

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

NOVEMBER 20, 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 were:

**Racine County Deputy Cindy Milam, recently appointed to replace Deputy Don Vandervest who has been promoted to Detective.

**Tom Pringle, Racine County Supervisor. Mr. Pringle commented that he had become aware of the HLPR District and its meetings through contact with Mike Weinkauf and had decided to attend. (Chairman Lutz commented that, when the District Commission was formed, Racine County had indicated it had no interest in having a representative attend the meetings.)

Secretary Correll read the minutes of the October 16, 2012 monthly meeting which were subsequently approved. Treasurer Schwarten read the October, 2012 Treasurer's Report which was subsequently approved. (copies of these minutes and Treasurer's Report are attached, along with the agenda for this meeting, plus minutes and Treasurer's report from the Oct 16, 2012 meeting which I missed)

Old Business:

While there was no "new" business, McIndoe asked for a clarification of an item discussed in the October meeting when he was absent, that being the possibility of "having the snowplow contract bid for a term of three years."

Obviously this does not impact the 2012-2013 contract accepted in the October meeting, but, if agreed upon prior to the next season, the contract would be for a three-year period with necessary bondage required for the protection of the District.

New Business:

Chairman Lutz “welcomed” Deputy Milam....with introductions from himself and the balance of the Board. Deputy Milam spent 15 years of duty in Waterford. Chairman Lutz defined the Honey Lake area and some of its “problems”.

The initial contract payment for snowplowing has been made to Snow Solutions which was awarded the 2012-2013 contract at the October meeting.

Annual lowering of the lake level will be begun this coming weekend.

Dam boards will need to be replaced next year. With Arbor Images probable relocation of its Burlington facilities to a 100 acre site along Hwy JS in Spring Prairie, it would appear that there might be a new “local” site for having these expensive boards prepared.

The service bridge near the dam has 2 rotting boards which need replacing soon.

Considerable discussion held relative to the property on Crescent St. directly across from the Chaulklin property where the District spent considerable time and expense having him remove items placed and planted in the road right-of-way. (ref: most past meeting minutes from July, 2011 thru July 2012.) During this period, the property owners across the street from Mr. Chaulklin have had “temporary” wrought iron fencing “also in the road right-of-way” along the front of their property. The property owners have previously been told that the fencing would ultimately have to be moved back onto their property. However, lately the owners have also now planted three (3) small diameter (1”-2”) trees, about 4’tall in the road “right-of-way”! One of the problems facing the District is that Crescent St. does NOT lie in the center of the road “right-of-way”....In fact, without a survey, there are no marked indications where that “right-of-way” is. After considerable discussion it was decided that the property owners would be given until Dec 20, 2012 to remove the three (3) trees and properly relocate them back onto their property, even if they must arrange for a survey to determine where their property line is.

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 8;10 p.m.

Respectfully submitted,



Robert E. McIndoe 11/23/12

DRAFT

**Walworth County Board of Supervisors
Public Works Committee
MEETING MINUTES
Monday, November 19, 2012
Walworth County Government Center, County Board Room 114
100 West Walworth Street, Elkhorn, Wisconsin**

Chair Russell called the meeting to order at 3:30 p.m.

Roll call was conducted, and all members were present, to wit: 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; Public Works Director of Operations Larry Price; Deputy County Administrator-Finance Nicki Andersen
Members of the public: Kurt Feuerstein, P.E., Patrick Engineering

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

Approval of October 15, 2012 meeting minutes

Supervisors Monroe and Schaefer moved to approve the October 15, 2012 meeting minutes as prepared. The motion carried 5-0.

No members of the public were present at the meeting.

Regular Business

Referral from November 13, 2012 County Board meeting:

Correspondence from Wisconsin Department of Natural Resources regarding the dam safety inspection for Lake Beulah Dam

Update on Lake Beulah Dam replacement project

Kurt Feuerstein, P.E., Patrick Engineering, said he has coordinated with the Wisconsin Department of Natural Resources (WDNR) on the new design. The draw down structure is a requirement of the WDNR and is for maintenance purposes. The grant application has been approved, and Feuerstein said the county would pay 50% of the first \$400,000 of the project, and the State would pay 50%. The county would pay 25% of the next \$800,000. This project was not included in the CIP and will come from the general fund reserves. **No action needed on this item.** Chair Russell commented on how beautiful the bridges on CTH X are and said the the ribbon cutting ceremony November 16 was really nice and there was a good turnout.

Notice of Public Information meeting on December 6, 2012 at 4:30 p.m. at the Delavan City Hall concerning proposed 2013 County Road Improvement projects

The public information meeting on the CTH O and CTH M 2013 roadwork will be held at Delavan City Hall on Thursday, December 6 at 4:30 p.m. In the packets is a brief description of the scope of both projects. Brunner encouraged members to attend the informational meeting and said it is a good way to inform the public and encourage affected citizens to ask questions so that they are aware of what the projects are and their estimated completion dates, etc.

County farm lease – recommendation from Park Committee on Price Park farmland (from September 17 Public Works Committee meeting)

Brunner reported that the Park Committee recommended at their October 15 meeting to plant the 5.8 acres of leased farmland located to the north of the entrance of Price Park to prairie. In addition, the Park Committee recommended doing select cuttings of the overcrowded pines in Price as well as Natureland Parks. He estimated that the revenue from the harvesting of the wood could be as much as \$10,000, which would help offset the cost of the prairie planting. Chair Russell said that Kenosha County has a large dog park in one of their county parks and that there is demand here for putting in space for pet owners. Brunner said that the City of Whitewater has had a dog park for several years, funded by pet owners. He said the county might consider charging owners to use a facility like that if the county were to consider that option, and added that there would have to be budget for fencing. **Supervisors Monroe and Redenius moved not to renew the 5.8 acre farmland lease on Hodunk Road, and to plant the acreage to prairie. In addition, they directed staff to put consideration of a county dog park on the next Park Committee agenda. The motion carried 5-0.**

Approval of draft Development Agreement Between Walworth County and Lake Prairie Business Park LLC

Revisions requested by the Developer and agreed to by Brunner and County Administrator Bretl were incorporated in red and handed out to members before the meeting. Brunner reviewed the minor changes. Chair Russell expressed concern that if the Developer delays or for some reason defaults and fails to complete the project, she wants assurance that the county wouldn't bear the burden of finishing the connection to CTH F. Director of Operations Larry Price said that the connection to CTH F will be done last, and until that CTH F will remain as it exists. He said that the potential default is most likely covered under the surety bond. Brunner said that the Business Park will be multi-use, commercial and condominiums/apartments. Brunner said that the Developer also asked for additional time to build the roadway and wanted only 12 months' warranty. The county's best interest is to maintain a 90- day schedule for completion of the roadway and an 18-month warranty. **Chair Russell iterated that she wants an end date for the construction. Supervisors Stacey and Monroe moved to approve the draft Development Agreement between Walworth County and Lake Prairie Business Park, with the addition of language under Article IV, Surety, C., Events of Default, 4. Failure to complete construction according to the timetable identified in Article II.E., Construction Timeline/Temporary Closure of CTH F. The motion carried 5-0.**

Next regularly scheduled Public Works Committee meeting date and time: Monday, December 17, 2012 - 3:30 p.m.

Adjournment

Supervisors Stacey and Redenius moved to adjourn the meeting. The motion carried 5-0, and the meeting adjourned at 4:00 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

November 14, 2012 - Hearing – 8:30 AM

November 15, 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 November 14 & 15, 2012, in the County Board Room of the Government Center in Elkhorn, Wisconsin. Those present on November 14, 2012, were Chair John Roth, Vice-Chair Gregory E. Guidry and Secretary Ann Seaver. Deb Grube, Senior Zoning Officer and Wendy Boettcher, recording secretary of the Land Use & Resource Management Department were in attendance. Those present on November 15, 2012, were Chair John Roth, Vice-Chair Gregory E. Guidry and Secretary Ann Seaver. Nick Sigmund, Code Enforcement Officer and Wendy Boettcher, recording secretary of the Land Use & Resource Management Department were in attendance. “Sign-in” sheets listing attendees on November 14, 2012, and November 15, 2012, are kept on file as a matter of record.

The November 14, 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 Gregory E. Guidry. Motion carried. 3-favor, 0-oppose. Gregory E. Guidry motioned to approve the October 10 & 11, 2012, Minutes and dispense with the reading. Seconded by Ann Seaver. Motion carried. 3-favor, 0-oppose. After testimony of all cases, Gregory E. Guidry motioned to recess until 8:30 A.M. on Thursday, November 15, 2012. Seconded by Ann Seaver. Motion carried. 3-favor, 0-oppose.** The November 14, 2012, hearing went into recess at approximately 10:20 A.M.

On November 15, 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 Gregory E. Guidry. Motion carried. 3-favor, 0-oppose. After the decisions were completed, Ann Seaver motioned to adjourn until the December 12, 2012, hearing at 8:30 A.M. Seconded by Gregory E. Guidry. Motion carried. 3-favor, 0-oppose.** The November 15, 2012, decision meeting adjourned at approximately 8:59 A.M.

Four variance hearings were scheduled and details of the November 14, 2012, hearings and the November 15, 2012, decisions are available on video to view on our website: www.co.walworth.wi.us.

New Business – Variance Petitions

Day #1 Hearing – Webcam Count #2:10 – 31:48 / Day #2 Decision – Webcam Count #4:15 – 10:14

The First Hearing was Michael C. & Gail K. Brenner, owners – Section(s) 8 – Linn Township

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

REQUIRED BY ORDINANCE: The Ordinance requires a 25' street yard setback for a residence and a 19' street yard setback for an uncovered deck.

VARIANCE REQUEST: The applicants are requesting an approximate 1' street yard setback for an existing deck, an approximate 7.1' street yard setback for a proposed deck and an approximate 15.7' street yard setback for a residence. The request is a variance from Section(s) 74-181 / 74-221 / 74-232 of Walworth County's Code of Ordinances – Shoreland Zoning to permit the location of a residence and deck and permit the construction of a deck.

BOARD OF ADJUSTMENT DECISION: The Walworth County Board of Adjustment, during the meeting of November 14 & 15, 2012, for the petition of Michael C. & Gail K. Brenner, owners, voted to **APPROVE** the request for an approximate 1' street yard setback for an existing deck, an approximate 15.7' street yard setback for an existing residence, and **MODIFY and APPROVE** an 11.6' street yard setback for a proposed deck

A motion was made by Gregory E. Guidry to separate the decision into two parts. Seconded by Ann Seaver. Motion carried. 3-favor 0-oppose

A motion was made by Gregory E. Guidry to approve the variance request for the existing house and deck. Seconded by Ann Seaver. Motion carried. 3-favor 0-oppose

A motion was made by Gregory E. Guidry to approve the newly revised proposed new deck with its variance of allowing only the new deck to be only 4' closer to the road than the house or 4' beyond the house towards the road. Seconded by Ann Seaver. Motion carried. 3-favor 0-oppose

BOARD OF ADJUSTMENT FINDINGS:

Approval of approximate 15.7' street yard setback for existing residence and approval of approximate 1' street yard setback for existing deck: The Board found the topography of the parcel to be a unique property limitation. The Board found to require the owner to move the house back and remove the deck would cause unnecessary hardship. The Board found the residence and deck have existed for some time on the dead-end street without causing harm to the neighbors, the community or the public's interest in navigable waters.

Approval of proposed deck with an 11.6' street yard setback: The Board found the proposed deck will be no more than 4' closer to the road than the existing residence. The Board found the owner was willing to work with staff and did bring the deck further back from road than originally proposed. The Board found to approve the proposed deck with the revised street yard setback will permit access to the existing deck from the proposed deck. The Board found to approve the variance request will cause no harm to the neighbors.

There was a letter of comment from the Town of Linn and four letters of support from neighboring property owners. There was no opposition.

Day #1 Hearing – Webcam Count #31:49 – 56:30 / Day #2 Decision – Webcam Count #10:15 – 15:17

The Second Hearing was Terry L. & Linda K. Kirch Revoc Trust, owner / Kenneth L. Etten, McCormack + Etten Architects LLP, applicant – Section(s) 10 – Linn Township

Applicants are requesting a variance from Section(s) 74-163 / 74-181 / 74-221 of Walworth County's Code of Ordinances – Shoreland Zoning to construct an accessory structure (garage).

REQUIRED BY ORDINANCE: The Ordinance requires an accessory structure that is in the side yard to be at least 25' from the right-of-way and at least 25' from the rear lot line.

VARIANCE REQUEST: The applicants are requesting: Option A) a .2' street yard setback and a 6.8' rear yard setback or Option B) an approximate 10.26' street yard setback and an approximate 6' rear yard setback. The request is a variance from Section(s) 74-163 / 74-181 / 74-221 of Walworth County's Code of Ordinances – Shoreland Zoning to construct an accessory structure garage.

BOARD OF ADJUSTMENT DECISION: The Walworth County Board of Adjustment, during the meeting of November 14 & 15, 2012, for the petition of Terry L. & Linda K. Kirch Revoc Trust, owner / Kenneth L. Etten, McCormack + Etten Architects LLP, applicant, voted to **APPROVE** the request for Option B) an approximate 10.26' street yard setback and an approximate 6' rear yard setback.

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

BOARD OF ADJUSTMENT FINDINGS: The Board found the unique shape of the property to be an exceptional circumstance. The Board found Option B to be more in compliance with zoning ordinance setback requirements. The Board found the high water table in the area does not allow basements to be constructed that are needed for storage. The Board found to approve the variance request would cause no hardship to the neighbors. The Board found the right-of-way on the property does not accommodate a high volume of traffic and to approve the variance request would cause no harm to the public. The Board found the existing garage will be removed. There was one letter of comment from the Town of Linn and four letters of support from neighboring property owners. There was no opposition.

Day #1 Hearing – Webcam Count #56:31 – 1:12:24 / Day #2 Decision – Webcam Count #15:18 – 21:13

The Third Hearing was Mary J. Dolan Trust, owner / Kelly Frazier, McCormack + Etten, applicant – Section(s) 5– Linn Township

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

REQUIRED BY ORDINANCE: The Ordinance requires a 19' rear yard setback for an uncovered deck.

VARIANCE REQUEST: The applicants are requesting a 12.2' rear yard setback. The request is a variance from Section(s) 74-181 / 74-221 / 74-232 of Walworth County's Code of Ordinances – Shoreland Zoning to construct a deck.

BOARD OF ADJUSTMENT DECISION: The Walworth County Board of Adjustment, during the meeting of November 14 & 15, 2012, for the petition of Mary J. Dolan Trust, owner / Kelly Frazier, McCormack + Etten Architects, applicant, voted to **DENY** the request for a 12.2' rear yard setback.

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

BOARD OF ADJUSTMENT FINDINGS: The Board found the owner did not prove exceptional or unique circumstances to the property. The Board found the request for the larger deck should have been part of the 2010 addition design. The Board found the hardship to be self-created in constructing a large addition that left little room for further improvement. The Board found to deny the variance request does not prevent the owner from using the property for a permitted purpose. The Board found to approve the variance request would cause harm to public interests. The Board found the variance request to be a large increment of relief. The Board found the variance request did not meet the criteria necessary for approval. There was no support. There was a comment of opposition and a letter of opposition from the Town of Linn.

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

Day #1 Hearing – Webcam Count #1:12:25 – 1:48:13 / Day #2 Decision – Webcam Count #21:14 – 28:10

The Fourth Hearing was Thomas P. Dine, owner – Section(s) 18 – Linn Township

Applicant is requesting a variance from Section(s) 74-163(3) of Walworth County's Code of Ordinances – Shoreland Zoning for the location of a fence.

REQUIRED BY ORDINANCE: The Ordinance prohibits any obstruction above the height of 2 ½ feet in the vision triangle.

VARIANCE REQUEST: The applicant is requesting to locate a 4' high fence in the vision triangle. The request is a variance from Section(s) 74-163(3) of Walworth County's Code of Ordinances – Shoreland Zoning for the location of a fence.

BOARD OF ADJUSTMENT DECISION: The Walworth County Board of Adjustment, during the meeting of November 14 & 15, 2012, for the petition of Thomas P. Dine, owner, voted to **DENY** the request to locate a 4' high fence in the vision triangle.

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

BOARD OF ADJUSTMENT FINDINGS: The Board found no unique or exceptional circumstance to the property. The Board found the fence was required by the owner's insurance company for safety of the pool area and not for the safety of the yard area. The Board found the owner could satisfy the fence height requirement for the insurance company and for the zoning code of ordinances without variance approval. The Board found to deny the variance request would cause no unnecessary hardship. The Board found to approve the variance request would cause harm to public interests. The Board found the variance request did not meet the criteria necessary for approval. The Board found the Linn Plan Commission, Linn Town Board and the Village of Fontana did object to the variance request. There was no support. Two people spoke in opposition and there were letters of opposition from the Oak Shores Association Board, the Town of Linn and the Village of Fontana.

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

Other

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

Staff Reports

- A. Court cases update - none
- B. Distribution of reports, handouts and correspondence
Board members received the 2013 Walworth County Board of Adjustment Meeting Schedule

Proposed discussion for next agenda

The following items were requested to be put on the December 2012 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.

County Zoning Agency
MINUTES
November 15, 2012 – 4:00 p.m.
100 West Walworth Street
Elkhorn, Wisconsin

Chair Rick Stacey called the meeting to order at 4:00 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. A quorum was present.

County Staff present – Land Use and Resource Management Department Director Michael P. Cotter, Senior Planner Neal Frauenfelder, Watershed Technician Chris Rieck and Code Enforcement Officers Rick Dorgay, Nick Sigmund and Darrin Schwanke. Present for a portion of the meeting / hearing were County Administrator David A. Bretl and County Board Chair Nancy Russell.

A “sign-in” sheet listing attendees on November 15, 2012, is kept on file as a matter of record.

Details of the November 15, 2012, meeting / hearing are available to the public to view on our website: www.co.walworth.wi.us

Rich Brandl motioned to approve the agenda as printed. Seconded by Dave Weber. Motion carried. 7-favor 0-oppose

Richard Kuhnke Sr. motioned to approve the October 18, 2012, Minutes. Seconded by Rich Brandl. Motion carried. 7-favor 0-oppose

Zoning / Sanitation / Land Conservation Enforcement – Michael Cotter
Webcam Count #0:2:49 – 0:3:36

Subdivision Items – Old Business - none

Subdivision Items – New Business

Lake View Preserve Condominium Preliminary Plat, David Hernandez, Declarant. Located in Section 2, Town 3 North, Range 16 East, Town of Sugar Creek. Parcel #G SC 200007. The proposed plat contains 22.33 acres of land and is zoned C-2 Upland Resource Conservation District. This plat requires County Zoning Agency review and approval for a private road that will serve the proposed 4-unit condominium plat. – Neal Frauenfelder

Dave Weber motioned to approve this item with the following conditions:

- 1) Approval is subject to complying with the conditional use permit.
- 2) Approval is subject to locating the retaining wall for the private road within the private road right-of-way or obtaining a setback variance.
- 3) Approval is subject to the approval and recording of an easement that connects this parcel to the public road "Sycamore Street".
- 4) Approval is subject to locating the soil borings for units 1 – 4 on the face of the plat.
- 5) Approval is subject to preparing a stormwater management plan to verify the location and size of the proposed stormwater management and drainage easement and to insure that there is no encroachment of above and underground structures.
- 6) Approval is subject to preparing a stormwater maintenance plan.
- 7) Approval is subject to complying with County Construction Site Erosion Control and Stormwater Management Ordinances for any construction.
- 8) Approval is subject to properly labeling the lands to the east of the proposed plat as Lake Wandawega Subdivision not Lake Wandawega Highlands Subdivision as shown.
- 9) Approval is subject to adding a statement on the face of the plat that states that the Preserved Common Element Open Space is solely for the use of units 1, 2, 3 and 4 of the Lake View Preserve Condominium Plat.
- 10) Approval is subject to adding a statement to the face of the plat that prohibits additional filling, disturbance or development of the remaining primary environmental corridor outside the four residential units, septic system area and driveway and that would prohibit the further subdivision of the common element.
- 11) Approval is subject to meeting all requirements of state statutes and county ordinances.
- 12) Approval is subject to the applicant addressing the Town of Sugar Creek conditionals of approval.

Seconded by Jim Van Dreser. Motion carried. 7-favor 0-oppose

Webcam Count #0:3:37 – 0:13:10

Old Business – Discussion Items – none

New Business – Discussion Items

Discussion / possible action re: Turtle Inn / Richmond Township – Zoning Violations and Complaints – Carl Redenius

Webcam Count #0:13:11 – 0:28:57

Discussion / possible action re: anonymous complaint concerns - Jim Van Dreser

Webcam Count #0:28:58 – 0:37:41

Discussion / possible action re: County Zoning Agency public comment period – Carl Redenius

Dave Weber motioned to place this matter on file. Seconded by Rich Brandl.

Motion carried. 7-favor 0-oppose

Webcam Count #0:37:42 – 0:42:41

At 4:43 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.

Ordinance Amendments - none

Rezoning with Conditional Uses

McClellan Farms, Inc., (Lawrence Turner- Applicant), Section 29, Richmond Township.

The applicant is requesting to rezone approximately 1.78 acres of A-1, Prime Agricultural to A-4, Agricultural-related Manufacturing, Warehousing and Marketing District along with a conditional use request for a contractor storage yard, light assembly of metal piers, seasonal boat trailer storage and seasonal boat lift storage. The property is located at N5683 State Hwy 89, Delavan, WI and is identified as the western 1.78 acres of Tax Parcel CA353000001.

Has been APPROVED subject to the following conditions:

General:

1. Approved as per plan submitted with all additional conditions.
2. No general public sales allowed from the storage facility. No business activities other than specified in the plan of operations may be conducted from out of the storage facilities.
3. On site hours of operation shall be from 7:00 a.m. to 6:00 p.m. 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 if different from the sign type and size (3' x 6' sign) shown on the site plan.
7. No burning of waste materials shall occur on site.

8. The applicant must obtain the required State Highway D.O.T. approval for any changes to the access.
9. The applicant must obtain a County Land Disturbance Erosion Control and Stormwater Management permit from the County Conservation Office if required by ordinance.
10. All cars shall be parked in the marked spaces as identified on the approved plan of operations. Use capacity of the site shall be restricted by the cars capable of being parked in the marked spaces as identified on the plan. Parking must meet with requirements of the county zoning ordinance. The off street parking area shall be graded and surfaced so as to minimize dust and be properly drained. All parking area shall be clearly marked. All parking must be in compliance with County requirements within 60 days of this approval.
11. The project site must be kept neat, clean and mowed in all areas.
12. No additional types of equipment may be stored outside without County approval.
13. Any changes to the character, intensity or use of this site not capable of being discerned by the Land Management Department as consistent with this approval must be brought before the Land Management Committee for additional conditional use review.

Specific:

14. The portion of the 24'x30' existing shed that projects into the required 75' setback area shall be removed by June 30, 2013. (The 24'x30' shed will be rebuilt to comply with the required 75' set back requirement)

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

Dave Weber made a friendly amendment to approve the rezone with the attached conditional use. Friendly amendment seconded by Jim Van Dreser. Motion carried. 7-favor 0-oppose

The rezone petition will move forward to the December 11, 2012, Walworth County Board for possible action.

Webcam Count #0:57:49 – 1:06:44

Rezones

Scott & Tracy Walter and Lyle & Karen Walter and DLSG, LLC, Section 13, LaFayette Township. The applicant is requesting a rezone from A-1 Prime Agricultural and C-4

Lowland Resource Conservation to A-1 Prime Agricultural, C-1 Lowland Resource Conservation and C-4 Lowland Resource Conservation. The property is located at the northwest corner of Townline Road and Whitmore Road and is identified as Tax Parcels K LF1300004 and K LF130004A.

Rich Brandl motioned to approve. Seconded by Tim Brellenthin. Motion carried. 7-favor 0-oppose

The rezone petition will move forward to the December 11, 2012, Walworth County Board for possible action.

Webcam Count #1:06:45 – 1:12:42

Conditional Uses

McClellan Farms, Inc. (Lawrence Turner- Applicant), Section 29, Richmond Township. The applicant is requesting conditional use approval for a farm family business (seasonal inside boat storage) on property zoned A-1 Prime Agricultural. The property is located at N5683 State Hwy 89, Delavan, WI and is identified as the eastern 1.48 acres of Tax Parcel CA353000001.

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

Has been APPROVED subject to the following conditions:

General:

1. Approved as per plan submitted with all additional conditions.
2. No general public sales allowed from the storage facility. No business activities other than specified in the plan of operations may be conducted from out of the storage facility.
3. On site hours of operation shall be from 6:00 a.m. to 6:00 p.m. 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 if different from the sign type and size (3'x6' sign) shown on the site plan.
7. No burning of waste materials shall occur on site.

8. The applicant must obtain the required State Highway D.O.T. approval for any changes to the access.
9. The applicant must obtain a County Land Disturbance Erosion Control and Stormwater Management permit from the County Conservation Office if required by ordinance.
10. All cars shall be parked in the marked spaces as identified on the approved plan of operations. Use capacity of the site shall be restricted by the cars capable of being parked in the marked spaces as identified on the plan. Parking must meet with requirements of the county zoning ordinance. The off street parking area shall be graded and surfaced so as to minimize dust and be properly drained. All parking area shall be clearly marked. All parking must be in compliance with County requirements within 60 days of this approval.
11. The project site must be kept neat, clean, and mowed in all areas.
12. No additional types of equipment may be stored without County approval.
13. Any changes to the character, intensity or use of this site not capable of being discerned by the Land Management Department as consistent with this approval must be brought before the Land Management Committee for additional conditional use review.

Specific:

14. No outside storage.

Webcam Count #1:12:43 – 1:17:01

Steven and Jodi Scott, Section 35, Richmond Township. The property owner is requesting conditional use approval for a Yard Waste Composting site on property zoned A-1 Prime Agricultural. The property is located at N5102 Pinnow Rd., Delavan, WI and is identified as part of Tax Parcel C R 3500004.

Richard Kuhnke, Sr. motioned to approve. Seconded by Rich Brandl. Motion carried. 7-favor 0-oppose

Has been APPROVED subject to the following conditions:

General:

1. This composting facility is approved per plan submitted with all additional conditions.
2. Use of the site shall be strictly limited to composting.

3. The hours of operation shall be set from 7:00 a.m. to 6:00 p.m. Monday thru Saturday.
4. All signage must conform to County ordinance standards.
5. The owner shall notify the County if any changes are made regarding operation of this site including size, location and type of materials recycled.
6. Storage of materials shall be allowed only in the areas designated on the proposed plan. The materials in the composting area must be moved off the 5 acre composting area and used by customers or land applied at least every 15 months.
7. The site shall be maintained in a nuisance free condition. The owner shall be held solely responsible for the control of dust, odors, fire, vermin, insects, rodents, filth, groundwater and surface water contamination and windblown materials resulting from past and future operations on this site.
8. The owner/operator shall remove and properly dispose of any contaminants that may be present in the raw yard waste material before the material is shredded or processed in any way.
9. If problems should develop, Walworth County may require a clean-up schedule, modification of the process operation or termination of the operation and this conditional use permit.
10. The owner shall operate in accordance with all Federal, State, County and local regulations.
11. Staff may conduct inspections necessary to ensure site is operated and maintained according to applicable regulations.
12. The owner must obtain a Land Disturbance, Erosion Control and Stormwater Permit from the Walworth County Land Conservation Office. This permit may require the installation of a stormwater catch basin for drainage from off the composting area.

Webcam Count #1:17:02 – 1:21:06

Adjournment

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

The meeting was adjourned at 5:55 p.m.

Submitted by Wendy Boettcher, Recording Secretary.

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

DRAFT 11/11/12

PLEASANT LAKE PROTECTION AND REHABILITATION DISTRICT
BOARD MEETING
SATURDAY, NOVEMBER 3, 2012, 9:15 AM
LAGRANGE TOWN HALL

MINUTES

Present: Ted Slupik (2015), Marcia Sahag (2013), Doug Behrens (2013), Pat Kachur (2014), Bob Arnold (County), Don Sukala (Town)

Absent: Dave Stamm (2015) (funeral)

Public Attendance: Rick Callaway, Bernie Slupik, Peter Schuler

Doug chaired the meeting in Dave's absence.

1. Approval of the Agenda (Doug): Motion to approve the Agenda (Ted/Pat). Carried unanimously.

2. Approval of the Minutes (Marcia): Motion to approve the Minutes of 8/4/12 (Pat/Don). Carried unanimously. Motion to approve the Minutes of 9/1/12 (Pat/Don). Carried unanimously.

3. Treasurer's Report (Ted): As of October 31, 2012, the balances in the People's Bank accounts are:

Checking	\$34,204.67
Money Market	\$52,444.87
Total	\$86,649.54

Motion to approve the Treasurer's Report (Doug/Bob). Carried unanimously.

4. Insurance Report (Pat): Rob Krohlow from the Horton Insurance Group will give a presentation at the February 2, 2013 meeting.

5. POA Report (Peter):

- a. Fish Management report (Peter Schuler): On November 2, 2012, 281 walleye were stocked. They were 7 to 20 inches. The POA continues to stock based on DNR recommendations.
- b. Website & Directory Report (Ted): At the February meeting the decision will be made when to mail out the updated Directories. They are in the process of making the website more user-friendly to maintain and will need some professional help. Funds for this will be put into the next budget.

6. Aquatic Plant Management Report (Doug/Marcia): The milfoil was treated again on September 18, 2012. The applicator did a blanket treatment approach. The total for the Milfoil control this year is over \$12,000. Next year, in addition to milfoil treatment, curly leaf pondweed and purple loose strife will need treatment. The increased costs for controlling aquatic invasive species will have to be considered for the next budget.

7. Drain project and grant Report (Doug/Marcia): The first week in October, the Elkhorn Sanitary Department flushed the drain from the lake to Pleasant Lake Road. It was clogged between the lake and the first bend mostly with sand and stones. They used water jet and vacuum systems. The lake water level is low, possibly 14 inches below the "normal" (880.6') level. We have informal notification that the District has been awarded funding for both grants which include the water level gauges, the APM plan update and the engineering study for the drain. The total projects cost is \$26,600. The grant award is \$16,802. The District share is \$9798 less \$750 from the Town and \$500 from the POA for \$8548. The official award letter is expected soon.

8. Goose control Report (Doug): Mike Jones of the Department of Agriculture has advised we budget for \$5000.

9. Discussion of Water Quality (Doug): According to the agencies contacted, they only treat for e-coli, not blue-green algae. Sending out a warning notice to alert people of the situation and possible problems and letting them make their own decisions is apparently the best approach. Doug, Patty and Marcia will work on the notice.

10. Discussion of budget preparation for 2014 (Doug): Ted reported the Finance Committee will meet December 1, 2012, at 9:00 at the Town Hall and then either January 12, or February 23. Ted will send out requests for budget input.

11. Schedule meeting dates (Doug): The schedule of meeting dates that coincide with the POA was distributed. The annual meeting date is to be determined. The next board meeting is scheduled for Saturday February, 2, 2013, at 9:30 am.

12. Motion to adjourn at 9:55 am (Marcia/Don). Carried unanimously.

Respectfully submitted,

Marcia M Sahag, secretary
PLPRD

Walworth County Health and Human Services Committee
MINUTES

October 17, 2012 Meeting – 1:15 p.m.

Walworth County Board Room
Government Center – Elkhorn, Wisconsin

The meeting was called to order by Chair Grant at 1:24 p.m.

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

Others present – Linda Seemeyer, Director of Health and Human Services/Lakeland Health Care Center Superintendent; Juliet Young, Health and Human Services; Rachel Larsen, Finance – Accountant, Lynn McVicar, Finance – Account, Carlo Nevicosi, Health and Human Services Manager; Melissa Ruiz, Health and Human Services, Lisa Broll, Health and Human Services; William Wucherer, Health and Human Services Citizen Representative Candidate; David Bretl, County Administrator, Michael Cotter, Corporation Counsel

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 7-0.**

The Health and Human Services minutes from the September 19, 2012 meeting were approved as amended. **Motion and second made by Citizen Representatives Wagie-Troemel/Supervisor Schiefelbein to approve the minutes. Motion carried 7-0.**

Public Comment – There were no comments from the public.

Unfinished business –

Request for Proposal for Nutrition Program – Ms. Seemeyer updated Board on Finance Committee.

Supervisor Grant asked if this vendor has better equipment. Ms. Seemeyer stated that they did.

Community Support and Targeted Case Management – Ms. Seemeyer stated this was on the agenda in case anyone had questions from this presentation from the last meeting. There were no questions.

Role of Human Services Staff During Presentence Investigation Policy – Mr. Bretl gave the background on this policy. Due to some recent high profile cases Mr. Bretl asked DHHS to review their policy and procedures on these matters.

Supervisor Schiefelbein asked if policies were usually made into ordinances. Mr. Bretl explained there are many levels of policies. The more significant in degree policies are codified.

Ms. Seemeyer walked through policy and procedure that was distributed. DHHS staff will not be making sentencing recommendations. The Department needs to be aware of all inquiries and review request with worker. If a worker has the proper Request for Information they can give information in their realm of expertise and this will be documented in eWiSACWIS but not make any recommendations for sentencing.

Citizen Representative Wagie-Troemel asked Mr. Bretl what his suggestions would be for this draft policy and procedure. Mr. Bretl wants the policy broaden to cover more than just the Children's Unit and enhanced the language to state the Director should be contacted on all inquiries. Citizen Representative Wagie-Troemel asked for this revised policy to be on the next meeting agenda.

Supervisor Grant asked if the policy should be approved by the County Board and then codified. Mr. Bretl agreed and stated the ordinance would be smaller and the policy derived from the ordinance.

Supervisor Schiefelbein asked if DHHS had other policies that were codified. Ms. Seemeyer stated that DHHS does have codified policies and there is a committee dedicated to policies and procedures.

Citizen Representative Wagie-Troemel stated she was in favor of Mr. Bretl's suggestion that management rather than the worker is contacted. Supervisor Grant added it is professional protocol to contact management and asked if the changes could be made by next month. Ms. Seemeyer stated that one month was adequate time to make the changes.

Open Arms Free Clinic – Ms. Seemeyer stated this item was on the agenda in hopes that there would be a recommendation and reviewed the enclosure. Deputy Director Dr. Thompson has been trying to attend an Open Arms board meeting but due to their scheduling has not been in attendance as of yet.

Supervisor Monroe asked what they were requesting. Ms. Seemeyer stated she has not received any updated requests.

Supervisor Grant asked if someone from this committee should try to attend an Open Arms board meeting. Ms. Seemeyer stated she feels there is just a lack of understanding at the moment. Supervisor Grant suggested that this committee wait to hear from Open Arms rather than contact them.

Mr. Bretl stated that he also is unsure of what they need at this time. He advised this Board to look at it as if it was a county program and how would it be funded and what the expectations would be for the money budgeted. Ms. Seemeyer stated she would inquire with Judy Johnson next week.

Supervisor Grant asked if they have looked into federal recognition. Ms. Seemeyer stated they do not have any intention to go to the federal government due to the guidelines.

Supervisor Schiefelbein is looking for comparisons. He would like to see budgeting and funding and at this time lacks confidence in the clinic's operation. Citizen Representative Wagie-Troemel stated that Open Arms needs to come back with that information and their expectations.

New Business –

Overview of the Behavioral Health Unit – Ms. Seemeyer introduced Carlo Nevicosi and Melissa Ruiz from the Behavioral Health Unit. Mr. Nevicosi went through his Power Point presentation on this unit at DHHS. This program has received its 3rd consecutive citation free audit (2 year audit periods).

Supervisor Schiefelbein asked if DHHS is able to handle the current caseload. Mr. Nevicosi stated that at this time there is enough staff and resources to handle the current caseload.

Supervisor Grant asked how the University of Wisconsin-Whitewater factored into the operating while intoxicated violations in Walworth County. Mr. Nevicosi stated that the students are a small factor in that statistic. The students are drinking but not driving.

Supervisor Schiefelbein stated that Walworth County has a good prosecution record which accounts for the higher numbers. Mr. Nevicosi stated that this problem is taken seriously.

Ms. Ruiz talked about the adolescent treatment services.

Supervisor Schiefelbein asked if suicidal teens are detected? Mr. Nevicosi stated they are not and there are plans to work with the school districts on screening tools.

Supervisor Schiefelbein asked if a significant number of families are using resources other than DHHS. Mr. Nevicosi stated that families are using other resources. Ms. Ruiz added that the goal is to match the treatment to the youth and family. If DHHS does not offer that type of treatment it is referred out. At this time more family than individual therapy is cases involving juveniles.

Citizen Representative Seegers asked why more counties are not using Functional Family Therapy (FFT). Mr. Nevicosi stated there is a huge start-up costs for FFT which he feels is a deterrent even though there are cost savings reaped later on.

Supervisor Schiefelbein asked if there has been and long-term targeting on family satisfaction. Mr. Nevicosi stated that information is being tracked but has not been analyzed yet.

Supervisor Schiefelbein asked what goes on in a typical session. Mr. Nevicosi stated that the therapy is done in three phases and is very intensive in the beginning.

Ms. Seemeyer added that FFT is an evidence-based program and DHHS only invests in evidence-based programs for the Behavioral Health area. Having the Mental Health clinicians also AODA certified also helps with the caseload.

Discussion of Wisconsin Dental Association's Mission of Mercy and Possible Action – Ms. Seemeyer described program and that it is a huge honor to have this in the community. Dr. Thompson, Pat Grove and Ms. Seemeyer are all on the committee for the Lake Geneva event. At this time DHHS is carrying a \$1.8 million surplus and can afford this donation.

Supervisor Grant asked for clarification that DHHS is asking for this Board to approve a \$30,000 donation when \$175,000 is needed. Ms. Seemeyer stated that there are other fundraising plans for the rest of the funds needed.

Supervisor Grant asked if Volunteer Connections is involved. Ms. Seemeyer stated that volunteers will be recruited through Volunteer Connections and DHHS medical staff will also be involved. Supervisor Grant asked if committee members could volunteer. Ms. Seemeyer encouraged them to volunteer for this one-time event.

Citizen Representative Seegers stated that a dental free clinic is not as complex as a medical free clinic.

Supervisor Schiefelbein asked how many people are expected. Ms. Seemeyer stated she is unsure of the numbers at this time and that it will be based on how well this event is advertised.

Motion and second made by Citizen Representatives Wagie-Troemel/Seegers to recommendation a donation of \$30,000 to the Finance Committee. Motion carried 7-0.

Reports – There were no reports.

Correspondence –

Communication from Southeastern Wisconsin Regional Planning Commission (SEWRPC) in regard to a meeting on October 16, 2012 for the Coordination of Human Services Transportation and Transit Strategies for Elderly, Disabled, and Low-Income Populations in Southeastern Wisconsin –Supervisor Grant stated this meeting was more of a workshop with seven Wisconsin counties working together on transportation issues. Transportation needs and available resources were examined and the document was turned into SEWRPC for them to compile into a report.

Communication received from Community Care, Inc. in regard to a proposal to the Department of Health Services to operate the Family Care Program in Walworth County – Ms. Seemeyer stated that this is a courtesy notification that Community Care is responding to State Request for Proposal.

Motion and second made by Supervisors Monroe/Brellenthin to place on file. Motion carried 7-0.

Announcements –

Transportation Public Hearing – Ms. Seemeyer invited this committee to attend the upcoming public hearing.

Next Meeting Date – The next meeting is scheduled for November 21, 2012 at tentatively 1:15 p.m. following the Lakeland Health Care Board of Trustees meeting.

Adjournment – **On motion and second by Supervisor Schiefelbein/Citizen Representative Wagie-Troemel Chair Grant adjourned the Health and Human Services meeting at approximately 2:48. Motion carried 7-0.**

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

Walworth County Lakeland Health Care Center Board of Trustees
MINUTES

October 17, 2012 Meeting – 1:00 p.m.

Walworth County Meeting Room 111
Government Center – Elkhorn, Wisconsin

The meeting was called to order by Chair Grant at 1:04 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; Juliet Young, Health and Human Services; Bernadette Janiszewski, Lakeland Health Care Center Administrator; Sandy Wagie-Troemel, Health and Human Services Board Citizen Representative; James Seegers, Health and Human Services Board Citizen Representative; Rachel Larsen, Finance – Accountant, Lynn McVicar, Finance – Account, Carlo Nevicosi, Health and Human Services Manager; Missy Ruiz, Health and Human Services, Lisa Broll, Health and Human Services; William Wucherer, Health and Human Services Citizen Representative Candidate; David Bretl, County Administrator

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

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

The Lakeland Health Care Center Board of Trustees committee minutes of the September 19, 2012. **Motion and second made by Supervisor(s) Schaefer/Brellenthin to approve the minutes. Motion carried 5–0.**

Public Comment – There were no comments from the public.

Unfinished Business – There were no items of unfinished business.

New Business –

Payer Source Mix and Tax Levy for Other Facilities – Ms. Janiszewski outlined challenges nursing homes face in the future.

Supervisor Grant asked what is being requested from this committee. Ms. Seemeyer stated that LHCC is looking for policy direction. This is something that is being looked into for the future.

Supervisor Schaefer asked about Racine County. Ms. Janiszewski stated it was a lot of small changes that added up to a lot. They have higher Medicare and also accept Behavioral Health consumers. The goal is to find ways to increase revenues.

Supervisor Grant asked for options. Ms. Janiszewski stated it would take time to gather the information and the upcoming election will be a factor on what will happen with Medicaid.

Supervisor Schiefelbein stated that this committee needs to trust the LHCC staff and their recommendations. He also feels reducing secure beds should be the top issue to examine since there is evidence that shows a 30 bed facility would be suffice.

Reports –

LHCC Administrator's Report and Financial Update – Ms. Janiszewski stated that the budget on target so far for the year. There were a couple of worker's compensation issues and one incident involving a burn resulted in a protocol change.

Correspondence – There were no correspondence.

Announcements – There were no announcements.

Next Meeting Date – The next meeting is tentatively scheduled for November 21, 2012 at 1:00 p.m.

Adjournment – **On motion and second by Supervisor(s) Supervisor Monroe/Brellenthing, Chair Grant adjourned the Lakeland Health Care Center Board of Trustees meeting at approximately 1:24PM. 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.

County Board Executive Committee
Monday – October 15, 2012
10:00 AM
County Board Room 114
Walworth County Government Center
100 W. Walworth St., Elkhorn, Wisconsin
Minutes

Chairman Weber called the meeting to order at 10 AM.

In attendance were Chairman Weber, Vice Chairman Kilkenny and Supervisors Brandl, Russell and Schiefelbein. A quorum was declared.

Agenda approval was moved and seconded by Supervisors Brandl and Russell, and carried 5 – 0.

Others in attendance included Linda Seemeyer, Director of Health & Human Services; Nicole Andersen, Deputy County Administrator – Finance; and, James Hensch and William Wucherer.

Approval of revised July 16, 2012 executive committee minutes, and September 6, 2012 and September 17, 2012 minutes was moved and seconded by Supervisors Kilkenny and Russell. The motion carried 5 – 0.

There were no comments made during the public comment period.

Appointments

Health & Human Services (HHS) Board - the committee interviewed County Administrator Bretl's nominee, William Wucherer, who has a Bachelor of Science in Nursing (B.N.) degree. Mr. Bretl explained that Dr. James Seegers had been appointed to serve as the doctor/medical representative. Betty Felten formerly served as a medical representative with a nursing background. The committee asked Mr. Wucherer several questions: What qualifications and experience do you have that you feel would be an asset to the HHS Board? Have you had any experience with the Walworth County Health and Human Services Department? How do you strike a balance between the need to provide health and human services and limit spending to tax levy caps? What do you see as some of the future threats to Walworth County in terms of public health? Do you have any restrictions regarding availability for the HHS Board's monthly meetings? Chairman Weber asked Mr. Wucherer to describe any experience he had serving on or working for a policy-making board. Following the brief interview, **Supervisor Russell moved recommending County Board appointment of Mr. Wucherer. The motion was seconded by Supervisor Schiefelbein and carried 5 - 0.** Mr. Bretl indicated the appointment would go to the board in November.

Walworth County Metropolitan Sewerage District (WalCoMet) Commission. The committee interviewed County Administrator Bretl's nominee, James Hensch. Bretl stated he got acquainted with Mr. Hensch during his process of searching for and recruiting candidates to serve on the WalCoMet Commission. Mr. Hensch said he formerly lived in Sugar Creek and has been in the Village of Darien for eleven years. He became interested in understanding the structure of WalCoMet while trying to decipher Delavan sewerage charges. He has a finance

and operations management degree from UW-Milwaukee. The committee asked Mr. Hensch several questions: Do you reside in a sewerage service district served by WalCoMet? Where do you live? How long have you resided in the district? Have you had any experience with the Walworth County Metropolitan Sewerage District? Do you feel that WalCoMet could be improved and, if so, how would you like to see it improved? Are you presently receiving any salary, compensation or fees for services that could be construed as a conflict of interest in serving on the WalCoMet Commission? What influenced you to apply to serve on the WalCoMet Commission? The candidate was asked to describe his understanding of WalCoMet's functions and the duties of the WalCoMet Commissioners. Chairman Weber asked Mr. Hensch about his experience and qualifications that would be of value in serving on the WalCoMet Commission. Supervisor Schiefelbein asked about any compensation Hensch might receive that could be considered a conflict of interest in serving on the WalCoMet Commission. Hensch said he did not have any clients that are customers of WalCoMet. Supervisor Russell said she thought Hensch's financial background and experience would serve the county and WalCoMet clients well. **Supervisor Brandl moved recommending county board appointment of James Hensch. The motion was seconded by Supervisor Russell and carried 5 – 0.** Mr. Bretl indicated the appointment would go to the County Board in November.

CDBG Southern Housing Consortium. County Administrator Bretl nominated Kevin Brunner to represent the county and Josh Clements to serve as the county's alternative representative. The housing consortium is the state's new way of administering CDBG funds for housing. Brunner had experience with the state's Community Development Block Grant program while serving as City Manager for Whitewater. Bretl nominated Josh Clements to serve as alternative representative, providing the opportunity to work with Kevin as a good economic development learning experience. **Supervisors Kilkenny and Schiefelbein moved and seconded recommending County Board appointment of Kevin Brunner as the county's representative and Josh Clements as the alternative representative on the CDBG southern housing consortium. The motion carried 5 – 0.**

Consent items. Supervisors Brandl and Russell moved and seconded approval of two mileage reimbursement claims submitted by Supervisor Stacey totaling \$37.74. The motion carried 5 – 0.

County policy concerning paying per diem to citizen members. The committee discussed how citizens are paid and the reasons that some are paid per diem and others are not. Most that are compensated are those required by state statute and tend to be members of standing committees that include citizen representatives. Administrator Bretl explained that if Wisconsin Statutes don't require citizens be paid, the county generally has not done so. The committee can recommend the policy be changed. Some lake districts pay their representatives, including the county representative; not all districts do so. Does this practice create potential conflict of interest? Mr. Bretl was asked if the level of compensation for citizens was uniform. He said it is \$50 per day (per diem) for all county citizen appointees. Supervisor Russell suggested because of budgetary constraints not adding any additional members to those that currently are paid per diem. Supervisor Schiefelbein suggested more research be done to examine the cost involved in paying additional citizen members and which committee members might receive it. Perhaps a cap could be established for the number of meetings members are paid to attend. Mr. Bretl said in the near future, there will be 10-12 new citizen members appointed by the county to local

library boards if there are candidates interested in serving. Chairman Weber stated that there are many who commit themselves to volunteer county service without compensation. Mr. Bretl indicated staff would research the issue and provide a follow-up report in December. The committee consensus was to hold the matter and take no action.

Ozaukee County Resolution No. 12-39 Supporting Request for Stay of Proceedings in MTI v. Walker. Mr. Bretl said the county would not have much input into the state's decisions in this matter, which is in court. From the perspective of separation of powers, there could be 72 resolutions, one from each county, which would have no impact on the court's decision. Such communications likely would be considered ex parte by the court; the court will not consider them germane to the proceedings. **Supervisors Kilkenny and Schiefelbein moved and seconded placing the resolution on file. The motion carried 5 – 0.**

Resolution Establishing a Committee of the Whole Date for a Presentation by the Wisconsin Counties Association (WCA). WCA staff contacted Dave. The county's preliminary 2013 budget includes funds to re-join the organization. He explained that the WCA has developed a new approach and view of customer service. The WCA hired an analyst who can assist us with benchmarking and performance measurement. **Supervisors Russell and Brandl moved and seconded adopting the resolution establishing December 11, 2012 at 5 PM as a committee of the whole meeting for a presentation by the WCA. The motion carried 5 – 0.**

Richmond Township correspondence regarding costs of fire response call and request for reimbursement. The town submitted a request for reimbursement of fire call expenses for a vehicle fire that occurred in the road. The question was asked whether the county owns the right-of-way adjoining the Richmond Town property in question and whether that was the basis of the town's claim. Bretl explained that sec. 60.577 Wis. Stats. provides for county reimbursement for fires that occur upon a county highway. Vice Chairman Kilkenny said he interpreted the request to mean that the town was trying to claim the county is the owner of the right-of-way. Administrator Bretl said staff would do additional research into the basis of the claim. Other towns might seek county reimbursement in similar incidents in the future. Sometimes counties own rights-of-way adjoining a road; however, sometimes the right-of-way is platted. **A motion and second was made by Supervisors Schiefelbein and Russell to recommend referral to Corporation Counsel for further research and advisement.** Vice Chair Kilkenny said he would abstain from voting until he knew more about the ownership and easement issues; he owns land near the subject property. **The Schiefelbein/Russell motion carried 4 – 0 (Kilkenny abstained).**

Reports/announcements by Chairperson. Supervisor Weber expressed appreciation for Dave's news columns and efforts in keeping supervisors and citizens informed and for taking the time to do this. He said Bretl does a marvelous job. Bretl said the Sheriff's range issue had generated some phone calls. He thanked Chairman Weber and said he was pleased that Judge Reddy had recently expressed interest in writing a monthly news column about the CJCC. Chairman Weber said people read Bretl's columns and gain better understanding of county government.

The next executive committee meeting was set for November 19, 2012 at 10:00 AM.

Claims and litigation. Vice Chairman Kilkenny and Supervisor Brandl moved and seconded convening in closed session at 10:45 AM pursuant to the exemption contained in Section 19.85 (1) (g) of the Wisconsin Statutes, “conferring with legal counsel for the governmental body who is rendering oral or written advice concerning strategy to be adopted by the body with respect to litigation in which it is or is likely to become involved,” relative to the items listed below:

- a) Correspondence from Town of Delavan regarding Assessment Trial-WIMP No. 210020201.
- b) 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.
- c) Release of Claim for Public Improvement Lien – Rock Road Companies, Inc., Claimant vs. B.R. Amon & Sons, Inc., Prime Contractor
- d) Claims of Jeffrey S. Akright, Claimant
- e) Summons and Complaint for Declaratory Relief – William Fechner Land Trust, Patrick J. Hudec, Mary J. Hudec, Plaintiffs vs. County of Walworth, Defendant

The committee reconvened in open session on motion and second by Supervisors Brandl and Kilkenny. Kilkenny moved and Brandl seconded no action on items a, b and c; and, holding on items d and e.

The meeting was adjourned by Chairman Weber at 11:40 AM on motion and second by Supervisors Brandl and Kilkenny.

Submitted by Suzanne Harrington, County Administrator’s Office. These minutes are subject to approval by the Executive Committee.

POTTER'S LAKE DISTRICT BOARD MEETING MINUTES 10-11-12

Present: President Barry Bonneau, Treasurer Christine Celley, Town Board appointee John Basso and County Board appointee Joyce Reed.

Barry brought the meeting together at 6:35 p.m. reviewing the purpose being the interviewing of 3 prospective Lake Management consultants. (Our district was frustrated with dealing with Eurasian water milfoil this past summer and wanted to take an overall view of past and future management and treatment).

Barry used the following questions to guide interviews:

1. Comment on the history of the lake;
2. review past treatment of lake;
3. suggest their approach to invasive milfoil
4. treatment plan for 2013 and beyond;
5. projected costs and
6. lakes they have and currently work with.

Jeff Stelzer, biologist with Lake and Pond Solutions Co., Elkhorn, was invited by Christine because of his solid reputation at Camp Lake and Center Lake. Jeff didn't have the history of treatment of the lake but told us "milfoil is milfoil" and treatment depends upon our budget, balancing harvesting/chemical treatment, you usually begin treatment in May (this season it was April) and you need to obtain a permit in Jan/Feb. He has done treatment 100' off shore. He pointed out you never get rid of milfoil.

Regarding the 5 year plan Jeff pointed out the first year is a new plant survey and that is all we need. The second year another plant survey is needed. We need to talk to Heidi to find out when our plant survey needs to be done.

Jeff always applies for 3 points per million of 2-4-D for treatment of milfoil. This chemical is a growth agent and grows the plant so quickly, it is negatively affected. He likes harvesting, but not for milfoil. He emphasizes the importance of EARLY SEASON TREATMENT. With harvesting, topping is recommended—i.e. taking off top quarter or 1/3 of the plant, allowing for recreation. DO NOT HARVEST MILFOIL; HARVESTERS NEED TRAINING.

Jeff currently serves a number of lakes in south eastern WI. including Whitewater, Turtle and Silver Lakes.

At 7:35 a call was made by Barry to Tim Hoyman, with Onterra Lake Management. Tim had provided Bob Rice with a comprehensive Planning Proposal which Bob mailed to each board member. Tim spells out a detailed planning project that would involve education of residents, a team of volunteers to be trained and serve beyond the board members, ID the watershed, potential point-sources of pollution, plant community diversity, ID rare or threatened plant species and their abundance, steps to improve the lake, fishery data, funding sources and a host of additional services. The plan calls for an in-kind contribution from volunteers in addition to a grant. Tim spoke extensively to Heidi about our history. The company currently serves numerous lake districts in central and northern WI.

In the phone conversation, Tim said we do need a new aquatic plan and a complete master plan. He focuses on a "group plan" using volunteers that are actively involved. Philosophically, Tim's treatment idea is to just try and get weeds under control for better ecology of lake. Their company gets a lot of whole lake treatment permits. They use liquid for large areas; granules for smaller areas. He believes in a higher dosage for hybrid milfoil. He too emphasizes the importance of early spring treatment.

At 8:15 p.m Kathy Aron joined the board; Kathy is our current lake management person. Kathy has been involved with Potters Lake since the late 1980's when harvesting was the primary means of getting rid of weeds. People did not want chemical treatment. A survey was done in 1992 and residents again did not want treatment. Only harvesting was done. By 1995-96 the lake had lots of milfoil; residents became willing to use chemical treatments. In 1997 a whole lake treatment plan using Sonar was done followed by spot treatments. In 2003 milfoil was found again—spot treatment. In

May, 2005, there was no milfoil but in 2 weeks, 90% of the lake was covered with milfoil; 2nd Sonar treatment done with a low dose.

When our Lake Management Plan was written the goals written into it were reasonable at the time, i.e. increase plant diversity and improve water quality. However, DNR would "fail" our progress when the water quality wasn't what was expected or the lake didn't develop a lot of plant diversity.

In 2011 milfoil was not a problem. This year the problem became out of control.

Kathy emphasizes we should request "Control of plants"; she recommends we do 6 Secchi samples per summer and a plant survey every 3 years. We need a Plant Management Plan at this time to support our request for a 5 year harvest permit and a 1 year chemical permit. The board thanked Kathy for the good job she has done over the years.

(Added by Barry on 10-21-12 from his notes: Kathy recommends we have a draft plan ready for mid January for the board to review, submitted by February to DNR in hopes for approval on a timely basis in the event we need to do an early treatment. Any treatment over 50% of a lake is considered a whole lake treatment by DNR, according to Kathy. She added this year we should apply for permission to treat anything that is 10 feet or less. For her to move forward she needs to know by mid November; she has already collected plant information, has been on the lake 8 times in 2012.)

Briefly the board discussed our need to obtain more information. Thus far we are not comparing apples to apples. A meeting with Heidi Bunk, DNR, has been proposed and discussed. The idea of working with Jeff Thornton is also a means by which we can obtain more information. When these notes are available they will be distributed to board members. Barry believes we'll need to get together again. Not every company does both planning and treatment, therefore we may need to look at treatment options.

Meeting adjourned approximately 9:20 p.m.

Notes were compiled by Joyce Reed, County Board appointee and typed for board members to review.

Joyce Reed
10-13-12

County Board Executive Committee
MEETING NOTICE
Tuesday, October 9, 2012
5:30 PM
County Board Room 114
Walworth County Government Center
100 W. Walworth St., Elkhorn, Wisconsin
Draft Minutes

Chairman Weber called the meeting to order.

Committee members in attendance included Chairman Weber, Vice Chairman Kilkenny and Supervisors Russell, Brandl and Schiefelbein. A quorum was declared.

Others in attendance included Supervisors Tim Brellenthin, Carl Redenius, Ken Monroe, Joe Schaefer, Jerry Grant and Rick Stacey; Michael Cotter, LURM Director/Deputy Corporation Counsel; Linda Seemeyer, HHS Director; Tracy Moate, Director of Special Education; John Miller, Assistant DPW Superintendent; Nicole Andersen, Deputy County Administrator – Finance; and, Dave Bretl, County Administrator.

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

There was no comment during public comment period.

Board of Adjustment (BOA) appointment. The committee conducted a brief interview with the County Administrator's nominee, Franklin Jones. The following questions were asked:

1. Are you a resident of an unincorporated area of Walworth County? In what town do you live?
2. If you have had experience with the Walworth County Land Use and Resource Management Department and the County Zoning Agency, please describe your experience.
3. If you answered "yes" to the last question, were you an applicant for a permit or did you represent an applicant?
4. Have you had any experience with the Walworth County Board of Adjustment? If so, please describe your experience.
5. Please articulate your feelings regarding growth in Walworth County.
6. What qualities do you believe make you a good candidate to serve on the Board of Adjustment?
7. Are you presently receiving any salary, compensation or fees for services that could be construed as a conflict of interest concerning serving on the Board of Adjustment?
8. Do you have any restrictions with respect to days and/or times of BOA meeting attendance?

On motion and second by Chairman Weber and Vice Chairperson Kilkenny, the recommendation to approve the appointment of Franklin Jones was made. The motion carried 5 – 0.

Chairman Weber had no reports or announcements.

October 15, 2012 at 10 AM was confirmed as the next regular Executive Committee meeting.

Claims and litigation. Supervisors Kilkenny and Brandl moved and seconded convening in closed session at approximately 5:35 p.m. pursuant to the exemption contained in Section 19.85 (1) (g) of the Wisconsin Statutes, “conferring with legal counsel for the governmental body who is rendering oral or written advice concerning strategy to be adopted by the body with respect to litigation in which it is or is likely to become involved,” relative to the item listed below. All members voted “aye” to convene in closed session.

- Claim for Damage to Boat – Robert Sivek and Progressive Universal Insurance Co. vs. Walworth County Sheriff’s Department.

At approximately 5:44 p.m., the committee reconvened in open session on motion and second by Vice Chairman Kilkenny and Supervisor Schiefelbein.

Vice Chairman Kilkenny and Supervisor Schiefelbein moved and seconded approval of Resolution No. 38-10/12 Denying the Claim of Robert Sivek. The motion carried 5 – 0.

Chairman Weber adjourned the meeting at approximately 5:45 PM on motion and second by Vice Chairman Kilkenny and Supervisor Brandl.

Submitted by Tammy Werblow, County Administrator’s Office. These minutes are subject to approval by the committee.

WISCONSIN RIVER RAIL TRANSIT COMMISSION

FULL COMMISSION MEETING - FRIDAY, OCTOBER 5, 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	x
	Rocky Rocksford	x		Wayne Gustina	Excused
	Vacant			Alan Sweeney, 1 st Vice Chair (XCom)	x
Dane	Gene Gray, Treasurer (XCom)	x	Sauk	Terry Thomas	
	Jim Haefs-Fleming	Excused		Marty Krueger, Alternate	
	Chris James	x		Carol Held	
Grant	Ivan Farness		Walworth	John Miller	
	Vern Lewison			Dennis Polivka, Asst. Secretary (XCom)	x
	Robert Scallon, 2 nd Vice Chair (XCom)	x		Jerry Grant	
Iowa	Charles Anderson, Secretary (XCom)	x	Waukesha	Richard Kuhnke, 4 th Vice Chair (XCom)	
	William G Ladewig			Allan Polyock	
	Jack Demby			Karl Nilson, Chair (XCom)	x
				Richard Manke	
				Fritz Ruf	

Other present for all or some of the meeting:

<ul style="list-style-type: none"> • Mary Penn, WRRTC Administrator • Frank Huntington, Marty Morin, Greg Baer, Roger Larson WDOT • Forrest Van Schwartz, Consultant 	<ul style="list-style-type: none"> • Ken Lucht, WSOR • Eileen Brownlee, WRRTC Attorney • Jim Matzinger, WDOT • Suzanne Folberg, Crawford Co. Stewardship
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3. Action Item. **Certification of Meeting’s Public Notice** – *Noticed by Penn,*
 - *Motion to Approve Public Notice, Cornford/Sweeney, Passed Unanimously*
4. Action Item. **Approval of Agenda** – *Prepared by Penn,*
 - *Motion to Approve Agenda, Polivka/Cornford, Passed Unanimously*
5. Action Item. **Approval of draft July Meeting Minutes** – *Prepared by Penn,*
 - *Motion to Approve August Meeting Minutes, Sweeney/Scallon, Passed Unanimously*

Frank Huntington noted there needed to be a correction on item 14, changing to NERPC to NCRPC on the 5th line of the item minutes.

6. Updates. **Public Comment** – *No public comments.*

7. Updates. **Correspondence & Communications** –

Mary Penn gave her communication updates. Specifically the receipt of a letter from McHenry County Conservation District regarding hunting to be permitted along several District sites near WRRTC property, the resolution of an issue with a Mr. Mark Goldworthy regarding damage done to his car when passing over WRRTC rail on ILSH 173 in early September, the receipt of a letter from Sec. Gottlieb acknowledging the budget support letter sent out in August, and the communication from Mr. Rob Redwillowitz (sp?) with whom Penn spoke regarding a guardrail/safety issue in Walworth County, adding that Mr. Marty Morin of WDOT had also been working on this last communication to resolve it. Forrest Van Schwartz updated the Commission on the Freight Rail Study between WRRTC and UW Madison. He reported that the survey has not yet been mailed due to a variety of reasons (although it was

due to be sent in June) but hopefully will be sent next week. He said the results would be valuable and of help during budgetary talks. He said an electronic copy of the survey will be sent to Mary Penn for her to distribute to the Commission.

Karl Nilson read the response letter from Sec. Gottlieb upon receipt of the budget support letter the Commission sent to both the Secretary and to respective representatives and county board representatives. Gene Gray asked Van Schwartz how much of the freight rail study has been completed of which half has been half. Gray asked what the timing of the study is in regard to the upcoming budget. Van Schwartz reiterated the survey would be going out hopefully this week and that it was vital that it be sent out by years end. Frank Huntington said that the Governor would be looking at the draft budget in November. Penn then passed out the rail grant award press release. Huntington noted that the announcement did not include all the awards yet.

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

- Treasurer’s Report for August and Payment of Bills

Jim Matzinger gave the treasurer’s report, noting that no money has been paid out for 2012 projects yet this year.

- *Motion to Approve Treasurer’s Report and Bills, Anderson-Gray, Passed Unanimously*

Ken Lucht asked for confirmation of WSOR’s billing for 2012 projects, asking if the \$185,640.00 quoted was correct. Matzinger replied that \$112,000.00 had been collected from counties but that Crawford County’s payment for past years had to be taken out to address years of non-payment.

9. Wisconsin & Southern Railroad’s Report on Operations

Lucht updated the commission on WSOR’s monthly maintenance saying they would be using a geometry car on the Cottage Grove line with other lines scheduled to be assessed for the shape and amount of rail gauge on the lines. He noted that this is the first year WSOR has ever done this and hoped to share the results with the Commission at next month’s meeting. He also said that the Prairie line was getting a lot of tie replacements and tie replacement work should be done before heavy freezes. WSOR has completed some work on bridges as well as completion of work on the Milton line. Between Slinger and North Milwaukee, the line there should be completed very soon. WSOR has begun work between Janesville and Monroe, projects that include funding from PRTC. He added that these projects (crossings mainly) should be completed within the next few weeks. WSOR is currently looking for contractors for bridge work and have sent out requests for bids on a number of bridges. He noted that some bridges need reinforcement due to vertical cracks on their piers and because of this issue there are additional costs in the estimates and Lucht said WSOR is working with WDOT on getting that addressed. WSOR had also applied for various projects for state grants including welded rail and siding projects but they still need to get some information to WDOT. Lucht said that WSOR is keeping the purchase of the Reedsburg line on their radar.

Lucht said that grain shipment amounts have been lower than anticipated so WSOR has adjusted their budget to supplement the losses. Frac sand shipping is helping to pick up some of the slack particularly out of Prairie du Chien. Lucht said this was a very significant sale of sand as this was a totally new business for WSOR. Some slow orders that currently stand are slowing train operations so new business is very welcome. They are also moving military vehicles also in an attempt to supplement the loss of grain shipping.

Lucht thanked the Commission for their support in the budget letter that was sent out on their behalf last month. Nilson asked if WSOR owned the geometry car and if it did more than dimensional work. Greg Baer said the car is only looking at the rail gauge. Nilson asked if the car also looked at the rail profile; Baer said it was possible if that was also needed. Gene Gray asked if Ken had any updates from WATCO and Lucht updated the Commission on what WATCO has been doing for and with WSOR since WSOR’s being acquired in January 2012. Lucht said that WATCO very much supports WSOR’s relationships with the RTCs and the State. He noted that representatives of WATCO will be meeting with the Rock County Board in November. Dennis Polivka said that the Town Board Spring Grove had met the night before and that there were comments on the size of the trains going through the town and that all the town’s crossings had been audited in Sept.

10. WRRTC Administrator’s Report – Mary Penn, WRRTC Admin.

Penn reported that she had collected and forwarded data to Johnson Block for the audit, completed and mailed the Scot Forge crossing permit and utility permit and had completed a draft of the Scott Forge lease but since there was as yet no dollar amount for the lease, had not completed it to date. Penn also distributed a list of the prospective WRRTC meeting dates for 2013 in order to give the commissioners notice on next year’s schedule. She added that she was planning on attending the annual 2012 WDOT Freight Railroad Conference in November. Huntington gave a quick update and reminder on the Conference, noting its attendees, history, and cost of attendance. Registration can be at the door or register before Oct. 24th.

11. WisDOT Report– Frank Huntington, WisDOT

Huntington spoke about the news release distributed earlier in the meeting and some of the specific projects that received funding. He said that one of the bridges funding to WSOR was for a Woodman bridge project that needs more work than originally estimated. He

told the Commission to feel free to ask him questions on these or any future grants/loans. Robert Scallon asked about the Woodman bridge project and its associated costs. Huntington reported that apparently there is a lot more work to be done on it. Nilson asked if this bridge had reinforced piers but it does not. There was conversation in general about the high cost of bridges and the need to address them.

Huntington said that annual WDOT meeting with WSOR was upcoming and asked if a representative from the Commission wanted to attend that meeting, they were welcome to do so but he cautioned them that this would be a private, not open, public meeting. This meeting is to discuss financial issues between WSOR and WDOT and is scheduled for Oct. 22 from 2 – 4 PM at the DOT building (Hill Farms Building on Sheybogan Ave.).

On the Reedsburg line issue, Huntington reported that WDOT has received an appraisal and has been told to investigate the titles of the pertinent parcels along the line. WDOT may go ahead with its own appraisal, as Huntington reported that he had received verbal confirmation to do so.

Penn distributed a handout in regard to the Eagle Property issue. The property concerns a police department in the Village of Eagle which wants an expansion of their facility next to the line. However, WSOR does not want to give up the space requested as they need it for maintenance work and storage space. Huntington explained the situation with help from a distributed air photo, saying that WDOT would be willing to sell about 200 square feet which would allow the department to expand but not affect the space needs of WSOR's. Huntington noted that WRRTC does not have a say in the sale but that he wanted them to be aware of it. Lucht told the Commission that WSOR supports WDOT's sale.

- **Motion to support the WDOT's sale of the Eagle Property to the Village of Eagle - Anderson/Polivka, Passed Unanimously**

Break was called at 10:56 AM to reconvene in 10 minutes. Meeting reconvened at 11:05 AM

12. Discussion and possible action on disposition of Creek Road Bridge, Town of Bradford, Rock County, WI –
Ben Coopman, Rock County; Ken Lucht, WSOR

Penn distributed a handout (a State/Municipal Agreement, SMA) on the issue. Ben Coopman, speaking for Rock County, rather than as a Commissioner, updated the Commission on the bridge, saying it has been at issue since the 1990's, specifically the ownership of it. It is a large wooden bridge, built for car traffic running above the rail line and is badly askew. The SMA document distributed to the Commission is necessary for the County to be a financial partner. The bridge is rated at 14 (out of 100) for structural health but in 2010 Coopman began to get money for the local match to build a new bridge. In February 2011 the railroad raised the concern as to the bridge's ownership. WRRTC legal counsel recommended the creation of Bill of Sale to sell the bridge to the Town of Bradford. The Town wanted the new bridge but did not want the old bridge as the liability was too onerous. Rock County said the same and thus the question of what would happen to the old bridge while making the new bridge remained. Rock County's position now is that the County can sponsor the bridge and ownership will remain where it is. If this happens, a whole host of parties would be involved including WRRTC, WSOR, the County, the Town and WDOT. Coopman said that during demolition /construction the contractor undertakes the liability. Once the bridge is complete, the Town of Bradford is willing to take the bridge over. In this scenario, the Bill of Sale would no longer be valid or necessary. Huntington said that WDOT does not have a problem with this solution, adding there was no record in WDOT files that the State ever owned it. The railroad owned it. Huntington said that this resolution would help the County with a high priority issue and relieve WDOT of a low priority issue. Baer clarified that a "stipulation" document would assign maintenance of the new bridge, until it is completed. He said that once this bridge is completed, ownership of the bridge will "disappear" (due to a 1969 State Supreme Court decision) and only the document assigning maintenance would exist. He said the "stipulation" document talks about the contractor working on the site, (and asks the railroad for cost sharing) but does not address ownership at all. All the old bridge will be is "refuse" (not owned) and the new bridge will be a concrete bridge, not wood. It will be a two lane bridge. Baer said the final bridge will be relatively flat and the embankments will be 2x higher than they are today so the bridge will be 25-30' in the air.

Lucht said WSOR is agreeable to the concept but that he needed the SMA to pass it to their legal staff and to see what the railroad would be asked for by the County. Eileen Brownlee concurred saying the "devil is in the details", adding that the construction contract is something that she will want to see. Alan Sweeney asked if she wanted the documents in front of her before the Commission acted and she said definitely. Baer clarified that the stipulation was only created after 60% of the process had passed. Nilson asked Baer what the next step for the Commission was. Brownlee said the "bridge specs" would need to be seen by her and the Commission. Baer said that the bridge would be a DOT project and thus meet their specs. He said the special provisions/stipulations would not be relevant until the 60% bar had been met.

Coopman said the Commission would not have any approval or need information after this point, saying this project would be one between the County, WDOT and WSOR. There was additional discussion about the bridge removal costs and the need (or requirement) for the Commission to be involved. It was reiterated again that WRRTC would not have authority to grant approval. However, Nilson noted the Commission would want to continue to be updated on the project. Brownlee said that because the WRRTC line is under the bridge, she wanted to make sure that whoever is doing the work would have sufficient liability and Baer assured her that this would be the case. Baer added whoever the contractor is they will have to work hard to meet the state specifications to be able to initiate work.

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

Penn distributed copies of the draft lease, explaining the history of the issue, adding that it was the first lease she had done and therefore did not have a dollar amount to assign to the document. Huntington commented that is the size of the parcel was fairly large, then the lease amount would be usually be 10% of the parcel size. Penn did not have a schematic of the site. After some discussion on how to assess the lease site's size and the difficulty in determining parcels in Illinois, Nilson asked that Penn and Brownlee work together on discovering the size of the lease parcel and determining an appropriate amount to ask as a lease, adding that he would like the lease amount as an action item on the November agenda as Scot Forge has been patient and worked well with the Commission and Nilson did not want to cause more delays for the business.

14. Discussion and possible action on Riverdale Ag Use Permit Revision – Kim Tollers, WisDOT

Huntington distributed a handout, saying Riverdale Ag in Muscoda needed a revision to their use permit for their crossing. He said they wanted an additional grain bin and a tower. Huntington said he understood that WSOR had no objection. Nilson asked what was wanted from the Commission and Huntington said concurrence with the revision. Polivka asked if WDOT was agreeable to this request and Huntington said they were.

- **Motion to approve the revision to the Riverdale Ag Temporary Authorization Permit.** *Gray – Scallon, Passed Unanimously*

Nilson then reminded the Commission that next month there would be an agenda action item passing a resolution to honor Bill Gardner. No one to date had yet received actual confirmation that Gardner would attend; however, Nilson said he believed he would, based on a personal conversation with him.

15. Action Item. Adjournment

- **Motion to adjourn at 11:36 AM.** *Rocksford- Cornford, Passed Unanimously*

Minutes of the 2012 Special Meeting of the Potter's Lake Protection and Rehabilitation District held Saturday, September 8th, 2012 at Town Hall, East Troy, Wisconsin.

Present: Commissioners Barry Bonneau, Robert Rice, Christine Celley, and Joyce Reed

No Electors present

Chairman Bonneau called the meeting to order at 9:10 am

Commissioners gathered at the town hall to discuss fall weed treatment, 2013 harvesting program, and talk about the interview process for other lake consultants.

Barry went over the proposed treatment map and brought up areas of concern in the launch area and the west end of the lake. Because of the large area of milfoil there is a concern of dissolved oxygen levels and the treatment would be split up into two parts done about 3 weeks apart. We had a proposal back from one consultant that suggested treating at 3—3.5ppm for the hybrid milfoil that in their estimate 2ppm is not sufficient. Brian from Marine BioChem was conferenced in and questioned about proposed treatment levels. He provided factual information on several different area lakes that treatment had been done on with varying treatment levels. He said that treatment levels can vary as there have been some lakes that have shown improvement after being treated at .5ppm and other lake have been treated at 3ppm depending on the condition being treated. The other lake consultant that was contacted for proposals said that different parts of a lake may be treated at different levels depending on plant concentration. Based on our past treatments at 2ppm and continued spread of the milfoil the group decided to request that our fall treatment be at 3ppm to try and get control over the issue. Next years permit was also discussed. This past year we experienced milfoil that was beyond our permitted area and were denied treatment because of it. Questions came up as to why we have not been getting a permit for the full acreage of the lake as we don't know year to year where the problems will be. Next year we will apply for a permit for the entire acreage of the lake. Also noted was that even though the permit may be granted the DNR still has the final say over where treatment can be done based on observations prior to treatment.

Christine had contacted Jeff Stelzer of Lake and Pond Solutions Co as he was recommended to her by a friend of hers on another lake that he manages. Bob had made contact with Mary Knipper in Delavan and learned that Kathy Aron also manages Delavan Lake but Mary said that Tim Hoyman of Onterra LLC was respected and would be a good contact for us to make. Both company's should prepare a proposal for the management of our lake, provide references, and their philosophy of treatment. The board will meet at a later date to interview the candidates and make a decision going forward. We will try to set this up no later than the end of October.

Officer's responsibilities were talked about and Barry, Christine, and Bob agreed to stay in the same roles moving forward; Barry as President, Christine as Treasurer, and Bob as Secretary.

Harvesting was talked about (rest of this year and next years). Right now the hydraulics on the harvester are being fixed and may be out for a couple weeks. Shoreline pick up was talked about through October and the town dump was suggested as a possible site for the weeds. We need to make sure that the weed pickups continue through the fall once a week. Conversation was brought up about having two crews for next year as the harvesting is requiring more than what 2 people can handle. Based on the increasing need and time it was suggested that we entertain having someone responsible for the program who the harvesting crew would report to. We need to be more formal and consistent with our operations next year to insure that operations are being done efficiently and according to issued DNR permits. The board will look for interested party's to manage the weed harvesting for 2013.

Permits for geese treatment were talked about and getting a list together of people who still need to get their permits in and going door to door to get them signed as well as updating the directory and emails at the same time.

The meeting was adjourned at 10:45am.

Respectfully submitted,

Robert C Rice
Secretary

Minutes of the 2012 Annual Meeting of the Potter's Lake Protection and Rehabilitation District held Saturday, August 25th, 2012 at Town Hall, East Troy, Wisconsin.

Present: Commissioners Barry Bonneau, Christine Celley, Bob Rice, Joyce Ketchpaw Reed and Jack Basso

Also Present: 20 Electors.

Chairman Bonneau called the Annual Meeting to order at 9:05a.m.

Christine went over and explained the current 2012 year to date budget and the proposed 2013 budget. She commented that some of the numbers may be higher than what we use on an annual basis but we need to approve the higher amounts so that we are in a position to make payments for the care of the lake as needed. For 2013 we have increased the budget for lake projects so that we have funds to cover anticipated treatments for next year. Payroll was also increased so that we have the ability to harvest full time again next year if need be. This number was based off of 2 men working 60 hours per week for 20 weeks (we will hire a few more individuals to prevent paying overtime). Christine made note of the decrease in funds and noted the purchase of the trailer for the harvester and the waiver of the special tax in 2011. A constituent asked if we had purchased a truck for the weed harvesting operation. Barry commented that the truck was purchased 2 years ago and a trailer for the harvester was purchased this past year. Christine commented on making sure that we have enough in the budget for maintenance as we needed tires for the truck as well as hydraulic hoses for the harvester. The more the harvester and truck are used the higher the maintenance cost. Bob commented on the rough shape of the piers by both conveyors and we are looking to replace them with something safer. He asked that if anyone had a pier to sell or donate to let us know. The below budget was voted on and approved unanimously.

POTTER'S LAKE PROTECTION AND REHABILITATION DISTRICT

25-Aug-12
9:07am

<u>DESCRIPTION</u>	<u>2013 Proposed Budget</u>
Receipts:	
District Tax	12,000.00
Special Tax	42,000.00
Interest on Savings	4,000.00
Grant	0.00
Flare Sales	1,000.00
Transfer from Savings	67,100.00
TOTAL	116,100.00

Expenditures:

Office, Advertising, Mtgs	1,500.00
Dues and Subscriptions	700.00
Legal	1,500.00
Equipment, Tools & Vehicles	10,000.00
Computer & Web Expenses	2,500.00
Lake Functions	1,000.00
Utilities	400.00
Reserve for Special Projects	10,000.00
Lake Projects	30,000.00
Insurance	5,000.00
Fuel	4,500.00
Maintenance	2,000.00
Payroll Expenses	45,000.00
Misc Expenses	2,000.00

TOTAL EXPENDITURES 116,100.00

8/25/2012 ASSETS:**Citizens Bank of Mukwonago**

Checking Account	8,005.57
Money Market	20,942.07
Certificates of Deposit	209,610.05

Landmark Credit Union

Certificates of Deposit	103,397.98
Total Assets	341,955.67

Barry started the meeting and introduced Joyce Ketchpaw as our new Walworth County commissioner. She was on our board prior and has experience in local politics. Minutes from the 2011 annual meeting were available for all a motion was made to approve the minutes as drafted and approved. Christine provided copies of the proposed 2013 budget and went through several line items. A comment was made about the low flare sales and asked if there was a better way to sell the flares. It was explained that the flares were sold at the launch by the Clean Boats Clean Waters crew. It was suggested that we may want to put up a sign so that more people are aware. Barry also stressed the importance of email so that it is easier to communicate with the lake residence. Kathy Aron was unable to attend and provided the below summary that Barry went over.

Potters Lake Summary

Aron & Associates is in the process of updating the Potters Lake Plant Management Plan. This plan is a DNR requirement for obtaining harvesting permits. The harvesting permit for Potters Lake expires at the end of this year. The new Plan will allow the District to apply for a new 5-year permit.

The Plan will also provide recommendations for conducting chemical treatments. Those permits are issued annually.

Currently, DNR will not approve a whole-lake chemical treatment, but they are allowing what I would call "large-scale" treatments. I have attached a map that shows the two primary areas in need of treatment. The boat launch bay is 6.5 acres, and the western area is 53.8 acres.

It is my suggestion, that these two areas be treated this fall, using liquid 2,4-D. This will require a change to the permit since the existing one does not include the center portion of the large area on the west. The added area is 31 acres. It is unknown at this time if DNR will require a new permit or will amend the original one. If you proceed to do the treatment, I will argue for an amendment, since you have already paid the maximum permit fee this year. The treatment would be done in mid to late September. This helps avoid the issue of dissolved oxygen problems that can occur when large amounts of weeds die after being treated. Fall treatments have been an effective tool in managing Eurasian water milfoil.

Water levels and temperatures have been significantly affected by the unusual spring and summer weather. The high water temperatures have resulted in very high algae concentrations in a number of area lakes. The temperatures also negatively impact fish such as Northern Pike. The larger Northerns are especially susceptible to fish kills – they cannot handle the sustained water temperatures above 80 degrees. Quite a few shallow lakes in Northern Illinois and Southeastern Wisconsin have had fish kills caused by the heat. The hot, dry temperatures also increase evaporation rates on lakes which have been measured to be as much as 1/4 to 1/2-inch per day. The dropping water levels can restrict homeowner's access to the lake.

If homeowner's have specific concerns or comments about the plants and the management of plants, please provide them in writing to your board, so that they can pass the information along to us.

Thanks and have a great meeting.

Kathy Aron
Aron & Associates

Barry explained that the DNR will not allow whole lake treatments as they deemed our prior whole lake treatment a failure. They do not want to do treatments where the entire plant population is eradicated. He went over the provided map to show people what the suggestion was for the fall treatment. Our current permit would have to be amended to incorporate the larger requested area. Part of our current problem is due to the low water levels created by lack of snow and rain as well as the early spring and unusually warm summer. The proposed treatment would be divided into two treatments due to the large area to be covered. The harvesting season will stop at the point of treatment as you can not harvest treated areas for two weeks.

If this works the milfoil should be killed and we don't enter spring where the milfoil is in a growing mode and emerges quickly and becomes a problem early on in the year. A question was asked if the 200ft area would include pier areas. Barry stated that we would treat whatever area the DNR would allow and individual homeowners could clear up to a 30ft area in front of their homes. 24D would be used to treat the lake as it is effective in targeting the milfoil and the DNR is comfortable with the application as they have experience with using it. Sonar was used in our whole lake treatment but is not typically approved by the DNR as they deemed our whole lake treatment a failure. Lilly pads were also asked about but due to the low water level this year the lily pad fields have dried up and have not been growing. The dam level was also asked about but due to the lack of snow and rain there has not been any water even close to the dam. Barry had talked to Kathy Aron prior to the meeting and other lakes are experiencing similar and in most cases more severe problems than what we are experiencing (Wind Lake, Pewaukee Lake, and Eagle Springs Lakes were mentioned). Bob mentioned that Delavan Lake was also experiencing problems with low water and boats being stuck on lifts. A constituent asked for an email to be sent if people were experiencing boats stuck on lifts or problems at the launch. Bob commented that 2 emails have been sent and his boat is currently stuck on his lift. He stated that you could try and use a floatation device to float your boat off or contact a pier service to pull your boat off the lift. Currently there have been no problems at the launch with getting boats on trailers. Joyce asked about the run off from the farm and another constituent asked about the purchase of the triangle property. Barry commented that due to lack of rain this year we haven't experienced the problems we have had in the past and due to the cost of the property in question and lack of cooperation with the farmer it is currently not a solution to our problem. Our district has contacted the DNR and Walworth County and this is beyond our control at the current time. A constituent asked about blue green algae and Kathy Aron was on the lake and what she found was not the poisonous kind that is harmful. Christine asked about applying for permits now as opposed to waiting for spring to file. Barry stated that we can apply for permits and they would be issued about the first of March. Christine commented about the early spring and the chemical was not yet available for treatment and suggested that maybe we prebuy the chemical for next year so that we are ready when weed growth permits. Bob commented that we could look back at what we have used in the past and should be able to come up with an estimate of what we need based on those prior years. This way we could be first in line for treatment or not waiting for chemical to arrive.

Old Business. Carp out was discussed. Christine's neighbor wants to organize and bring this back. It will be a good way to promote community as well as doing something beneficial for the lake. There will be some small prizes, food, and games. Those interested in helping are encouraged to contact Christine. Joyce asked about where the funds would come from for prizes. We would ask for donations and some funds could come from lake functions. Based on research this would have to happen in June when the fish are spawning. Website should be updated regularly with meeting minutes. Lake directory update is still of interest and we will work on updating it this winter.

Barry commented on weed harvesting and to date we have taken out over 300 loads of weeds. The weeds were taken to two different places, one farmer who has taken as much as he can and a local nursery. This works out good for us as they are both local and we don't have to pay to dispose of the material. On an average day they pull out 5 to 9 loads and run 4 days a week depending on weather. It was asked if there was any consideration of hiring additional employee's for next year based on the amount of harvesting that needs to be done. Barry explained that we have budgeted for 60hrs of payroll per week for next years harvesting program. We will have 2 to 4 people lined up for next year. Based on the addition of more people this is another reason that we will be using a payroll service next year. A constituent asked if it

would be more efficient if there was an established cutting pattern for harvesting as he noted the zig zaging pattern of the harvester this year. Barry explained that they focus on the launch area and the west end of the lake. Based on the low water level there are areas where they can't get into that they would normally harvest. There are areas where we have seen growth this year that have not been problems in the past due to the low water levels making it an unusually hard year on everyone. In addition to harvesting they have been doing shoreline pick up for homeowners who have raked up piles of weeds that need to be disposed of. The guys prefer to have the piles in the water away from piers and lifts as it is easier to load them on the conveyor. Christine comment that an email should be sent to direct home owners on what to do with the weeds piled for pick up.

Bob commented on the condition of the piers that are being used for the harvesting operation and that the district is looking to replace our current piers. He asked if anyone had a pier or sections they would like to donate or sell to contact us so we could come take a look.

Christine commented on payroll services. The Town of East Troy has been handling our payroll for the last 4 years. With the expanding payroll we need to take over this and recommend using a payroll service that would file our taxes, issue W-2's, and 1099's for us. The service would require direct deposit. Christine got quotes from three different services and received the most favorable quote from IPS Service's. On the months where we don't have checks issued IPS would just charge us the minimum charge of \$7 while the other's wanted \$20-\$50. It was suggested that we use independent contractors to avoid some of the payroll issues. Christine stated the independent contractors would need to provide proof of their own insurance and for the jobs these people do it would be unreasonable to request that they provide their own insurance. We would end up losing some of our key employee's if we asked them to go that route. A motion was made from the floor to move forward to obtain payroll services starting January 1, 2013. This motion was unanimously approved.

The term of Commissioner Barry Bonneau is up at the end of the year 2012 and he asked if there were any interested parties that would like to come forward. No one expressed an interest and Barry said that he would be willing to serve another term as commissioner. All those present approved Barry for another term starting January 2013.

Barry started going over the resolutions for next year. The date for the next annual meeting was discussed and it was recommended that the date be changed to the end of September. Joyce went over the current restrictions and end of September falls outside the current rules but could be changed based on majority vote at the previous annual meeting. A motion was made to move annual meeting to the first Saturday after Labor Day and approved by majority vote. It was brought up to also move the date of our 4th of July celebration to the 4th of July as those in attendance wanted to coordinate with the Shorewood Drive fireworks. It was decided to table the final decision till the spring meeting where it would be put on the agenda and voted on. Resolutions were gone over voted on and approved as presented and updated with the approved amounts from the budget meeting of 2013.

Fisheries were discussed and Barry commented about the stocking of Northerns that the district did last year. Zebra Muscles were commented on they are present in our lake but there is no way to control them. At this point they do not present a great problem but they are present. Christine asked about the harvesting permit and what areas could be harvested based on several inquiries's that she has received. Bob had a copy of the permit and read the restrictions to the group and offered to share the permit to those that were

interested. Christine suggested that based on the expansive area that is permitted that we should aim to cut 6 days a week. Bob commented on areas of the lake that seem to be left uncut and that a great amount of time is being spent on the shoreline area and would like to see a definite cutting pattern established. He would like to see more time being spent outside the buoy line as this is where the majority of the boat traffic is. Bob would like to see more chemical treatment as he doesn't see harvesting as the solution but a very temporary fix. Harvesting creates fragments that float potentially causing the milfoil to spread. Bob suggested to expand the permitted area for chemical treatment next year to cover the whole lake. He stated that while the DNR would not allow a whole lake treatment it would make sure that if milfoil were to show up in another area of the lake at least it would be within our permitted area and then it would be up to DNR to approve just like we have for our current shoreline permit. Christine commented on the area by the marsh that was left uncut. A constituent asked why we were not cutting that area seen we were trying to eradicate the milfoil. Barry commented that area by the bog was not in our current permit to harvest but we are seeking to expand it but it is subject to DNR judgment. Barry suggested that we get Kathy Aron to meet with the commissioners and invite anyone interested to attend to go over harvesting and chemical treatment going forward. Paul Celley said that he would be happy to attend the meeting and offered his assistance in helping with the milfoil problem. Christine asked if it would make sense to interview another lake management company to make sure we are doing everything we can for our lake. Bob agreed and had contact a former commissioner this spring who agreed with our concerns but also stated that it would be hard to find someone better than Kathy. Barry commented on his history with the lake and thought that it would be worth while to interview other consultants to make sure we are moving in the right direction. The commissioners will work on this and report back at the spring meeting with our findings. Problems with muskrats were mentioned eating wires and wooden boats. Live traps were brought up as a possible solution. Bob commented again that if you have not turned in your permission forms for the goose round up that we need those back in order to do the round up. The company that does the round up needs a signed permission form for each property owner in order to enter onto their property and if the lake district does not have enough forms it would limit the success of the round up. There were forms available at the meeting for residences to sign. Joyce commented on the clean sweep program that the county is running to get rid of hazardous waste and had informational forms on the back table for those interested. Meeting was adjourned at 11:40am.

Christine went over the treasurer's report explaining the 2012 budget and the current year to date numbers. She stated that if anyone had questions about the line items or what expenses were paid that she would be happy to share a more in depth break down. She explained that Payroll has been included under Lake Projects in the past and moving forward we are breaking out those expenses under Payroll. Payroll up until now has been minimal and with the expected harvesting those expenses are going to increase. A constituent asked about current wages being paid for the guys that run the harvester. Barry explained that depending on the skill level that it could range from \$9.00 for general labor up to \$20 per hour if someone is experienced and able to fix the harvester as well. Skilled labor although it is more saves us money for higher repair and

maintenance on our equipment as well as less down time. Christine brought in a picture board showing the launching of the harvester. Jack commented on the talent of Rich and Elroy and how they are able to save us money with their knowledge and connections as they know how to repair the equipment. Jack also commented about Elroy having a bucket on the harvester to scoop the fish and turtles back into the lake as the weeds are being harvested. Someone asked about where the weeds were being dumped and the relationship we have with the local farmers was mentioned. Jack asked about the budgeted amount for Equipment, Tools, & Vehicles and if the 2012 amount included the anticipated new trailer for the harvester. Christine talked about the fabricated wheels that are currently used to haul the trailer and the danger of launching the harvester with our current system. The current quote we have is for \$27,640. Barry called around to other sources and we now have a preliminary quote for \$13,500. We are budgeting for the worst case scenario but anticipate that the new trailer will come in significantly less than the budgeted amount. Christine stated that last year we did use some of the budgeted money for the purchase of a new used truck for weed hauling. A constituent asked about the 2012 budget and asked why when we have only spent \$30,000 year to date are we budgeting \$90,840. Christine explained that under our bylaws we are required to have our budget approved in order to spend money. We know that we may be over budgeted for the trailer and labor but we are budgeting for what we expect to be worst case scenario. Barry commented that the DNR has approved a harvesting permit because we are not able to chemically treat the natives. This is going to drive up our wage expenses. A constituent asked about the \$12,000 tax that is in the 2012 budget even though we have over \$280,000 in the bank. Barry explained that this is a judgment point and until next year when the weed situation is reassessed we will not know exactly where we are at. In the past we have had some bog problems. Lake Lorraine had a bog break off and they are running into tremendous expenses to remove it. The board thought that it is prudent to build our reserves on the front end but is open to waiving it for another year if those in attendance wanted it waived again. Bob commented that in order for our current budget to work we would be taking money out of the savings account. The \$12,000 tax would affect his household about \$60 per year. He also commented that we have had grant money in the past and those funds are very limited so we are having to use more of our own money than we have had to in the past. We were cut from the DNR fish stocking program this year and if we want to stock, the fish will have to be purchased from our funds. A constituent asked about the possibility of getting a smaller cutter to cut in between the piers. Barry answered and said that we are not currently planning on getting another cutter nor is the district going to cut in between piers to the shoreline that the home owners would need to take some responsibility for their own shoreline. Motion was made from the floor to have the district tax remain in the budget. 19 were for and none against. The board was asked how much was spent on the truck. Christine stated that we purchased the truck for \$10,000 and about \$2,000 was spent on modifications. The board was asked if the people who worked for us were employees or subcontractors. Christine explained that we do carry a workers comp policy and the town does the payroll for us. We were asked if it may be more cost effective for us to hire an independent contractor which would also limit our exposure. Bob commented that if we were to do that the contractor would have to carry their own insurance which would drive up the cost to the Lake District. Christine updated the Landmark Credit Union balance to approximately \$104,000 bringing our total reserves to about \$381,000. A motion was made to rescind the prior motion for the \$12,000 tax. The board explained their stances on the tax Christine stated she could go either way, Jack was for keeping the tax, Bob for keeping the tax, and Barry abstained. Another vote was taken for the \$12,000 tax and the motion was passed 12 to 5 and 2 who abstained. Constituent asked if we were going to audit the books again this year. Christine stated absolutely and if anyone wanted to attend all are welcome. Barry introduced Carol Cole (who is also on the audit committee) and commented on her tax and accounting background. A motion was made from the floor to approve the presented budget for 2012. Budget was passed and approved unanimously.

Minutes from annual meeting 2011 were handed out to those in attendance. There was no discussion and a motion was made from the floor to approve the 2011 Annual Meeting minutes as presented and passed unanimously. Budget was commented on and people were given the opportunity to ask any questions from the approved 2012 budget.

Letter from Kathy Aron.

This has been a very unusual summer. We had very cold temps until mid-June, and then temps were very warm, with no storms. This quickly raised water temperatures and led to bumper crops of plants and algae in most lakes in this region. For instance, Wind Lake has plants covering almost every inch of the lakebed from the shoreline out to 18 feet deep, and filamentous algae blooms along ½ of the 9 miles of shoreline. Eagle Lake has plants to the surface on more than 50% of the lake requiring extensive harvesting to let anyone reach open water to boat.

Potters Lake appears to be undergoing a shift. This is not completely unexpected, as lakes seem to take longer to adjust to major management activities than we would expect. It has now been six years since the whole lake treatment.

Potters Lake has gone from a lake dominated by two exotic species: Eurasian watermilfoil and curly-leaf pondweed, to a lake now dominated by two native plants: elodea and slender naiad. Although milfoil and curly-leaf are still present, they are not controlling the plant community. A native milfoil was also found around the lake, further complicating the plant management options.

When native plants flourish, they too can impair recreational use. This is especially noticeable in the boat launch bay on the SE end of the lake. Another area needing management to provide recreational access is the NW corner of the lake.

Generally, the DNR does not allow chemical treatment of native plants, except to provide minimal access. Because of this, the District has opted to begin harvesting. Although harvesting is also controlled and permitted by DNR, there is a little more flexibility with using the harvester to keep areas open.

Because we do not know whether this is a "blip" or the beginning of a new pattern of plant growth, the District will need to be flexible in its approach to balance the lake's interests with the residents' interests. Native plants are very important, and it is very encouraging that the lake can support a more diverse plant community. Over time, I would expect the plant community to become even more diverse. This will decrease the problems caused by single species communities, since most natives have an open architecture and grow in the middle of the water column.

We will need to develop a new plant management plan for the lake that will be used to issue the multi-year harvesting program. We will need to complete that in 2012 so a new, 5-year harvesting permit can be issued in 2013. Annual chemical permits will still be used to allow the District to treat areas with curly-leaf and milfoil.

Barry commented about things addressed in Kathy's letter including weather changes from very cold to hot, water level from high to low due to lack of rain. This year's conditions raised water temperature causing weeds and algae blooms that were not seen in prior years. Other lakes experienced floating bogs and solid weeds in water up to 18ft of depth. Our problem has shifted from invasives to overgrowth of natives. We still have invasives which were treated chemically this spring. The natives pose a different problem as the DNR will not allow us to chemically treat them. We have been issued a permit to harvest through 2012 in order to help control the natives. We are looking at a 5 year harvesting plan going forward. We don't know what next year will hold but we need to be prepared to chemically treat or harvest.

Barry commented on the timber structure program for fish by the marsh. After further research if we attached the timbers to the marsh and we had more bogs break loose the logs could come with it causing a hazard for boaters. If we were to secure the timbers to the shoreline it would only be in about 8 inches of

water thus being ineffective for the fish. Barry commented on his research from fishing trips that structure in shallow waters does not attract the fish as well as fallen trees that branch out into deeper water. Based on this it is Barry's recommendation to abandon the project. He will contact the DNR and offer up the fish cribs and logs to a lake that may be able to use the supplies.

Barry commented about this year's fish stocking program. We were scheduled to get 520 Northerns. When Barry called Doug Welch to check status on the stocking he was told that due to budget cutbacks that our lake along with 13 others were cut from the fish stocking program for this year. The options given to us were to wait till 2013 or use our own funds to stock the lake. Northerns 9"-10" in length would cost us \$7-\$12 per fish. The cost is higher for this size of fish but the survival rate is also much higher and also results in a legal size catch sooner. The cost to the lake would be \$4,500-\$6,500. The other option is to wait till 2013 when we are tentatively scheduled for stocking again by the DNR. The risk to that is the DNR is in a contracting mode and they cannot promise that just because a request is made that it will be fulfilled. Barry asked those in attendance what plan of action they would like us to take. One constituent stated that he spends a fair amount of time fishing on our lake and has not caught a single Northern this year while in past years they have been very common. Barry commented that we have had Northern stocking of about 500 fish every 4 years going back to the 80's. The last time we stocked was 2005 so with natural mortality and what people are removing from the lake we are over due for stocking again. There was a fish survey taken this spring which shows large mouth bass, bluegill, crappie, and some northern. Bass population is doing well with 37% of the population being 14-15 inches. The bluegill population has grown but the size has stayed the same at about 4.8 inches. The crappies are growing and size is at about 7-8 inches. Northerns population is way down and size between 16-28 inches. Adding northern will reduce our bluegill population and increase the average size. A motion was made to move forward with the fish stocking for this year with funds of \$6,500 being allotted under special projects. The motion was approved and fish will be stocked in the fall of 2011 or spring of 2012. A question was asked from the floor about stocking and when the harvesting would end. We are planning to harvest through September or weather permitting and the stocking would be in early October so they would not interfere with each other.

Christine commented that the district did purchase a new used truck this year for our harvesting operation. Some modifications were made to the truck so that it would work for our application. We purchased the truck for \$10,000 and spent about \$2,000 for modifications. We are hauling the weeds to a few local farms as we are trying to stay green in our operations.

Barry went over a diagram of the lake and what area's we are able to harvest (The bay by the boat launch and the North West end of the lake by the large log home along with areas where home owners are being limited to access). He explained the limitations of the harvester in shallow depths with the paddle wheels. We average about 6 truck loads per day when harvesting. At this pace we feel that we will be able to maintain the lake. Jack commented that the maximum depth the harvester can cut is 6ft. Barry circulated the permit around the room for those in attendance to review. A constituent offered to allow us to store the weed cutter in front of her home over the holiday weekend. Someone asked if we were going to be picking up the loose weeds from peoples piers or shoreline as we have done in the past. Barry commented that as of now we are not going to be offering that service as it has been noted that there is not a large problem with loose clippings. The home owner lives across from the boat launch and the harvester could not get in to pick up anyway due to the shallow water. He said that he did have other ways to get rid of the weeds. Bob offered that if he were to trailer them to the launch we could load them on the truck.

Barry addressed the group on the purchase of the trailer for the harvester. We allocated \$27,640 but have another bid in at \$13,500 but may need some more for modifications to the harvester. Bob expressed concerns about the harvester not having an anchoring system in place if it were to break down to prevent damage from drifting. It was later confirmed that the blades can be lowered without the use of the engine to prevent drifting. Barry did let the group know that there may be grant money available for help in purchasing the trailer. We are too late for this year and the program has restrictions. The restrictions being that we would have to wait till next July until they have made a decision one way or another to enter into a contract with the trailer supplier or to allocate real money towards the purchase of the trailer meaning we would have to continue with our old system. If we were approved it could mean up to \$5400 for us. There is also no guarantee that there will be funds available next year for the program with cutbacks. Barry asked for comment from the floor. It was decided that we would forgo the grant application and move forward this year with the building of a new trailer. It was also asked if we could use grant money for other things fish stocking, harvesting operations, or maintenance. Barry informed the group that it would need to be used to acquire something new not to fix or maintain.

Barry addressed the group about the vacant position for the Walworth County appointed official for our lake and asked for interest from the floor. Dale Marciniak was approached and expressed an interest. Dale introduced himself and said he has been a resident since 2004 and has a background in real-estate. His hobbies include fishing, waterskiing, kayaking, and wave runners. Barry asked again for others who are interested and no one else stepped forward. A vote was taken and Dale was voted into the position, subject to approval from Walworth County.

Christine's board position is expiring in 2011 and she has offered to continue her role on the board for another 3 year term. Barry asked if there was any one else interested in being on the board. No one else stepped forward and Christine was elected to serve another 3 year term on the board.

Bob went over the resolutions for 2012. There were handouts for each to follow along. Each one was gone over and summarized. A constituent commented on where labor was calculated in resolution 11-4. It was decided that \$20,000 would be added for labor bringing the total to \$45,500. Resolutions were passed as amended. Date for spring meet is set for May 5th 2012 at 9:00am. Annual meeting was set for August 25th 2012 at 9:30am.

Public comments were addressed and there was a question about Mukwonago's deep well. Barry commented on the meeting on July 16th that he attended. The well would be in closer proximity to Phantom and Beulah. Barry also talked to Jeff Thornton from Sewer PAC who thought that we were not likely to be affected by it. This is preliminary as we won't know the true effects if any until it is up and running. The well would be located in Walworth County for the benefit of Mukwonago. Christine noted that we are a town, where as Mukwonago is a village and can do things pretty freely as far as annexing land and taxing. Barry feels that we are in a reasonable position at this time and we should all keep up to date on it as new information is printed in the local papers.

Christine was approached by someone who asked about reinstating the carp out and asked if there was any interest from the group. A constituent commented about how it used to be run with booths and prizes. Bob asked if there was any interest from the floor in helping to run this. No one came forward. Barry commented that if anyone wanted to run this program we would be willing to help. A motion was made and the meeting was adjourned at 11:25am.