public Works; Howard Sawyer, Amanda Lagle-Sheriff's Office; Kathy Du Bois, Valerie Etzel-Treasurer's Office
- Members of the public: Cynthia Simonsen, VIP Services, Inc.; Kristen Perry, Lakeland Animal Welfare Society, Inc.

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

Approval of minutes of last meeting(s) — October 9 and October 18, 2012 — **Supervisors Grant and Schaefer moved/seconded approval of the meeting minutes; carried 4-0.**

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

Unfinished business

Discussion and possible action regarding 2013 fee schedule — Andersen explained that discussion at the October meeting included the potential for fee revisions. Russell asked if the committee wanted to set a date to bring this topic back. **Supervisor Kilkenny moved to place this item on file. Supervisor Grant seconded; motion carried 4-0.**

Ordinance **-12/12 Amending Section 62-103 of the Walworth County Code of Ordinances Relating to Tax Incremental Financing Districts — Andersen said staff believe the changes in this ordinance will assist us in actions related to TIF meetings and encourage municipalities to provide a better opportunity for input from the county's perspective as we work through the programs. **Supervisors Kilkenny and Schaefer moved and seconded**

approving the ordinance. Supervisor Grant moved an amendment to include “and all amendments thereto” on page 1, line 90 of the ordinance to follow the statutory reference. Supervisor Kilkenny seconded the motion to amend. Supervisor Kilkenny then withdrew his original motion and moved approval of the ordinance with the change specified by Grant. Supervisor Schaefer seconded the motion; carried 4-0.

Consent items — Russell asked that agenda items 8A1a, budget amendment FN002; 8B2, stop loss contract for fiscal 2013; and 8B3, sale of tax foreclosure properties be pulled for separate discussion. Kilkenny requested also pulling 8C1, public works surplus. **Supervisor Grant moved to approve the remaining consent items. The motion was seconded by Supervisor Kilkenny and carried 4-0.**

Budget amendments

Finance

- FN002 — Offset unanticipated expenses related to animal seizures — Cotter explained that the Lakeland Animal Welfare Society (LAWS) seized numerous animals from a residence in the Town of Troy on August 2, 2012. LAWS and county staff have worked well together to have owners sign over seized animals to the shelter as quickly as possible to limit the cost incurred by the county. There were unique circumstances in this instance and we were not able to move forward as quickly. Yesterday we met with the owner and her attorney. The scheduled court proceeding is now off the calendar because she did agree to sign over the animals. Cotter’s understanding was that these animals would be fostered, meaning the room and board portion of the expense would not be incurred by the county. He kept tabs on the out-of-pocket costs as best he could but was shocked at the high amount on LAWS’ invoices. He did not learn until later that not all animals were fostered. Our contract with LAWS specifies the daily room/board rate for which the county is responsible to reimburse the shelter. Cotter added that the shelter can declare seized animals to be abandoned, which is what we ultimately did with this case. By statute, owners have 7 days to claim abandoned animals or file petition with the court. We, or the shelter, can petition the court for an order allowing us to adopt them out, sell or destroy the animals. Absent any of those orders, we have to care for them. The DA’s office plans to file charges on the owner for animal neglect. The owner’s attorney requested to meet with Cotter, the DA, and related parties in a pre-charging conference. Cotter wants to get restitution in place so the person pays the county. There are other avenues for the county to recoup our expense, such as placing a lien on the owner’s home.

Cotter said there was clearly a misunderstanding between the county and LAWS with regard to room and board. He added that the out-of-pocket expenses for LAWS are significant as well. They did a good job of cutting costs with vet bills but still put in a great deal of time, energy and expense into caring for these animals. Kristen Perry, the shelter’s executive director, said they have worked very

hard with the county to avoid situations such as this one. She feels the partnership has been very successful. The notification and ownership transfer process broke down this time because of the circumstances of the situation. LAWS indicated they were told they were not allowed to act on the first notification to the owner. That resulted in their having to care for 169 animals for 109 days. The contract indicates room/board charges per animal per day. There are still expenses even when an animal is fostered. For example, Valley of the Kings may foster animals for LAWS. Even though they don't charge a daily fee, LAWS reimburses them when compensated by the county. Kilkenny asked about the license fees. Perry responded that the county pays LAWS on a quarterly basis for animal control services and also pays them a portion of the license fees. The rates for animals differ depending on species. Seizures are separate and on a case-by-case basis. Caring for these animals can be a huge drain on their resources, particularly if they are animals they are not normally set up to care for.

Kilkenny asked if the county's obligation ceases when the court says the owner is no longer entitled to the animals. That is correct, according to Cotter. Russell suggested holding the budget amendment until the next meeting so Cotter and Andersen can meet with Perry and negotiate the final amount. Perry said she would be happy to do so. Moving forward, she will ensure the process doesn't break down again and that there are no further misunderstandings. **Supervisors Kilkenny and Grant moved and seconded approval of budget amendment FN002 not to exceed the specified \$35,000 and to authorize staff to negotiate a settlement with LAWS for that amount or lower; motion carried 4-0.**

Information Technology

- IT-3 — Transfer funds for the purpose of purchasing virtual desktop licenses

Public Works

- PW008 — Record gains/losses related to disposal of obsolete inventory and scrap metal

Sheriff's Office

- SH007 — Transfer funds to cover estimated compensatory and holiday bank payouts for patrol division through year end

Bids/contracts

- Proposal recommendation for transportation services for the health & human services department — **By earlier motion, the committee awarded the contract to VIP Services, Inc.**
- Award stop loss contract for fiscal 2013 for the health insurance fund — Andersen said our consultant put out a Request for Proposals for stop loss on the county's behalf. There were 8 responses. A number of firms did not respond because they did not feel they could be competitive. One of those was Sun Life, our pro-

vider from a couple of years ago. Staff recommend we award the bid to Option 1, Gerber Life (RMTS). This option would increase our specific premium from \$1,250,505 to \$1,463,077, a 17% increase. The aggregate premium would increase from \$23,068 to \$25,952, which is a 12.5% increase. These are significant increases but not out of the ordinary in the stop loss market. The benefit of this option is that we would maintain our specific deductible of \$125,000. The option has an unlimited lifetime maximum with a provision stating that no new lasers would be applied to our population upon renewal. When we go out for bid, potential new providers look at our overall claim history. They potentially pick out (laser) one or more individuals because their diagnosis indicates they are likely to have high medical costs. These individuals are covered but not until they reach a higher level of expenses. Based upon these proposals, the county would have to assume the risk between our specific deductible of \$125,000 and \$275,000 for that year. Andersen explained that one provider's cost initially appeared to be lower but they wanted to laser which would exceed the difference between the other options. If we have no new lasers, this particular company will have to continue whomever we have in our population and not laser those individuals at the higher level. That doesn't preclude them from submitting a higher premium request with their bid. We budgeted for a 15-16% increase based on advice from our health care consultant. **Supervisors Schaefer and Grant moved and seconded awarding the stop loss contract to Gerber Life (RMTS) pursuant to Option 1 in the Renewal Exhibit; carried 4-0.**

- Award sale(s) of tax foreclosure property
 - City of Delavan letter dated October 25, 2012 regarding tax foreclosure property XWUP 00107R — Russell explained that the City contends that the property appraised much higher than it is valued. They did bid on it, which is included with the tax parcels later in this agenda. Schaefer asked if the property would be off the tax roll since it would be owned by a municipality. Andersen affirmed, unless they have an alternative use for it.
 - Bids dated November 2, 2012 — This is the third round of bids, according to Brunner. Minimum bids were established based on costs incurred by the county with regard to holding these properties. We are not obligated to take bids at the appraised value. There are 5 properties for which we received bids exceeding the minimum. Brunner added that he talked to the City of Delavan engineer, Mark Wendorf, who sent the committee a letter related to parcel XWUP 00107R. The committee can decide what to do about that parcel but staff recommend sale of the remaining properties. Russell asked Brunner to identify the parcel numbers. He responded with GI 00288, IRH 00013C, JLCB 000279, and STFV 00176. **Supervisor Grant moved to award bids on the referenced parcels as indicated below. Supervisor Schaefer seconded the motion; carried 4-0.**

- Town of Sugar Creek, Parcel GI 00288 – Award bid to Simple Solutions.
 - Town of Linn, Parcel IRH 00013C – Award bid to Simple Solutions.
 - Town of Geneva, Parcel JLCB 00279 – Award bid to Jeffrey & Rebecca Blazjewski.
 - Village of Fontana, Parcel STFV 00176 – Award bid to Ben, ron & Shirley Kastein.
- Town of Lyons, Parcel NCS 00073 — Simple Solutions submitted a bid of \$6,061, which was disqualified because their check for the required 20% earnest money was short. There were no other bidders on this parcel. **Supervisors Schaefer and Kilkenny moved/seconded to allow the bidder to submit a qualified bid by paying the balance of the 20% earnest money by 5 p.m. on Monday, November 26, 2012.** Normally, the bidder would have 24 hours to pay the balance of the earnest money, however, county offices are closed tomorrow for the holiday. Kilkenny requested agendizing an allowance to adjust for rounding of earnest money to avoid similar situations in the future. He asked that staff bring a policy back to the committee. **Motion carried 4-0.**
 - City of Delavan, Parcel XWUP 00107R — Kilkenny asked if there were previous bids on this parcel. Brunner said we received 3 in October, ranging from \$100 to \$2,550. The City of Delavan was the second highest bidder at that time. The only bid received in this cycle was from the City of Delavan.

Bretl arrived at 10:31 a.m.

Supervisor Kilkenny moved to table a bid award on Parcel XWUP 00107R to the December meeting and notify prior bidders that it is still available. The motion was seconded by Schaefer and carried 4-0.

Declaration of surplus

- Recommendation to declare obsolete parts and sign inventory items from the public works department as surplus and to sell said items at auction — Andersen explained that budget amendment PW008 is related to this item. Public works is looking to dispose of these items and needs the budget amendment to write them off. PW008 was approved earlier as part of the motion to approve the bulk of the consent items. **Supervisor Kilkenny moved to declare the parts and sign inventory items as surplus. Supervisor Grant seconded the motion.** Brunner added that some of these signs are 25 years or older and no longer meet standards. **Motion carried 4-0.**

Out-of-state travel

Health and Human Services

- Sonia Hill, Carrie Kelly, Alicia Kovac; Mindfulness Based Relapse Prevention; New York, NY

Public Works

- Kevin Brunner; International City/County Management Association (ICMA) Annual Conference; Phoenix, AZ

Sheriff's Office

- Robert Schiltz & Shannan Illingworth; Hostage Negotiations Phase 3 Certification Training; Indianapolis, IN

Reports

- Quarterly investment report – 3rd Quarter 2012
- Update on tax incremental financing (TIF) district(s)

New business

Discussion and possible action establishing policy for sale of tax foreclosure property — Bretl said he has not had an opportunity to review the policy and requested tabling this item to December. **Supervisors Schaefer and Kilkenny moved to table to December.** Kilkenny asked if appropriate handling of rounding errors could be added to the policy. Bretl agreed at. **Motion to table carried 4-0.**

Discussion and possible action regarding status of leaking underground storage tank project — Brunner reported that public works is working with engineering consultants to determine what remediation might be necessary and how we can close this site. Staff hope to close early next year with final engineering.

Discussion and possible action regarding sheriff's office outstanding bad debt — Lagle is the business office manager at the sheriff's office. Her department has debt on the books dating back to 1989. She is comfortable that we won't receive payments on anything prior to 2006. Some of the newer receivables are on payments plans. Russell asked what attempts were made to collect. Lagle said the policy is to send to a collection agency. The agency tries to collect. If unsuccessful, they progress to a tax intercept program but they have exhausted all efforts. **Supervisors Kilkenny and Schaefer moved and seconded authorization for staff to write off the outstanding bad debt; carried 4-0.**

Discussion and possible action regarding sheriff's office outstanding civil process bad debt — Lagle stated these outstanding debts have been with a collection agency for over 2 years. The new procedure at the sheriff's office is to charge fees when papers are served rather than letting the debt be carried as a receivable. **Kilkenny moved to authorize writing off the outstanding**

civil process bad debt. Supervisor Schaefer seconded the motion; carried 4-0.

Correspondence — There was no correspondence presented.

Supervisor Grant moved to reconsider Agenda Item 8E1, the quarterly investment report. A recent news article indicated that JPMorganChase is under federal investigation for alleged money laundering. He expressed concern regarding the county's investments with the bank. **The motion was seconded by Supervisor Kilkenny; carried 4-0.** Andersen explained that we are currently under contract with JPMorganChase. They are our operating bank, in addition to holding some of our excess operating funds. We routinely receive bank rating reports that assess problem banks. JPMorganChase has not yet been included as a problem. We are due to put out a Request for Proposal (RFP) next year for an operating bank, according to Andersen. She requested a copy of the news article Grant mentioned. Bretl recommended including this issue on the December agenda. Staff can obtain more information and also report on the RFP. Andersen added that it would be a significant undertaking to change operating banks at this point. If the issue is the amount of funds we hold at JPMorganChase, in addition to our basic operating needs, we can address that more quickly. **Supervisors Grant and Kilkenny moved to bring this topic back in December; carried 4-0.**

Confirmation of next Finance Committee meeting:

- The next Finance Committee meeting was confirmed for Thursday, December 20, 2012 at 9:30 a.m. in County Board Room 114 at the Government Center

Adjournment of Finance Committee

Upon motion and second by Supervisors Grant and Kilkenny, Chair Russell adjourned the meeting at approximately 10:48 a.m.; carried 4-0.

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

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

Walworth County Human Resources Committee
MINUTES

November 21, 2012 – 9:00 a.m.

County Board Room 114 – Government Center
Elkhorn, Wisconsin

The meeting was called to order at approximately 9:00 a.m. by Chairperson Brandl.

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

Others present – Supervisor Nancy Russell; Nicki Andersen, Deputy County Administrator – Finance; Liz Aldred, Deputy HHS Director; Dale Wilson, Payroll/Benefits Manager; Seth Rehbaum, Administrative Assistant; Josh Pollock, Benefits Assistant; Dave Ortin, Supervisor- Network Operations; John Orr, Information Technology Director; Kate Willett, Administrative Assistant.

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

Public comment period – none

Adopting insurance premium equivalents for 2013. Andersen distributed a memo summarizing the two premium options for 2013. In June, the actuary and consultant had proposed a 4.5% increase in health insurance. They re-ran the numbers and came up with 2.8%. If the county is going to go ahead with the clinic, the consultant would be confident with no increase. Wilson stated that right now, there is approximately \$12 million in the health fund reserves. Chairperson Brandl felt that if the county kept the increase at zero, we would still likely be adding to the fund. Wilson stated that if we don't institute the wellness center, the county could be looking at a 10% increase in the future. If the county implements a wellness center, we could see \$750,000 in savings. The 2013 budget was created with the wellness center in place. He added that in terms of health care costs, the county has been beating the trend lately. Chairperson Brandl feels that the county should keep the increase at zero and look at other options, like getting out of the insurance business. Supervisor Monroe questioned how many people the county has on the insurance. Wilson stated that the projection is 801 people for next year, which includes 100 retirees. Wilson added that a number of part-time employees don't qualify for insurance because they are less than a 0.75 FTE. **Vice Chairperson Grant and Supervisor Brellenthin moved and seconded keeping the health insurance rates the same in 2013 as they were in 2012. The motion carried 5 – 0.** Wilson stated that there is also a fund balance for dental. They are proposing a 4% increase for dental. He added that dental benefits are capped at \$1200 per year. The county pays the full dental insurance premium. Teachers are on the WEA plan, but the rest of the county is self-insured. A 4% increase would equate to \$2 per month more per employee on the single plan and \$5 on the family plan. **Vice Chairperson Grant and Supervisor Monroe moved and seconded approval of the dental rates as recommended. The motion carried 5 – 0.**

Discussion and possible action regarding Employee Wellness Council Blood Drive. Andersen stated that there has been a request from the wellness council to sponsor two blood drives per year. She recommends that this be allowed but that participation be on unpaid time. Two different organizations would come in and help set up the drives. It would be up to the committee to decide if they wanted this to be open to just employees or the public as well. Vice Chairperson Grant questioned why the wellness council needs to sponsor a blood drive when there are others in the area. He also questioned whether they had looked into allowing employees to do this on work time. Wilson stated that there would be greater participation if it could be on paid time, but they would have to think about shift minimums, the possibility of this creating overtime, etc. Andersen stated that she would hope that managers would encourage employees to flex their time to participate. Wilson added that they had not made a decision yet as to the location. Supervisor Russell suggested holding a drive once a year on a trial basis to see if it works out. If there are two organizations needing blood, they could alternate every other year. Vice Chairperson Grant agreed that they should try it once. He supports the idea but still has questions. If the drive is successful, they can look into holding more of them. Wilson suggested perhaps they could come back with a plan after contacting one of the organizations. Wilson stated that there would be very little staff time involved in the actual blood drive. The county would help set it up and secure the room, but then the organization would run it. Volunteers would be utilized when possible. Wilson suggested that staff put together an operational plan with an organization and come back to the committee at a later date.

Vice Chairperson Grant and Supervisor Brellenthin moved and seconded directing staff to proceed with their research and come back with a detailed report on how the blood drive will operate, using as little staff time as possible. The motion carried 5 – 0.

Correspondence from George Kirkpatrick regarding Wellness Center. Vice Chairperson Grant and Supervisor Monroe moved and seconded placing the correspondence on file. The motion carried 5 – 0.

Chairperson Brandl had no reports.

The next regular meeting of the human resources committee was confirmed for December 19, 2012 at 3:00 p.m.

Adjournment. On motion and second by Vice Chairperson Grant and Supervisor Monroe, Chairperson Brandl adjourned the meeting at approximately 9:25 a.m.

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

County Board Executive Committee
Monday, November 19, 2012 - 10:00 AM
County Board Room 114
Walworth County Government Center
100 W. Walworth St., Elkhorn, Wisconsin
Draft Minutes

The meeting was called to order by Chairman Weber.

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

Others in attendance: Nicki Andersen, Deputy County Administrator - Finance; Kurt Picknell, Undersheriff; John Ennis, Emergency Management Director; Kristy Secord, Clerk of Courts Office/Courts Supervisor; Katie Behl, OWI Court Coordinator; Michael Cotter, Deputy Corporation Counsel/Land Use & Resource Management Director; Brian Rutkowski, Alpine Valley General Manager; and, Dave Bretl, County Administrator/Corporation Counsel.

There were no agenda withdrawals. Agenda approval was moved and seconded by Supervisors Brandl and Russell, and carried 5 – 0.

Approval of October 9, 2012 and October 15, 2012 executive committee minutes was moved by Supervisor Brandl with a correction to page 4 of the October 15 minutes where he was listed as Chairman. The motion was seconded by Supervisor Russell, and the minutes were approved by 5 - 0.

There was no public comment by those in attendance.

Appointments

911 Governing Board. Supervisors Brandl and Russell moved and seconded reappointment of County Administrator' Bretl's nominees Kevin Williams, Bruce VanderVeen, David Fladten and Jerry Grant. The motion carried 5 – 0.

Local Emergency Planning Committee (LEPC). Maureen Vander Sanden, media representative, recently resigned. A potential candidate, John Halvorson, editor for the Lake Geneva Regional News, expressed interest in serving. Since his application had not yet been submitted, Mr. Bretl indicated there is no rush to make the appointment because the next LEPC meeting will be held in February 2013. He suggested including the appointment on the December 2012 executive committee agenda.

Veterans Service Commission. County Administrator Bretl's nomination of John W. Allen for reappointment was moved and seconded for recommendation by Vice Chairman Kilkenny and Supervisor Schiefelbein. The motion carried 5 – 0.

Consent items. Two mileage reimbursement claims of Supervisor Stacey totaling \$37.74 were approved 5 – 0 on motion and second by Supervisors Kilkenny and Brandl.

New business

Outagamie County Resolution No. 39--2012-13 requesting elected state officials and the Governor to re-examine the policies that have led to historically high incarceration rates in Wisconsin. Administrator Bretl said this resolution might be worthwhile discussing since the Executive

committee has spent some time reviewing alternatives to reducing incarceration. Vice Chairman Kilkenny asked whether the resolution should be forwarded to the CJCC for comment and input. Bretl said that was a good idea. Kilkenny encouraged creative thinking and exploring alternatives to avoid sending more people to jail that could benefit from and respond to rehabilitation. There is state and federal funding available to implement creative measures to address high incarceration rates. Kilkenny recommended the CJCC review the Outagamie County resolution and advise the executive committee on monetary issues regarding incarceration alternatives. Undersheriff Picknell was asked for input. Picknell indicated the Sheriff's Office could participate in a coordinated effort with the CJCC to make recommendations to the executive committee. The committee consensus was to forward the Outagamie County resolution to the CJCC for input and then include discussion about the resolution and CJCC and Sheriff's input on the January 2013 executive committee agenda.

Sheboygan County Resolution No. 14 (2012/13) Supporting Position Papers on Legislative Issues. Supervisor Russell said the positions papers were well thought out and included good comments. She suggested the executive committee go on record in support of Sheboygan's positions and modify as appropriate for our county. In regard to cell phone emergency response funding, Mr. Bretl indicated that nothing was said about adding a 911 emergency response fee for cell phones. Eventually most of the general population will use cell phones instead of land lines. It is appropriate and fair for all users of emergency services to pay for the 911 fee. All of Sheboygan's position papers request that state funding be restored to its previous level for various programs. Bretl suggested that any positions the committee was in support of could be forwarded to the county board. The state legislature will meet again in January 2013 so there is time for further discussion. The committee might wish to request input on some of the position papers from other county offices, for example, regarding the Clerk of Circuit Courts funding disparity. Regarding maintaining state shared revenue, some counties receive a lot; however, Walworth County's shared revenue isn't a large amount. Bretl said the position paper requiring law enforcement pension contribution is fairly controversial. The Wisconsin Sheriff's Assn. expressed dissatisfaction with it. There are two or three groups at cross purposes that are being paid to lobby on that issue. He suggested additional input from department heads on some issues would be worthwhile. Vice Chairman Kilkenny said that the paper regarding improving economic development revolving loan funds and county collaboration was confusing and appeared to indicate the State is seeking to regionalize and de-federalize the loan funds to allow flexibility in utilizing funds. **Supervisor Russell moved staff reviewing the position papers to determine which are pertinent to Walworth County; departments that are impacted by the state funding and positions will be solicited for their input. Kilkenny seconded the motion, which carried 5 – 0.**

Resolution Adopting a Public Participation Plan for the Update of the Walworth County Natural Hazards Mitigation Plan: 2009-2013. John Ennis said a steering committee will be formed, statistics gathered by towns, cities and villages, and then a public hearing will be held for citizen input. Each town and municipality that wants to adopt the plan will hold a public hearing. Kilkenny asked when participation would begin. Ennis and the consultant just began work with towns, cities and villages on the plan amendment. The plan amendment would be implemented after summer 2013. Towns, cities and villages are not eligible for FEMA funding if they don't participate in the plan and update. **Supervisors Kilkenny and Russell moved and seconded approval and forwarding the resolution to the county board for adoption. The motion carried 5 – 0.**

Alpine Valley Music Theatre 2013 business plan and license application. Mr. Bretl said notice of a public hearing on the plan and application must be published in the newspaper. The hearing is to

solicit public input. Vice Chairman Kilkenny recalled that during 2012 plan review, the big issue was the conditional use request for camping at the theatre. He asked if camping was ever implemented. Alpine Manager Brian Rutkowski said the camping component was still in Alpine's business plan but had not been implemented during the 2012 concert season. Undersheriff Picknell said there were no issues with Alpine. If camping is implemented, the executive committee will be asked to review the plan. There have been no changes to the plan previously approved. Picknell and Bretl indicated that county staff has reviewed Alpine's business plan for 2013 and found no problems with it. Supervisor Schiefelbein said in reviewing the crowd safety plan in the business plan document he questioned the prohibition against drinking alcohol in the parking lots. If there is signage indicating a prohibition, is it enforced? Supervisor Russell asked if that prohibition actually applied only to alcohol brought into the venue. Schiefelbein thought other supervisors should go to Alpine to see what occurs at concerts. He said he thought the "open intoxicants" prohibition is not enforced. Vice Chairman Kilkenny asked if the ordinance was a local one, i.e., Lafayette Township. He said Alpine Valley Theatre is on private property but wondered if it lies across two townships. Picknell said the theatre is within one township, Lafayette. From a crowd safety standpoint, sheriff's offices deal with alcohol issues at many venues. Bretl said he would research the issue, which goes to licensing of the theatre. Alpine obtains a Lafayette Town permit to sell and serve alcohol. Signage at the theatre indicating drinking is prohibited in the parking lot is something the committee spent significant time reviewing in past years. Michael Cotter said the original conditional use permit dated back to 1975-76 and was issued by Town of Lafayette. Regarding camping, the CZA did not discuss alcohol, to his recollection. He said he could check and follow up on that. Lafayette Township wanted to review the camping issue after a year; however, camping has not been implemented. The CZA is prepared to review the CUP relative to camping if and when the request is received. There are always alcohol consumption issues surrounding some entertainment venues. Miller Park and Alpine Valley Theatre were cited as examples. Personal conduct and age restriction prohibitions are in place. Bretl said the county could restrict alcohol as a condition of issuing the license. Russell asked if the county has an ordinance prohibiting alcoholic beverages in public or if the prohibition was part of Alpine Valley's plan. If it's Alpine's rule, the county should not be enforcing it; it should be up to Alpine. The county does not have an ordinance prohibiting alcohol on private property; the Alpine Theatre is on private property. Russell received complaints in the past about fireworks use, and the issue was addressed by Alpine staff and the Sheriff's Office. Kilkenny said the plan states there is "no tailgating" but concert-goers are not likely cited for having a tailgate party. Schiefelbein said there is a prohibition against vendors selling their products within the venue but patrons are not cited for violating that. Mr. Rutkowski said the liquor license issued by the Town of Lafayette requires strict licensing of the bartenders selling alcohol at the venue. Every patron who enters the venue is carded. Bretl said staff would research this in preparation of the public hearing. **Vice Chairman Kilkenny and Supervisor Brandl moved and seconded setting the date and time for the public hearing on Alpine's business plan and license application for December 17, 2012 at 10 AM. The motion carried 5 – 0.**

Criminal Justice Coordinating Committee application for grant funding for court programs. Mr. Bretl said funding was in the 2013 budget for assistance for the CJCC, including a pilot program with OWI Court and its limited term employee, Katie Behl, Court Coordinator. He said staff would have a position request in 2013 for a full-time OWI court coordinator. Katie will be graduating in a couple of weeks from UW-Whitewater and is working part-time. A previous grant for electronic monitoring wasn't successful. The current grant opportunity is through the Office of Justice Assistance (OJA) and is specific to Wisconsin. The goal of the grant program is to build and/or expand problem-solving court capacity in Wisconsin to reduce crime and substance abuse among

high-risk, high-need offenders. Our program would fall under category 2, enhancement, with the goal of expanding Walworth County's target population, enhancing court services and treatment programs. December 19 is the grant application deadline; programming would begin January 1, 2013. The grant amount is \$80,000. There is no required match for the county or any other entity. Supervisor Kilkenny asked Ms. Behl her thoughts about our likelihood of success in obtaining funding. Behl said there is a pool of \$1 million dollars available, and we're one of few counties that operate an OWI court so our likelihood is probably good. The proposal is for the majority of funds to support activities of the OWI coordinator position, in addition to purchasing materials for random testing and OWI court handouts. **Kilkenny and Russell moved and seconded authorizing staff to apply for the grant.** Kilkenny said he was supportive of the county doing something besides punishing and diminishing people. Supervisor Schiefelbein said he was generally in favor of the grant and program; he asked if Walworth County has a burden that justifies funding a full-time OWI court coordinator. Bretl said there will be one additional CJCC meeting prior to the grant application deadline and suggested final review and a recommendation by the CJCC before the application is submitted. He indicated there is enough work in OWI court to warrant a full-time coordinator. Additional treatment courts, including a veterans treatment court, are planned. Support for these would also come from the court coordinator. Supervisor Russell said it seemed like the program was very hands-on for those participating. She observed that judges don't have time to be involved in the details following sentencing. The focus of the OWI court program is to assist people to change their lifestyle. Supervisor Russell said from her perspective, it will be well worth funding an OWI court coordinator at the county level, if it becomes necessary, i.e., if grant funding dried up in the future; Supervisor Kilkenny agreed. The OWI Court Coordinator needs to be much more than a clerk that generates agendas and supports the CJCC, said Bretl. It will be important for the CJCC to implement a sound job description for the coordinator position. Bretl was asked if the coordinator could also support veterans treatment court. He said "yes," that there seemed to be a willingness to expand in that way. There is currently most interest in a drug court. Veterans treatment court is already underway in participation with two other counties in southeast Wisconsin. Deferred prosecution is another program that would need support if implemented. Writing the coordinator job description will be part of the OJA grant application. The Sheriff's Office no longer coordinates community service for inmates. Kilkenny said he thought the job description should be somewhat open-ended to permit involvement of the coordinator in whatever activities are ordered by the court to help those sentenced to implement changes in their life. Clerk of Courts Supervisor Kristy Secord said Katie Behl had plenty of work at present to justify 20 hours per week. There are 22 OWI participants and fourth-time offenders will begin soon. The larger the group participating, the more hours there will be involving work for the court coordinator. Bretl and Supervisors reflected that not building a new jail is saving the county \$10 million. Supervisor Russell said if community service has gone by the wayside, it should be resurrected. Part of staffing a position is paying more attention to follow-through and ensuring staff can support what the court orders. The coordinator is a liaison. The county's Volunteer Organizer can assist in finding community work opportunities and then the coordinator will follow through in placement. Katie Behl said she had already spoken with Colleen Lesniak, Volunteer Organizer, and is working on coordinating such opportunities. **The Kilkenny/Russell motion authorizing the grant application carried 5 – 0.**

Chairman Weber said he had no reports or announcements.

December 17, 2012 at 10 AM was confirmed for the next executive committee meeting. That date had also been established by the committee for the public hearing on Alpine Valley Theatre's 2013 business plan and sanitary/license application.

Claims and litigation. The committee convened in closed session at 11:15 AM, on motion and second by Supervisors Kilkenny and Brandl, pursuant to the exemption contained in Section 19.85 (1) (g) of the Wisconsin Statutes, “conferring with legal counsel for the governmental body who is rendering oral or written advice concerning strategy to be adopted by the body with respect to litigation in which it is or is likely to become involved,” relative to the items listed below. All members voted “aye.” County staff remaining during closed session included Kathy Du Bois, Val Etzel, Nicki Andersen and Dave Bretl.

- a) Notice of Supply received from Super Mix of Wisconsin, Inc. – Walworth County Clerk, Owner; Straight Edge concrete LLC, Contractor; and, B.R. Amon & Sons, Other
- b) Summons and Complaint – Walworth county Deputy Sheriff’s Association, Inc. and Robert Schiltz, Plaintiffs v. Walworth County, Defendant
- c) Validation Notice and Debt Collection Warning – Statement of Condominium Lien – Eagle Pointe Condominium Association, Inc., Creditor.
- d) Claim of State Farm Ins. and their insured, Annette M. Stegall, in regard to an accident that occurred on April 18, 2012
- e) Claim for Public Improvement Lien - Rock Road Companies, Inc., Claimant vs. B.R. Amon & Sons, Inc., Prime Contractor, and Walworth County – Walworth County Dept. of Public Works, Public Entity
- f) Summons and Complaint – Household Finance Corporation III, Plaintiff, vs. Harvey D. Copeland and Elizabeth A. Copeland and Walworth County, Defendants
- g) Town of Richmond reimbursement request relating to fire response call in right-of-way

The committee reconvened in open session on motion and second by Supervisors Brandl and Russell and took the following action. In open session, County Administrator Bretl recommended holding items A, B, E and F and disallowing items C, D and G, consistent with the committee’s closed session discussion. **Supervisors Brandl and Russell moved and seconded holding items A, B, E and F; and, recommending the county board deny the claims listed and described in items C, D and G. The motion carried 5 – 0 with respect to items A, B, E and F, and items C and D. With respect to item G, the vote was 4 – 0 (Kilkenny abstained from voting).**

Annual evaluation of County Administrator. The committee convened in closed session on motion and second by Supervisors Kilkenny and Russell pursuant to the exemption contained in section 19.85 (1) (c) of the Wisconsin Statutes, “Considering employment, promotion, compensation or performance evaluation data of any public employee over which the governmental body has jurisdiction or exercises responsibility,” relative to the agenda item listed below. All supervisors voted “aye.”

- Annual performance evaluation of County Administrator

At approximately 1:00 PM, the committee reconvened in open session on motion and second by Supervisors Brandl and Russell. Vice Chairman Kilkenny moved support of a finding that County Administrator Bretl had satisfactorily met the requirements of his job and that his performance was exemplary. Supervisor Russell seconded the motion, which carried 5 – 0.

Chairman Weber adjourned the meeting on motion and second by Supervisors Brandl and Kilkenny.

Submitted by Suzanne Harrington, County Administrator’s Office. Minutes are subject to approval by the executive committee.

WISCONSIN RIVER RAIL TRANSIT COMMISSION

FULL COMMISSION MEETING - FRIDAY, NOVEMBER 16, 2012 @ 10AM
 DANE COUNTY HWY GARAGE, 2302 FISH HATCHERY RD, MADISON, WI

1. 10:00 AM **Call to Order** – *Karl Nilson, Chair*
2. Roll Call. **Establishment of Quorum** – *Mary Penn*

Crawford	Tom Cornford, 3 rd Vice Chair (XCom)	x	Rock	Ben Coopman, Alternate	
	Rocky Rocksford	excused		Wayne Gustina	
	Vacant			Alan Sweeney, 1 st Vice Chair (XCom)	x
				Terry Thomas	x
Dane	Gene Gray, Treasurer (XCom)	x	Sauk	Marty Krueger, Alternate	
	Jim Haefs-Fleming, left @ 11:05 AM	x		Carol Held	x
	Chris James	x		John Miller	
				Dennis Polivka, Asst. Secretary (XCom)	x
Grant	To be filled (Ivan Farness resigned)		Walworth	Jerry Grant	x
	Vern Lewison	x		Richard Kuhnke, 4 th Vice Chair (XCom)	x
	Robert Scallon, 2 nd Vice Chair (XCom)	x		Allan Polyock	x
Iowa	Charles Anderson, Secretary (XCom)		Waukesha	Karl Nilson, Chair (XCom)	x
	William G Ladewig	x		Richard Manke	x
	Jack Demby	x		Fritz Ruf	x

Other present for all or some of the meeting:

<ul style="list-style-type: none"> • Mary Penn, WRRTC Administrator • Roger Larson, Kim Tollers, Ron Adams WDOT • Forrest Van Schwartz, Consultant • Tony Fernandez, City of Madison • Alan Anderson of Pink Lady RTC 	<ul style="list-style-type: none"> • Ken Lucht, Bill Gardner, WSOR • Eileen Brownlee, WRRTC Attorney • Jim Matzinger, WDOT • Scott LaRose, Craig Wiedner, Scot Forge •
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3. Action Item. **Certification of Meeting’s Public Notice** – *Noticed by Penn,*
 - *Motion to Approve Public Notice, Thomas/Kunke, Passed Unanimously*
4. Action Item. **Approval of Agenda** – *Prepared by Penn,*
 - *Motion to Approve Agenda, Ruf/Cornford, Passed Unanimously*
5. Action Item. **Approval of draft October Meeting Minutes** – *Prepared by Penn,*
 - *Motion to Approve October Meeting Minutes, Manke/Grant, Passed Unanimously*
6. Updates. **Public Comment** – *No public comments.*
7. Updates. **Correspondence & Communications** –
 After distributing two articles (re: Talgo Suit, Morgan-Stanley) Forrest Van Schwartz briefly discussed the Morgan Stanley article.
8. **Discussion, possible action, and friendly roast on resolution to honor Mr. Bill Gardner** –*Karl Nilson, Chair*
 Karl Nilson thanked Bill Gardner for his 24 years of service to Wisconsin’s railroads and gave him a plaque signed on behalf of the WRRTC. Nilson also read a resolution to the Commission signed by himself, Gene Gray, and Charles Anderson to show Bill Gardner their appreciation of his leadership and direction for railroads in the State of Wisconsin;
 - *Motion to approve the resolution to honor Mr. Bill Gardner, Sweeney/Thomas, Roll Call Vote - Passed Unanimously*

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Nilson spoke to the group of his joining the Commission and the enthusiastic people such as Bill Gardner he has met. Commissioners around the table spoke, thanking Mr. Gardner for his service and efforts. Gardner talked about his experiences in working with various communities in addressing safety concerns. Van Schwartz shared an anecdote illustrating how railroads need to be safety partners with communities to avert tragedies and thanked Gardner for working so hard to advance safety issues at WSOR over his tenure. Ron Adams, WDOT, noted that Gardner's efforts have contributed to increasing track safety across the country. He also said that Gardner had been Shortline Track Owner of the Year twice and through his efforts, WSOR has grown beyond "anyone's wildest dreams". Gene Gray thanked Gardner for the 1st graders riding trip. Nilson also spoke of his appreciation of the various parties and agencies that put together the Commission and work to advance rail. Richard Manke spoke of his appreciation of the intergovernmental cooperation shared between the Commission's and other State agencies. Allan Polyock thanked Gardner for being such a boon to southeast Wisconsin and having a great impact on that area. Terry Thomas said that he appreciated the fact that there is train service available due to Gardner's efforts. Fritz Ruf thanked Bill for the steam engine that still is in operation. Van Schwartz said that the only thing missing from the meeting was media which should be here to document the positive benefits that Gardner has given the Commission and the State. Gardner said that he was happy to now be considered a "railroader". He spoke of his experiences when he first owned the railroad and said he is leaving the Commission a much, much better railroad than when he first purchased it. He added that he is leaving the Commission a "good legacy" and leaving with "his head high". He said that if the Commission would want him to work for them if there was a need, he would be willing to be a consultant, adding that someday he might be back in the rail industry, concluding "it was a great ride".

9. **WRRTC Financial Report** – *Jim Matzinger, Dane County CPA / WRRTC Accountant*

- Treasurer's Report for September and October and Payment of Bills

Jim Matzinger gave the treasurer's report, noting the income and payment for the economic freight rail study.

- *Motion to accept the Treasurer's Report and payment of bills, Sweeney/Ruf, Passed Unanimously*

10. **Wisconsin & Southern Railroad's Report on Operations** – *Ken Lucht, WSOR*

Ken Lucht said that he appreciated the efforts to honor Bill Gardner. He then referred the Commission to the handout he distributed which was a statement of commitment by WATCO to Wisconsin and WSOR. He spoke about the corporate culture of WATCO and its benefits and said that rumors of WSOR being sent out of state were unfounded, that WSOR is actually hiring to increase service to customers and improve morale, and if there were any questions, anyone could call him.

Lucht said the welded rail project between Madison and Milton is about 90% completed and that a bridge contractor is working to replace bridges. He said an RFP for bridge work has been sent out for other communities and related that there had been a bridge out around Madison but the issue had been corrected and the bridge is now back in use. Lucht passed around a picture of a unit train out of Prairie du Chien with frac sand. Ruf asked how many were sent out and Lucht said one every two weeks, adding that this was a test train. He said that the WSOR's part of the test train went off without a hitch although there was a small problem with 4 cars when hooking up with a Union Pacific train that caused delays. Because the test trains passed well, another unit train is on its way to Prairie du Chien from Texas. If everything works out, there may be a 100 car unit train every week traveling to the customer, a gas company in Texas.

Another project in the northern division is an ongoing tie project (ties and switches) which the state will fund 80%. The remaining 20% will be funded by WSOR and the EWCRC.

Frac sand is moving very well out of Prairie and within the next 3 weeks, trains will be coming out of Reedsburg as well; also military vehicle shipments. Some of these shipments are going through the Madison yard, and this new business is supplementing the loss of grain shipping. Lucht said the southern division has been hit pretty hard by the drought and WSOR revenue will be affected into next year.

Lucht next told the Commission that on October 22nd, the Chief Operating Officer, Tim Karp, met with WDOT in Madison to discuss the WSOR financial report. Karp presented to the group and there was a good discussion with the department and representatives of WRRTC. Lucht said that the cost of derailment was noted as a big issue and that derailment costs this year were just "shy of ½ million dollars". The various costs for WSOR (including the WRRTC lease as well as the PRTC lease costs) were also discussed. He said that WDOT has recommended a budget to the governor. Polyock asked if any unit trains had come down from the north and if any of those were coming through. Lucht said that there are a number of markets for frac sand and it is being sent west to oil and gas areas. Alan Anderson of Pink Lady RTC asked if there were any concerns about increases of frac sand shipping impacting track and bridges on the Prairie sub. Lucht said that the priority sub for upgrading is the Prairie sub to try get 1000 ties/mile and then continue with continuous welded rail based on the amount of environmentally sensitive areas and the current condition of the track coupled with the amount of freight on the line. Lucht said to make the line safe now, trains must reduce speed to 10mph; 5 mph over some structures which creates inconsistencies for the customer. Jack Demby said he was concerned about the structure of the old bridges over the (Wisconsin) river and asked how safe they were. Lucht assured him that their engineers are monitoring the bridges weekly

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and that WSOR does not want to get to the point of having to take a bridge out of service for 30 days to fix a problem. If they need to, they'll continue to apply "band aids" but ultimately they plan to replace the bridges.

Break called at 11:03 AM, reconvened at 11:13 AM

11. WisDOT Report– Frank Huntington, Kim Tollers, or Roger Larson, WisDOT

Ron Adams reported that WDOT submitted their budget request to the governor last week and was asking for \$60 million (up from \$30M) for the next biennium. He said WDOT is hopeful the legislature will pass the budget by June 2013 with the requested amount. With the grant funding requirements, WDOT needs the budget passed to accept applicants for any funding but they can do nothing before July 1st. He said that legislature has created a committee to discuss a transportation fund and it seems that there is a leaning to begin charging a surcharge on state owned land – a method to collect a fee seems possible and added that other states do collect fees via various ways but the WDOT will have to wait until the legislature can look at it. He reminded the group that the 2nd Gov. Freight Industry Conference would be meeting November 28th. Nilson asked Adams to update the Commission about the State Freight Rail Conference, saying that the session on frac (industrial) sand was very valuable. Nilson identified the areas in the state where frac sand mining is going on and said that railroads in the state will be busy with this in the future. Nilson also said a council in IL gets this (Wisconsin's) area's TIGER grant funds which are being used to correct the bottle neck in Chicago. Adams said there may be another round of TIGER grants this spring. Adams also told the Commission that in Barron County, Union Pacific (UP) had decided to abandon a line and WDOT had worked with the communities served to preserve it. WDOT had given grants to rehabilitate the track for various customers' needs but once the frac sand business started, UP decided not to sell. Adams said that from a state perspective this is good news as it is keeping rails in service in the private sector (UP has invested \$35 million to restore the line) so the value of rail freight service is clear. Manke said there are up to 500 jobs as a result of the frac sand boom in that region.

12. WRRTC Administrator's Report – Mary Penn, WRRTC Admin.

Penn had no report.

13. Consideration and possible approval of draft 2011 WRRTC Audit with Johnson Block – Mary Penn, WRRTC Admin.

Penn distributed the draft audit. Matzinger explained the audit and pointed out one exception that the auditor noted, internal control, which is a typical flag because the RTC is such a small organization. On the Commission's income, Matzinger explained a point of \$30 million of estimated value that must be depreciated (this is the WRRTC's share of the infrastructure). He said the RTC needs to report this due to a new reporting rule and is to show whether or not the RTC is putting enough money into maintaining infrastructure. Jerry Grant asked who decides the value and Matzinger said that it is an estimate decided by the auditor based on the percentages of ownership. Nilson said it is good to keep this number in mind and recommended that the Commissioners give the audit to their county financial officers. He also asked whether the Commission wanted to approve it now.

- *Motion to approve 2011 WRRTC audit with Johnson Block, Ruf/Cornford, Passed Unanimously*

14. Discussion and possible action on setting dollar amount of Scot Forge lease – Mary Penn, Admin.

Penn explained the history of the situation to the Commission, explaining that due to some confusion on the map and clarification from Scott LarRose of Scot Forge, a lease for siding was not needed, only a private crossing which was already approved and permitted. However, because the crossing is in Illinois, Penn said charging a lease would be at the discretion of the WRRTC. Dennis Polivka said we should be consistent and not charge for a lease.

- *Motion to not charge Scot Forge for a lease, Grant/Polyock, Passed Unanimously*

15. Consideration and possible approval of private crossing permit for Dan Deneen, Mazomanie, WI – Mary Penn, Admin

Penn explained that Dan Deneen had applied for a crossing permit earlier in the year and paid the application fee. He had worked with a contractor to bring the crossing up to WSOR standards and WSOR had given their approval.

- *Motion to approve private crossing permit for Dan Deneen, Thomas/Kunke, Passed Unanimously*

16. Freight Rail Economic Study Survey Update. – Forrest Van Schwartz

Van Schwartz updated the Commissioners on the survey, reminding them that UW Madison was paid to create and conduct a survey to freight customers to see what sort of impact rail is making. He said that there was an online response rate 50%. In addition to the online responses, UW Madison is now conducting phone interviews to 30 customers to get more information in preparation of a draft report. Ken Lucht and Van Schwartz will meet with UW Madison researchers to decide the content of the final report which will be greatly distributed. He said this will be a great tool to help inform representatives when legislating RR issues. He highlighted the various responses on the survey which have shown that rail service is very important to businesses, and said that comments from the survey will be included in the final report. Van Schwartz emphasized these results illustrate how important rail service is to Wisconsin

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businesses. The final report should be ready early next year. Polivka commented that that trucking has a whole new set of DOT regulations that will cost drivers an estimated \$5K a year which will add to trucking costs. Van Schwartz added that the American Trucking Association said in 2010 that the average driver turnover rate was 106% which means there was total loss of employees.

17. **City of Madison – Goodman path proposal.** – *Tony Fernandez, City of Madison*

Tony Fernandez of the City of Madison discussed the proposal which is a bike path along the track ROW. He said the City has been working to build a network of bike paths in the city and that the city has talked with WDOT but has not yet had a chance to talk with WSOR. He showed the Commission maps showing bike trails, pointing out the SW path (SCWRTC) built on abandoned track that now carries 3,000 cyclists today. For over a decade the City has been planning for this path which runs straight towards the capital past homes, retail businesses, etc. When there was discussion about passenger rail, the City accelerated their efforts. Fernandez said “there is no way” this trail can be constructed without impacting the ROW. He said the city continued to work on the trail even when passenger rail talks stopped. The Goodman Center (a private philanthropist group that has benefited the city in the past) is partnering with Madison and proposes to fund 60% of the cost (about half a million dollars). Fernandez said that if it isn’t a win/win situation it will be a non-starter, adding that the railroad and WDOT have both been given lots of details. He pointed out on the map the locations where the ROW would be impacted, and gave some specifics on where the path might be if it were within the ROW (in one example within 30 -35’ of the line-of-center). He said the Town of Blooming Grove has been met with and they seem amenable to this proposal. He then distributed a photo showing the proposed trail at the closest pinch point, the nearest edge of which would put the path 28’ from the track (they would site 25’). He said that the City will also be buying easements from private landowners as well and showed photos of current encroachments that this project would clean up. He said he hoped to meet with WSOR and WDOT and go over this in more detail and try to find ways to make this more useful for everyone. Demby asked if he was asking for a lease and Fernandez said the city was prepared to fund this project but that it was an open question. Van Schwartz asked how the WRRTC would benefit by this based on past actions on the City of Madison and its resistance to railroad requirements. Fernandez said there had been a recent meeting with the railroad and city staff to try to open up the relationship and acknowledged that there were areas where they would disagree. Nilson said the city should meet with the WSOR and then present the results to the Commission.

18. **Action Item. Adjournment**

- *Motion to adjourn at 12: 12 PM – Scallon/Cornford, Passed Unanimously*

Walworth County Health and Human Services Committee
MINUTES

November 13, 2012 Meeting – 4:45 p.m.

Walworth County Board Room
Government Center – Elkhorn, Wisconsin

The meeting was called to order by Chair Grant at 4:47 p.m.

Roll call – Committee members present included Supervisors Grant, Schaefer, Brellenthin, Schiefelbein, Monroe and Citizen Representative Wagie-Troemel. Citizen Representatives Seegers and Pious excused. A quorum was declared.

Others present – Linda Seemeyer, Director of Health and Human Services/Lakeland Health Care Center Superintendent; Elizabeth Aldred, Deputy Director Health and Human Services; David Thompson, Deputy Director Health and Human Services; Juliet Young, Health and Human Services; Bernadette Janiszewski, Lakeland Health Care Center Administrator; David Bretl, County Administrator; Lori Muzatko, Health and Human Services Manager; Roger Zierfuss, Health and Human Services Supervisors; Kevin Brunner, Public Works Director; Dave Weber, County Board Supervisor; Rich Brandl, County Board Supervisor; Carl Redenius, County Board Supervisor

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

There were no agenda withdrawals. **Motion and second made by Supervisor Schaefer/Citizen Representative Wagie-Troemel to approve the agenda. Motion carried 6-0.**

The Health and Human Services minutes from the October 17, 2012 meeting were approved as amended. **Motion and second made by Supervisors Schaefer/Monroe to approve the minutes. Motion carried 6-0.**

Public Comment – There were no comments from the public.

Unfinished business –

Role of Human Services Staff During Presentence Investigation Policy – Ms. Seemeyer stated that two changes were made to this ordinance per this committee's suggestions. Mr. Bretl reviewed the ordinance with this committee.

Supervisor Grant asked if the policy should be changed to make it a county wide policy and not just for Health and Human Services. This will be taken under consideration. Dr. Thompson will talk with Probation and Parole to see if other departments are contacted for presentencing requests.

Supervisor Schiefelbein asked for clarification regarding the section on documentation. Dr. Thompson stated this would be made clear in staff training and not in the policy or ordinance. Mr. Bretl added it would be difficult to describe the documentation in the

policy. Ms. Seemeyer and Dr. Thompson stated that DHHS staff are taught to put in appropriate detail when they are writing documentation for a case.

Schiefelbein is fine.

Ms. Wagie-Troemel asked how long it will take to implement this ordinance. Ms. Seemeyer stated that staff training and informing outside vendors would happen shortly after it became an ordinance. Staff will be notified at the all staff meeting and then follow up at unit meetings. Department of Corrections will also be contacted.

Motion and second made by Citizen Representative Wagie-Troemel/Supervisor Monroe to recommend this policy to become an ordinance. Motion carried 6-0.

New Business –

Transportation Driver Request for Proposal- Ms. Muzatko gave a brief overview for this request. The current contract ends in December 2012. The scope of the services in the bid proposal is the same as last time. The bids will go to the Finance Committee meeting on Wednesday.

Supervisor Grant asked if any bids were received. Ms. Muzatko stated that seven vendors were solicited and one entered a bid.

85.21 Transportation Grant – Ms. Muzatko is seeking approval of the transportation grant application. Funding has been reduced and there is a cash match of 20%. A public hearing was also held regarding this grant application.

Supervisor Grant asked if this application is done yearly. Ms. Muzatko stated DHHS has applied for this grant yearly for the past 20 to 25 years and it on the reoccurring grant list.

Supervisor Grant asked if committee members can call with questions. Ms. Muzatko stated that she welcomed any questions the committee may have on this grant application.

Sandy motion to approve/Joe

Motion and second made by Citizen Representative Wagie-Troemel/Supervisor Schaefer to approve this grant application. Motion carried 6-0.

Reports –

Income Maintenance Update – Ms. Seemeyer stated all was fine with the consortium. However the State could make changes that would affect Medicaid billing and wanted to give this committee fair warning.

Correspondence – There were no correspondences.

Announcements – There were no announcements.

Next Meeting Date – The next meeting is scheduled for December 19, 2012 at tentatively 1:15 p.m. following the Lakeland Health Care Board of Trustees meeting.

Adjournment – **On motion and second by Citizen Representative Wagie-Troemel Schiefelbein Chair Grant adjourned the Health and Human Services meeting at approximately 5:08. Motion carried 6-0.**

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

Walworth County Lakeland Health Care Center Board of Trustees
MINUTES

November 13, 2012 Meeting – 4:30 p.m.

Walworth County Meeting Room 111
Government Center – Elkhorn, Wisconsin

The meeting was called to order by Chair Grant at 4:30 p.m.

Roll call – Committee members present included Supervisors Grant, Schiefelbein, Brellenthin, Schaefer and Monroe. A quorum was declared.

Others present – Linda Seemeyer, Director of Health and Human Services/Lakeland Health Care Center Superintendent; Elizabeth Aldred, Deputy Director Health and Human Services; David Thompson, Deputy Director Health and Human Services; Juliet Young, Health and Human Services; Bernadette Janiszewski, Lakeland Health Care Center Administrator; Sandy Wagie-Troemel, Health and Human Services Board Citizen Representative; David Bretl, County Administrator; Lori Muzatko, Health and Human Services Manager; Roger Zierfuss, Health and Human Services Supervisors; Kevin Brunner, Public Works Director; Dave Weber, County Board Supervisor; Rich Brandl, County Board Supervisor

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

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

The Lakeland Health Care Center Board of Trustees committee minutes of the October 17, 2012. **Motion and second made by Supervisor(s) Monroe/Schaefer to approve the minutes. Motion carried 5–0.**

Public Comment – There were no comments from the public.

Unfinished Business –

Strategic Planning - Planning for the Future Presentation – Ms. Janiszewski gave a presentation regarding future planning for the function of Lakeland Health Care Center.

Supervisor Grant asked when Ms. Janiszewski needed decisions about some of the proposed changes. Ms. Janiszewski stated that if the Board is considering implementing changes in 2014, decisions should be made in March or April when we start preparing our 2014 budget request. Since we are asking the Board for policy direction, some things may be incorporated over time. Ms. Janiszewski stated she had drafted a timetable in order to ensure forward progress. Supervisor Schaefer added that he wants to see how Kenosha, Racine and Rock Counties operate.

Supervisor Brellenthin asked if Lakeland Health Care Center has a pay source policy at this time. Ms. Janiszewski stated they have had a pay source policy for several years.

Supervisor Grant asked if a motion was needed at this meeting. Mr. Bretl suggested taking a topic each month for discussion. Ms. Janiszewski indicated she had a schedule of monthly topics and this committee agreed to use that schedule of topics for future meetings.

Supervisor Grant asked if this committee can ask questions about tonight's presentation at the next meeting. Ms. Janiszewski encouraged this committee to ask questions.

Change in Payer Source Guidelines – This item was tabled at this time.

New Business – There were no items of new business.

Reports –

LHCC Administrator's Report and Financial Update – Ms. Janiszewski stated the reports were not ready in time for tonight's meeting.

Correspondence – There were no correspondence.

Announcements – There were no announcements.

Next Meeting Date – The next meeting is tentatively scheduled for December 19, 2012 at 1:00 p.m.

Adjournment – **On motion and second by Supervisor(s) Supervisor Brellenthin/Schaefer, Chair Grant adjourned the Lakeland Health Care Center Board of Trustees meeting at approximately 4:47PM. Motion carried 5-0.**

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

Telephone: (262) 728-4140

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WALWORTH COUNTY METROPOLITAN SEWERAGE DISTRICT

975 W. Walworth Ave. • Delavan, WI 53115

November 13, 2012

1:30 p.m.

CALL TO ORDER

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

ROLL CALL

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

Harold Shortenhaus arrived at 1:52 p.m.

Others present:

Karla Eggink, Administrator

Cindy Moehling, Assistant Administrator

Gail Vangen, Confidential Administrative Assistant

Timothy Fenner, Axley Brynelson

Steven Scheff, Maintenance manager

Ron Altmann, Operations Manager

Tom Johnson, Collection System Services Manager

Kevin Smale, WalCoMet

Jared Loofboro, WalCoMet

Fred Walmer, WalCoMet

Stella Broz, Delavan Club

Ron Havranek, Delavan Club

Jill Sherman, T.E. Brennan

Mitchell Lepkowski

Shari Wisniewski, Delavan Lake Sanitary District

Patrick Prah, Geneva National Sanitary District

Arnold Kellenberger, Burdick-Kellenberger Insurance

John Erikson, Hausmann-Johnson Insurance

Neal Kolb, Lake Como Sanitary District #1

Mark Lambrecht, Burdick-Kellenberger Insurance

VISITOR COMMENTS/PUBLIC COMMUNICATIONS/OTHER BUSINESS

No public comments.

Other Business: Commissioner Brandon Johnson's Commission term ended as of today, November 13, 2012. The Commission recognized his service and commitment during the past 5 years. Resolution 2012-08 was presented and read in its entirety by President Dean Logterman, recognizing Mr. Johnson's "valuable assistance, services, knowledge and expertise to WalCoMet, which has substantially benefitted all of the communities served by WalCoMet." Commissioner Eck made a motion to accept

Resolution 2012-08 as written. Commissioner Henriott seconded, and the motion unanimously passed. Commissioner Johnson thanked the staff and stated that it had been an honor to work with everyone for the common good of all.

Other Business: The Commission discussed a letter received from the AFSCME Wisconsin Council 40 for Local 2171, dated October 8, 2012, which provides notice of its desire to commence bargaining on a successor agreement to become effective January 1, 2013, due to a decision made on September 14, 2012 by Wisconsin Judge Colas, in which the prohibition on municipal employers from collectively bargaining with general employee unions on anything but base wage increases was removed. Attorney Fenner stated that the Wisconsin courts should be making a decision within a few days regarding the motion for staying the decision on Act 10, which would allow for a reasonable amount of time for WalCoMet to respond to the AFSCME.

APPROVAL OF MINUTES OF REGULAR MEETING, OCTOBER 9, 2012

Commissioner Shortenhaus made a motion to approve the minutes of the Regular Meeting of October 9, 2012. Commissioner Johnson seconded and the motion unanimously passed.

ADMINISTRATOR'S REPORT

a. BLOWER PROJECT

Steve Wolsfeld, of CDM, presented a summary of the aeration blower project. He summarized the project outlining the installation of a Siemens high efficiency variable speed drive, 3 additional dissolved oxygen probes, and a timer on the channel aeration blower. He stated that the project began in June of 2011, with anticipated completion of December 1, 2011. The completion was delayed 8 weeks, to January 12, 2012, due to blower construction and delivery. Mr. Wolsfeld presented a graph which compared the energy usage in the first 9 months of 2011 to the first 9 months of 2012. This comparison showed an approximate 20% reduction in energy usage and a corresponding savings of approximately \$53,000.00. This average yearly savings will provide a payback in less than the 10 year period projected.

Mr. Wolsfeld then addressed the blower noise issue, saying that due to the reverberation on nearby hard walls the noise level inside the blower room is about 85 dB. Although that dB level is within specifications, it is more than WalCoMet staff anticipated. He highlighted that a full enclosure had been installed around the blower unit as part of the initial project but suggested adding soundproofing to the exterior walls and door. The installation of the soundproofing would reduce the noise level in the hallway next to the blower room.

Mr. Wolsfeld then presented a summary of project costs. He stated that the original contract amount of \$469,500 had not been exceeded and that the project came in right on budget. The project came in on budget with zero change orders as a result of doing a design-build project with CDM doing the design and construction. Any changes required during the process were done at CDM's expense. Mr. Wolsfeld suggested the design-build concept may be a way to complete projects on budget in the future as was evidenced by the positive experience with the aeration blower project.

b. YEAR 2012 MAINTENANCE PROJECTS STATUS REPORT

Spreadsheet summaries of the 2012 treatment plant and lift station/interceptor project reports containing a description of projects scheduled for 2012 were provided. The itemized listing includes items above the \$5,000 authorization given to staff. Items under \$5,000 are presented in an informational format in staff memos.

The Collection System Services Budget shows approximately 97% of the budget expended. October expenditures were for general laboratory testing, interceptor repairs and the purchase of the County O flow meter. Upon completion of repairs to Elkhorn #2 lift station, a decision will need to be made as to the amount that may be charged back through the Inter-municipal Agreement.

The Maintenance Budget is approximately 53% expended, with the major expenditure of \$11,495 in October for the Commission approved plant concrete repair. Unplanned, additional expenditures for electrical equipment due to findings from the electrical inspection are expected. However, postponement of the digester cleaning and biosolids storage structure repair should result in the Maintenance Budget coming in under budget at year end.

c. PERMIT COMPLIANCE UPDATE

The wastewater facility met all Permit requirements for the month of October.

d. STAFF TRAINING ACTIVITIES

In October, staff received training in *Respect in the Work Place*, provided by MRA. A review of the SCADA system by PJ Kortens was conducted. Kevin Smale had additional training on the SCADA system. Karla Eggink attended a Rock River Board Meeting. Four staff attended the WWOA annual conference (Nick Moehling, Karla Eggink, Paul Wilson, and Krista Edmunds). An employee "out of office" list was provided for the month of November.

e. ASSET MANAGEMENT UPDATE

Asset information continues to be inputted into Access and is on schedule to be completed by year end.

f. SEPTIC RECEIVING STATION

Administrator Eggink explained that questionnaires were sent out to area septic haulers in August and the responses received indicate a potential income benefit of approximately \$160,000 per year if WalCoMet were to put into service a septic receiving station. The Commissioners agreed that a feasibility study should be conducted and further discussion and a decision made based upon the results of the study. Commissioner Eck made a motion to approve contracting with Donohue & Associates to conduct a feasibility study for a septic receiving station at the Delavan lift station for \$7,600. Commissioner Johnson seconded and the motion unanimously carried.

RECEIPTS AND DISBURSEMENT REPORT

Commissioner Johnson made a motion to accept the Receipts and Disbursements Report for the month of October, 2012 as presented. Commissioner Shortenhaus seconded and the motion unanimously passed.

ACCOUNTS PAYABLE LISTING

Commissioner Henriott made a motion to approve the Accounts Payable listing for November, 2012 in the amount of \$125,578.12. Commissioner Eck seconded and the motion unanimously passed.

OLD BUSINESS

None

NEW BUSINESS

- a) **Insurance Policy Options:** WalCoMet retained T.E. Brennan Company of Brookfield, WI, to act as an independent risk management consultant to evaluate WalCoMet's coverage needs. Quotes were obtained from existing agent, Burdick-Kellenberger, as well as R&R Insurance, of Waukesha, WI, and Hausmann-Johnson Insurance, of Madison, WI representing Cincinnati Insurance. After discussion, Commissioner Johnson made a motion that WalCoMet secure insurance coverage with Hausmann-Johnson Insurance, John Erikson-Agent. Commissioner Shortenhaus made a motion to amend – to include continuing the public officials' liability with Burdick-Kellenberger as proposed. Commissioner Eck seconded and the motion unanimously carried.
- b) **North Shore Drive Force Main Improvements:** After the publication of the November Agenda, the City of Delavan asked that this item be removed, as plans for the improvement have changed.
- c) **I & I Review:** Administrator Eggink presented a series of graphs representing wastewater flow data from 2008 through 2012. The graphs (prepared by Donohue and Associates) illustrated that average flow amounts have decreased in the four year period and after further analysis, it was determined that much of the decrease is due to entity efforts in reducing I & I, in addition to fluctuations between wet years and drought years. Entities will be provided with a letter regarding these findings and will be asked to provide a 2012 update on their I & I reduction efforts and plans.
- d) **Paratech Ambulance Service Contract:** The liability of transporting an employee that requires non-urgent medical evaluation and/or treatment in a WalCoMet vehicle or an employee's personal vehicle to a medical facility can be eliminated by using a service offered by Paratech Ambulance Service. After discussion, Commissioner Johnson made a motion to approve contracting with Paratech Ambulance Service Inc. on a fee for service basis for the transportation of employees with non-urgent medical conditions that occur while at work at WalCoMet. Commissioner Eck seconded and the motion unanimously passed.
- e) **Sewer Service at 3162 Theatre Road:** In 1991, due to extenuating boundary issues, WalCoMet agreed to install sewer service to this property, along with other considerations, in exchange for

granting an easement for the installation of a 27" gravity sewer line, to which the property remains directly connected. The easement requires the property owner to pay a monthly fee based on a flow of 250 gallons per day for service provided. Records show that no fee for service provided has ever been billed to the property and no credit for the flow generated by the property has ever been issued to DLSD. After discussion, Commissioner Shortenhaus made a motion that WalCoMet credit DLSD for the flow generated by 3162 Theatre Road from 1991 through 2012, issue a credit thereafter each month in an amount equal to 250 gpd x the number days in the month x the rate for flow, and begin charging the current property owner for service provided beginning in January, 2013. Commissioner Johnson seconded and the motion unanimously carried.

- f) **Delavan Club Connection:** DLSD is working with the homeowner's association to bring their private sewer service up to standards in preparation of accepting it as a public sewer. During this process, it has come to DLSD's attention that there is no record of a connection fee ever being paid and a monthly sewer charge has never been issued for the clubhouse. After discussion, Commissioner Eck made a motion to accept \$1,377.41 as payment in full to be paid by year end and waive all interest fees. Commissioner Henriott seconded and the motion unanimously carried.

CLOSED SESSION

Commissioner Shortenhaus made a motion to convene into a Closed Session. Commissioner Eck seconded and the motion unanimously passed. The Closed Session convened at 3:18 p.m.

Roll Call: Commissioner Johnson, Commissioner Henriott, Commissioner Logterman, Commissioner Shortenhaus, and Commissioner Eck. All present.

Commissioner Henriott made a motion to reconvene into Open Session. Commissioner Johnson seconded and the motion unanimously carried. The Regular Open Session meeting reconvened at 4:22 p.m.

ACTION IF ANY ON CLOSED SESSION ITEMS:

Commissioner Johnson thanked Administrator Eggink for her three years of service to WalCoMet, stating that she had done everything they had instructed her to do and that she had been a good Administrator. Commissioner Eck agreed and added he was particularly pleased with the cost saving efforts she had implemented. Commissioner Johnson then made a motion, with regret, to accept Administrator Eggink's resignation. Commissioner Eck seconded and the motion carried unanimously.

ADJOURN: Commissioner Johnson made a motion to adjourn, seconded by Commissioner Eck and the Regular meeting adjourned at 4:26 p.m.

Thomas Eck, District Secretary

APPROVED:
PUBLISHED:

Walworth County Human Resources Committee
MINUTES

November 5, 2012 – 3:00 p.m.

County Board Room 114 – Government Center
Elkhorn, Wisconsin

Draft

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

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

Others present – Supervisors Nancy Russell and Dan Kilkenny; David Bretl, County Administrator; Suzi Hagstrom, Labor/Employee Relations Director; Michael Cotter, LURM Director/Deputy Corporation Counsel; Tracy Moate, Director of Special Education; John Miller, Assistant DPW Superintendent; Keith Williams, Public Works; David Gerber, Crystal Zarnstorff, District Attorney's Office; Kurt Picknell, Undersheriff; Nicki Andersen, Deputy County Administrator – Finance; Dale Wilson, Payroll/Benefits Manager; Trina Adams, Payroll Specialist; Kevin Williams, Captain; Seth Rehbaum, Administrative Assistant; David Graves, Sheriff; Bernie Janiszewski, LHCC Administrator; Kevin Brunner, Director – Central Services; Val Etzel, Accounting Assistant; Sarah Anderson, Benefits Specialist; Linda Seemeyer, HHS Director; Sheila Reiff, Clerk of Courts; Liz Aldred, Deputy HHS Director; Dela Race, Clerk of Courts Office Manager; Matt Boray, M3 Consultant; David Noshay, QuadMed General Manager.

Approval of the agenda was moved and seconded by Vice Chairperson Grant and Supervisor Monroe, with no withdrawals, and carried 5 – 0. Vice Chairperson Grant and Supervisor Brellenthin moved and seconded moving items 8c and 7c to immediately follow public comment. The motion carried 5 – 0.

Approval of the September 6, 2012, September 19, 2012 and October 9, 2012 minutes was moved and seconded by Vice Chairperson Grant and Supervisor Monroe, 5 – 0.

Public comment period – Public Works Employee, Keith Williams, addressed the committee regarding item 7a and the potential pay cuts. He stated that if the proposal is approved, he will be looking at a \$6 per hour pay cut. He would appreciate the committee looking at this issue further. He pointed out that while he is classified as a BME I, he plows snow in the winter and supervises anywhere from 6-10 inmates in the summer. He added that corrections officers supervise inmates, and they are getting a pay raise, as are the highway employees. He urged the committee to take a look at this.

Discussion and possible action regarding an amendment to Section 15-359 of the Code relating to the special pay premium for the extended school year for CDEB. This issue has to do with staff members being required to work beyond the number of days set forth in their contract. The issue had been addressed with management staff two years ago. At that time, it was determined that the staff members would be compensated at 110% of their pay for the extended school year.

Moate explained that it is important for the students to maintain the skills they acquire throughout the school year. Historically, the school has been at the mercy of private vendors to provide services outside of the normal school year. The ability to compensate staff beyond their contracted days will allow management to sustain services. Staff is asking to modify the ordinance to include those individuals who may be providing services. Moate added that the current rate of pay for those services is between \$75 and \$128 per hour in the summer. If this change is approved, they would take the individual staff person and convert their salary to an hourly rate to determine 110% of their pay. On average, there are approximately 6-8 students who need services throughout the summer.

Vice Chairperson Grant and Supervisor Redenius moved and seconded approval of the amendment to Section 15-359 of the Code related to the special pay premium for the extended school year for CDEB. The motion carried 5 – 0.

Follow-up discussion regarding County Wellness Center. Wilson distributed a handout relating to frequently asked questions. Chairperson Brandl asked if staff looked at using currently existing gyms versus building our own. Andersen stated that staff contacted area facilities and looked for lower rates. Some employees avail themselves of those. Many employees utilize the in-house exercise classes offered by the county. The survey indicated that the cost of membership is a barrier to employees. Noshay stated that this could be a future add-on, and it is not included in their presentation. They are looking at a facility that can easily be expanded. Wilson stated that from a wellness perspective, it was their vision to have a fitness area as well. Andersen added that of the facilities they have spoken to, most of them have a fitness area but not a staff member on-site. It is not the county's intent to provide a staff member. Vice Chairperson Grant questioned whether the county could just contract with a provider for the clinic services. Wilson stated that they have looked into that, but employees utilizing those services would have to be taxed. Staff had discussed whether or not to have a co-pay. The facilities that required a co-pay had trouble with people keeping their appointments. The initial thought was not to have a co-pay so as to encourage employees to utilize the clinic services. Noshay said that the payback on building the full facility was approximately 3.4 years, which includes productivity savings. Supervisor Brellenthin asked how many square feet the clinic (without the gym) would need to be. Wilson said it would be 2,500 square feet for the medical side, and then another 2,500 for the fitness side. If the county were planning to build the facility, they would be looking at a 7,000 square foot building. Chairperson Brandl stated he still has some reservations about this, but he would like to explore the issue more. He pointed out that the taxpayers are against the county building anything, so perhaps the county should look into leasing a facility. Brunner stated that there are rental options in Elkhorn. He distributed a memo to the committee. Staff looked at four different sites. The former Virchow Krause building was the best option. The space could be leased for \$89,000 per year. Brunner felt that the building could easily be adapted for a medical clinic and fitness center. The building also had a lease-to-own possibility. The downside to this building is that it is not adjacent to any of the county buildings. The proximity of the building to a person's place of employment is important. Brunner added that a portion of HHS staff will have to be moved next year for the HVAC project. They may be able to move into the Virchow Krause building for that period of time.

The building is already equipped with internet connections and telecommunication lines. Noshay pointed out that the most successful clinics are on-site. Supervisor Russell felt that if the county wants to move forward with this, leasing a building is a good option. She questioned whether the county could partner with the school districts or the City of Elkhorn. Chairperson Brandl asked if the county would need a bigger space if they were to partner with other groups. Wilson stated that the potential space they had looked at to lease has more rooms than necessary. Brunner pointed out that there are more properties available just for offices, but in general, there are not many commercial properties of this size in the market. If the county is just looking at a clinic, there may be more options. Bretl questioned whether leasing a building off-site would cut down on utilization. He added that the Virchow Krause building is only ¼ mile from FLAC, and he would not want to build a gym that close to another gym. Andersen pointed out that a lease and purchase is an option. The purchase price is almost the same amount as what was put in the budget. Supervisor Kilkenny said that the point that had been made was that an on-site facility was best, but the county has employees scattered around, so that will not work. He also felt that the cost of the lease seemed high. Andersen stated that the purchase price is \$1,150,000, and there is \$1,173,000 in the budget. Supervisor Kilkenny felt that it was important to see what employees think. Wilson stated that they haven't surveyed employees directly. This has been discussed at labor-management meetings and at wellness council meetings. Bretl stated that the next step could be do survey the employees. Vice Chairperson Grant was not in favor of building a million dollar building right now. He wants to know that the clinic is going to succeed first. Supervisor Kilkenny asked what the anticipated savings in medical costs were. Noshay stated that the savings range from \$630,000 to just under \$900,000. Bretl stated that this is a very big decision to make. Supervisors need to fully understand all aspects of this. The public might just view this as a benefit to employees. The board needs to decide how they want to proceed. If the board is uncomfortable building a facility, they need to say so. They could choose to survey employees. Chairperson Brandl would like to get a general consensus as to where employees would most like to see the clinic. He was more comfortable with the clinic option without the fitness component. Andersen stated that many places have adjoining fitness areas. Some things the committee needs to think about are whether the distance would influence employee participation and what affect co-pays would have on participation. Supervisor Russell was concerned with surveying employees because that seems to imply that the county is going ahead with the wellness center. She felt that the board should vote on this as a whole and find out if there is general support for it. Then they can ask where the wellness center should be located. Chairperson Brandl suggested that the survey could be worded in a way that would explain that this is something the county is looking into. Vice Chairperson Grant asked about the budget. Andersen stated that funds have been included in the 2013 budget to construct the facility.

Vice Chairperson Grant and Supervisor Monroe moved and seconded directing staff to survey current employees to determine their interest in participating in a wellness center. The motion carried 5 – 0. It was clarified that the survey results would be presented to the committee at the December meeting.

Discussion and possible action regarding the rules that apply to the migration of current employees to the 2013 pay ranges. Bretl explained that the idea behind the pay study was to look at pay ranges and comparables in the private sector. One-third of our positions are above market, one-third are at-market, and one-third are below market. The question then becomes how to implement the new pay ranges. For employees at market, we can simply implement the new pay ranges. For employees who are below market, we should be paying them what their comparables are being paid so that we are able to recruit and retain quality employees. If employees are above market, staff is recommending that we reduce their pay as of January 1, 2014 to the top of the new range. The committee needs to make a decision and forward their recommendation to the full board. Chairperson Brandl agreed with staff's recommendation. Vice Chairperson Grant agreed with the recommendation for those employees who are below market, but he did not agree with the recommendation for those who are above market. He would not agree with decreasing an employee's pay by more than \$1 an hour per year until the employee reaches the market level. He does not think it is fair to take any more than that. Supervisor Monroe agreed with Vice Chairperson Grant. Supervisor Russell stated that we need to look at what is happening in the private sector as well. Many people are not making what they were making before. We have the obligation to represent taxpayers. She feels that the board needs to make this decision now rather than continue with a two-tier pay system. Supervisor Brellenthin agreed with Vice Chairperson Grant. He felt that the decrease in pay should be phased in over a number of years. While he agreed that the county should get in-line with the private sector, he felt that doing so in just one year was too much to ask. Sheriff Graves suggested allowing departments to review job descriptions and JDQ's and bring them up-to-date.

Vice Chairperson Grant and Supervisor Brellenthin moved and seconded recommending the following rules for the migration of employees to the 2013 pay ranges: employees who are below market will be brought up to the new range as of January 1, 2013; starting January 1, 2014, employees who are above market by over 10% will have their pay reduced by a maximum of \$1 per hour/per year until they match the private sector; employees who are above market by less than 10% will be red-circled until they match the private sector. The motion carried 3 – 2. (Supervisor Redenius and Chairperson Brandl opposed).

Discussion and possible action regarding potential amendments to Chapter 15 of the Code relating to alternate work schedules and flexible work scheduling for hourly employees. Bretl suggested that if the committee thinks that a 4-10 alternate work schedule is a good idea, they could make it available at the discretion of managers; alternatively, they could generally prohibit it. While flexibility is more attractive to employees, this is the public sector, and the public sees this. It would be much different if this were a private business. Bretl's opinion has been to generally prohibit such schedules but allow managers to precipitate that. Chairperson Brandl agreed. He explained that the general public expects county employees to be here eight hours a day, five days a week. Chairperson Brandl felt that we should allow managers to let an employee work six hours one day if the employee has to work ten hours another day. Bretl explained that the highway department works 4-10s in the summer months for safety reasons. The ordinance allows for that now, so the proposed amendment won't affect that. Supervisor

Brellenthin felt that the way the ordinance is written, it would still allow departments the flexibility to have employees come in late or early as the workload may warrant. He proposed that the committee approve the amendment as presented. Supervisor Monroe agreed. Hagstrom pointed out that hourly employees have compensatory time. If, for example, an employee needs to go to the dentist during the day, they may be permitted to stay late to finish their work for the day. Bretl said that it would be a problem if an employee's timecard repeatedly showed the employee not working on Fridays.

Supervisors Brellenthin and Monroe moved and seconded approving the amendment as presented. The motion carried 5 – 0.

Discussion and possible action regarding compensatory bank and overtime for highway employees. Hagstrom stated that this was an issue when the county enacted the new rules. Chairperson Brandl had no problem with the 80-hour comp bank, but he did have a problem with the mandatory overtime from November to the end of March for hours from 3:30 p.m. on Friday to 7:00 a.m. on Monday for snow plowing. When someone is hired, they know that they might have to work weekends or late hours to plow snow. Supervisor Monroe was concerned that if we have a snowstorm on Saturday or Sunday, and employees are not getting paid overtime, suddenly they will not be available to come in. Chairperson Brandl felt that if an employee does that, there is an attendance policy in place, and the person could be looking at some sort of discipline. Vice Chairperson Grant pointed out that there are also LTEs who are waiting to be called on to plow snow if our regular employees are unavailable. He felt that the policy should be left as is for now. If it becomes a problem, staff can bring it back later. Brunner stated that most other counties pay overtime for over 8 hours per day and 40 hours per week year-round. He feels that the inconvenience of being called out on a weekend should be compensated. Bretl explained that the county needs to look at this issue in terms of equity. If a highway employee calls in sick on a Tuesday, for example, under this proposal, he would still get paid time and a half for working on the weekend. At the jail, on the other hand, there is minimum staffing requirement, and non-productive hours do not count toward overtime. If employees at the jail do not come in when called, they are subject to discipline. Brunner added that other counties do this to ensure adequate response of highway employees. They want to make sure they have people coming in. **Vice Chairperson Grant and Supervisor Redenius moved and seconded denial of the request regarding the weekend overtime issue for highway employees. Vice Chairperson Grant clarified that employees must have 40 productive hours before they would get overtime. The motion carried 5 – 0. Vice Chairperson Grant and Supervisor Monroe moved and seconded changing the maximum compensatory bank hours for highway employees to 80 beginning January 1, 2013. The motion carried 5 – 0.**

Ordinance Amending Section 15-17 of the Walworth County Code of Ordinances Relating to Authorized Positions by Department Based on the 2013 Budget. Hagstrom stated that every year, the county has to adopt a revised amendment to Section 15-17 based on the budget. The preliminary draft of the amendment was included in the packet. If there are amendments made by the board, a clean copy will be provided at the meeting for budget adoption. Hagstrom stated

that this included all of the personnel changes. Bretl stated that supervisors can propose amendments if they have concerns.

Vice Chairperson Grant and Supervisor Brellenthin moved and seconded approval of the amendment to Section 15-17. Supervisor Russell pointed out that the fiscal note states that the changes are included in the 2013 budget. She would like to see a dollar amount illustrating the impact of all of the changes. Staff will add that to the fiscal note. **The motion carried 5 – 0.**

Discussion and possible action regarding revisions to Section 15-540 of the Code relating to the labor-management health insurance committee. Hagstrom stated that when the county had union contracts in place, the labor-management health insurance committee was obligated to meet quarterly. The committee was formed to do some of the legwork before bargaining and to educate employees. The ordinance had been changed to allow for members to be selected by management. We solicited interest among employees, but we did not have anyone who was interested in serving on the committee. We are now proposing to completely remove section 15-540 from the ordinance. We can continue to have meetings with employees as needed. Bretl stated that the deputies wanted to continue to meet, and staff will still do that to meet our contractual obligation. He added that there is a need for employee input, so perhaps all employees could be invited annually to a meeting.

Vice Chairperson Grant and Supervisor Brellenthin moved and seconded approval of the amendment to Section 15-540 of the Code relating to the labor-management health insurance committee. The motion carried 5 – 0.

Chairperson Brandl reminded everyone to go out and vote on Tuesday.

The next regular meeting of the human resources committee was confirmed for December 19, 2012 at 3:00 p.m. (The committee decided not to hold their regular meeting at 3:00 p.m. on November 21st due to Thanksgiving. If any issues arise before the December 19th meeting, Bretl suggested that the committee could meet prior to the December County Board meeting).

Walworth County Deputy Sheriff's Association, Inc. and Robert Schiltz, Plaintiffs v. Walworth County, Defendant. Chairperson Brandl read the closed session language. Vice Chairperson Grant and Supervisor Redenius moved and seconded going into closed session. At approximately 5:00 p.m., 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." At approximately 5:23 p.m., on motion and second by Supervisor Monroe and Vice Chairperson Grant, the committee reconvened in open session.

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

Adjournment. On motion and second by Supervisors Monroe and Redenius, Chairperson Brandl adjourned the meeting at approximately 5:25 p.m.

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

DRAFT

**Walworth County Board of Supervisors
Park Committee
MEETING MINUTES
Monday, October 15, 2012 1:00 p.m.
County Board Room 114—Government Center
100 W. Walworth Street, Elkhorn, Wisconsin**

Call to order. Chair Schiefelbein called the meeting to order at 1:08 pm.

Roll call was conducted with the following members present: Board Supervisors: Dan Kilkenny, Nancy Russell, Timothy Schiefelbein, Michael Hurlburt, and Mariette Nowak.

Others present:

County staff: Kevin Brunner, Director of Central Services, Public Works Director of Operations Larry Price, David Bretl, County Administrator and Nicki Andersen, Deputy County Administrator - Finance. David Schilling, Principal Planner for the Southeastern Wisconsin Regional Planning Commission.

Public Present: None

Agenda withdrawals/approval: Motion by Kilkenny/Nowak to approve agenda. Motion carried 5-0.

Approval of Minutes: Motion by Kilkenny/Russell to approve the minutes of June 18, 2012. Motion carried 5-0.

No Public Comment

Ongoing/unfinished Business from October meeting

- a) **Discussion and possible action to approve the draft of Chapter 4 –Objectives, Principles, and Standards and Park and Open Space Needs Analysis.** Mr. Schilling reviewed Chapter 4 which sets forth the objectives, principles and standards used in the preparation of the plan. It also applies the standards to the anticipated 2035 population to help determine need for major park sites and outdoor recreation facilities such as golf courses, campgrounds, swimming beaches, lake access and trails. There are seven plan objectives that have been incorporated directly into the 2035 plan from previous plans. Russell commented on golf courses under the standards for intensive resource-oriented recreation facilities that both Aurora University and Hillmoor Golf Club have been closed. Committee consensus was that the private golf courses in the county meet the population's needs. Schilling stated that when you apply the service area standard it indicates there may be a need for a public golf course to serve residents of the southeastern area of the County.

Russell mentioned that Hackmatack is not included nor the additional property that the Department of Natural Resources recently purchased next to Whitewater State Park. Schilling said they receive updates from the Department of Natural Resources so property will be added as received.

Motion by Russell/Nowak to approve chapter as modified. Motion carried 5-0.

- b) Discussion and possible action to approve Preliminary Plan Recommendations – Walworth County 2035 Park and Open Space Plan** Schilling reviewed the Walworth County 2035 Park and Open Space Plan Preliminary Plan Recommendations. The Committee discussed the previous concerns with trails that several townships had with the last plan. Schilling reminded the Committee that this is a plan recommendation, a tool for the committee to use. Brunner mentioned the economic impact trails can give to an area. Schiefelbein thanked Schilling and stated he looked forward to the December meeting.

New Business

- a) Update and discussion regarding prairie planting at Price Park.** Brunner informed the committee that the farm lease for a portion of Price Park is up at the end of year. After visiting the park with Schiefelbein, Brunner's recommendation is to not renew the lease and to plant the area into prairie plantings. Brunner mentioned he would like to study doing selective forestation of both park properties and use proceeds to defray costs. The removal would be mostly pines that are planted too close together. If left as is, the trees would all mature at the same time and could all die at once. Russell mentioned the property needs to be evaluated as to what herbicides have been used before planting. Brunner stated soil tests will be used. **Nowak motion to plant the prairie in the lease area of Price Park, second by Hurlburt. Brunner mentioned he would have the costs and a plan for the prairie planting by next meeting. Motion carried 5-0.**

The committee will convene in closed session pursuant to the exemption contained in Section 19.85 (1) (e) of the Wisconsin Statutes, "Deliberating or negotiating the purchasing of public properties, the investing of public funds, or conducting other specified public business, whenever competitive or bargaining reasons require a closed session."

In closed session, the committee will discuss the following item:

- Potential acquisition of parkland property in the Town of Lyons.

Motion by Russell/Nowak to go into closed session. Schiefelbein reiterated that the closed session item was for discussion of **Potential acquisition of parkland property in the Town of Lyons.** Roll call - Schiefelbein, aye, Kilkenny, aye, Russell, aye, Hurlburt, aye, Nowak, aye.

The committee reconvened in open session on motion of Kilkenny/Russell, motion carried 5-0.

Motion by Russell/Kilkenny to proceed as discussed in closed session. Motion carried 5-0.

Confirm next meeting date and time: Monday, December 17, at 1:00 p.m.

Adjournment motion by Kilkenny/Russell at 2:36 p.m. Motion carried 5-0.