

**County Zoning Agency**  
MINUTES  
May 17, 2012 – 4:00 p.m.  
100 West Walworth Street  
Elkhorn, Wisconsin

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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 Carl Redenius and Tim Brellenthin, and Citizen Member Jim Van Dreser. Supervisor Rich Brandl and Citizen Member Richard Kuhnke, Sr. were absent, excused. A quorum was present.

County Staff present – Land Use and Resource Management Department Director Michael P. Cotter and Associate Planner Matt Weidensee.  
Present for a portion of the meeting / hearing were Senior Planner Neal Frauenfelder, Senior Zoning Officer Deb Grube and Code Enforcement Officer Darrin Schwanke from the Land Use and Resource Management Department.

A “sign-in” sheet listing attendees on May 17, 2012, is kept on file as a matter of record.

Details of the May 17, 2012, meeting / hearing are on a recorded disc which is on file and available to the public upon request / video to view on our website:  
[www.co.walworth.wi.us](http://www.co.walworth.wi.us)

**Dave Weber motioned to approve the agenda. Second by Jim Van Dreser. Motion carried. 5-favor 0-oppose**

**Dave Weber motioned to approve the April 24, 2012, Minutes. Second by Tim Brellenthin. Motion carried. 5-favor 0-oppose**

Zoning / Sanitation / Land Conservation Enforcement – Michael Cotter / Disc Count #4:01:27 – 4:01:58

Subdivision Items – Old Business - none

**Subdivision Items – New Business**

Brick Church Cemetery Plat Addition Number 2, Brick Church Cemetery Association, Applicant, Section 18, Town of Walworth, Tax Parcel #E W 1800022. The Applicant has requested that the County Zoning Agency review and forward this cemetery plat addition to the County Board for their review and approval as required by Chapter 157.07 of Wisconsin State Statutes. / Disc Count #4:02:06 – 4:04:08

**Dave Weber motioned to approve. Second by Jim Van Dreser. Motion carried. 5-favor 0-oppose**

**Conditions of approval: 1) Approval shall be subject to County Board review and approval. 2) Approval shall be subject to meeting all requirements of State Statutes and County Ordinances. 3) A copy of the resolution, adopted by the County Board shall be certified by the County Board and affixed to the plat. 4) The cemetery authority shall cause the plat to be recorded within 30 days of the date of its approval.**

David A. Hernandez and Tereasa Surratt, proposed 1-lot, 1-outlot Certified Survey Map, Section 2, Town 3 North, Range 16 East, Town of Sugar Creek, Parcel #'s G SC 200007, GLW 00280 and GLW 00381. The proposed CSM contains 3.02 acres of land and is zoned R-1 Single Family Residence District. This parcel consolidation CSM requires County Zoning Agency review and approval because it crosses the exterior boundary of an existing subdivision plat (Lake Wandawega Highlands Subdivision). It also requires CZA approval for a private road outlot that will serve an adjacent proposed 4-unit condominium plat. / Disc Count #4:04:09 – 4:14:29

**Jim Van Dreser motioned to extend the review time for six months as requested by the applicant's representative. Second by Dave Weber. Motion carried. 5-favor 0-oppose**

Lake View Preserve Condominium Preliminary Plat, David Hernandez, Declarant. Located in Section 2, Town 3 North, Range 16 East, Town of Sugar Creek. Parcel #'s 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. / Disc Count #4:14:30 – 4:17:14

**Dave Weber motioned to table and extend the review time until the June 2012 County Zoning Agency agenda as requested by the applicant's representative. Second by Jim Van Dreser. Motion carried. 5-favor 0-oppose**

Old Business – Ordinance Amendments – none

Old Business – Discussion Items

Discussion / possible action on a proposed ordinance amendment to various sections of the zoning / shoreland zoning ordinances. / Disc Count #4:17:15 – 4:41:02

**Jim Van Dreser motioned to take this item to public hearing on the June 2012 County Zoning Agency agenda. Second by Dave Weber. Motion carried. 5-favor 0-oppose**

New Business – Ordinance Amendments

Amendment to Sec. 74-264 Floodplain appendix of the Walworth County Code of Ordinances. The format of the text of this amendment does not allow publishing in this

legal notice. A copy of the amendment is available for review at the Land Use and Resource Management Department or the County Clerk's Office at 100 West Walworth Street, Elkhorn, Wisconsin, Monday through Friday during normal business hours – Deb Grube / Disc Count #4:41:03 – 4:42:15

**Dave Weber motioned to send this item to the June 12, 2012, County Board. Second by Tim Brellenthin. Motion carried. 5-favor 0-oppose**

### **New Business – Discussion Items**

Correspondence from Allen Curler in regard to a zoning issue for a building located in the Town of Troy / Disc Count #4:42:16 – 5:08:54

**Jim Van Dreser moved to send a letter to the Public Works Committee recommending the Public Works Committee issue Mr. Curler a deed granting Mr. Curler a portion of the road right-of-way to bring his overhang into compliance with the zoning code. Second by Dave Weber. Motion carried. 4-favor 1-oppose (Carl Redenius)**

**At 5:09 p.m. Jim Van Dreser motioned to recess before the public hearing portion of the meeting. Second by Dave Weber. Motion carried. 5-favor 0-oppose**

### **Public Hearing:**

Chair Rick Stacey called the meeting to order at 5:31 p.m.

**Dave Weber motioned to approve the amended agenda. Second by Jim Van Dreser. Motion carried. 5-favor 0-oppose**

Ordinance Amendments - none

### **Rezones with Conditional Uses**

James Friemoth, (Kevin Bong – Applicant), Section 2, LaFayette Township. The property owner is requesting to rezone approximately 1.84 acres of M-3 Mineral Extractive to A-5 Agricultural-Rural Residential District to be lotline adjusted to an existing A-5 parcel as a one lot Plan Residential Development through conditional use approval. The rezone area is identified as part of Tax Parcel K LF 200001 and the conditional use shall affect the rezone area and Tax Parcel KA368500001. / Disc Count #N/A This item has been moved to the July 2012 County Zoning Agency agenda.

Larry D. Eastridge, Section 22, Lyons Township. The property owner is requesting to rezone an approximately 2.5 acre parcel created by court order from the A-2 Agricultural District to the A-5 Agricultural-Rural Residential District to bring the parcel into compliance with the County Zoning Ordinance by approval of a one lot Plan Residential

Development conditional use. Tax Parcel N LY2200007B. / Disc Count #5:34:05 – 5:38:41

**Dave Weber motioned to approve. Second by Jim Van Dreser. Motion carried. 5-favor 0-oppose**

The rezone petition will move forward to the June 12, 2012, Walworth County Board for possible action.

The Conditional Use Petition has been APPROVED subject to the following conditions:

General:

1. Approved as per plan submitted as a one lot Planned Residential Development with all additional conditions.
2. The owner must obtain a Land Disturbance, Erosion Control & Stormwater approval from Land Conservation Office prior to construction. All grading must be conducted consistent with the approved Land Disturbance Erosion Control and Stormwater Management plan. All topsoil generated from the site must be evenly distributed back onto the site on the areas from which it was removed or in areas in need of the topsoil. The quantity of topsoil generated from one lot may not be located on another lot within the development at the expense of the lot from which the topsoil was generated. No materials may be removed from the site. A long-term maintenance plan and agreement must be prepared for the stormwater management practices and stormwater management areas proposed on this development. The stormwater management plan maintenance agreement, approval and recording provisions must comply with Section 26-16 of the Walworth County Code of Ordinances.
3. The owner must obtain all required zoning and sanitary approvals prior to construction.
4. The owner must meet all Town, County and/or State highway access requirements.
5. The project must meet all Federal, State, County and local Ordinances.
6. The proper preservation, care and maintenance by the original and all subsequent owners of the design of the PRD shall be assured by deed restriction referencing the C.S.M and shall be recorded meeting standard document format as per 59.43(2m). All property within the PRD must remain as part of the PRD and may not be removed from the PRD without County approval.
7. If the Land Management Department determines that changes in either the character of the use or the intensity of the use are not consistent with this

approval, then those changes must be brought before the County Zoning Agency for approval.

8. Failure to actively exercise this conditional use within three years of the approval date shall result in automatic dismissal without prejudice. The property owner may request a time extension for actively exercising the conditional use. A time extension for actively exercising the conditional use must be requested in writing during the original three year period. Any extension requested during the three year active exercise period greater than one year beyond the original three year period shall require additional Town and County committee approvals.

### **Rezones**

James O. Jacobson, Section 11, Richmond Township. The property owner is requesting to rezone approximately 17.44 acres of land from A-2 Agricultural to the C-2 Upland Resource Conservation District in order to divide the property into a three lot CSM. Tax Parcel C R 1100006. / Disc Count #5:38:42 – 5:41:54

**Dave Weber motioned to approve. Second by Tim Brellenthin. Motion carried. 5-favor 0-oppose**

The rezone petition will move forward to the June 12, 2012, Walworth County Board for possible action.

Conditional Uses - none

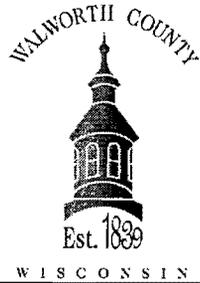
### **Adjournment**

**A motion was made by Dave Weber to adjourn. Second by Jim Van Dreser. Motion carried. 5-favor 0-oppose**

The meeting was adjourned at 5:42 p.m.

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



**Walworth County Board Finance Committee  
MEETING MINUTES  
Thursday, May 17, 2012**

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

The meeting was called to order by Chair Russell at 9:45 a.m.

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

**Others in attendance included:**

- County Staff: David Bretl-County Administration/Corporation Counsel; Nicki Andersen, Stacie Johnson, Jessica Lanser, Dale Wilson-Finance; Linda Seemeyer-Health & Human Services; Suzi Hagstrom, Human Resources; Dave Ortin-Information Technology; Bernie Janiszewski-Lakeland Health Care Center; Peggy Watson-Public Works; Kathy Du Bois-Treasurer's Office

**Agenda withdrawals** — There were no agenda withdrawals. **Supervisors Stacey and Grant moved to approve the agenda; carried 5-0.**

**Approval of minutes of last meeting(s)** — April 26, 2012 — **Supervisors Grant and Stacey moved approval of the meeting minutes; carried 5-0.**

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

**Unfinished business**

**Resolution \*\* 06/12 Authorizing the Closing of CTH A, CTH J, and CTH ES Roadwork Projects and CTH O Bridge Replacement Project and Transferring Remaining Funds to the CTH D Roadwork Project** — Andersen reported that the Public Works Committee recommended closing the specified roadwork projects, transferring remaining funds to the CTH D roadwork project, and issuing a contract on CTH D. The resolution had been held pending lien waivers on some of the projects. **Supervisors Grant and Stacey moved approval of the resolution.** Grant asked if the lien waivers are, or would be, resolved with no further problems. Watson replied that 3 liens naming Walworth County have been filed to date. The largest is \$36,000 from Western Culvert and names the county, BR Amon and Mann Bros. At their meeting on May 14, 2012, the Public Works Committee voted to pay the remaining amount due to BR Amon upon receipt of lien waivers for those 3 liens but retain \$20,000 for a 30-day period in the event we receive any other liens in that period of time. Stacey asked if the Finance Committee's motion should be the same as the Public Works Committee. Andersen recommended that the conditions be the same. **Supervisor Kilkenny amended the motion adding that approval is contingent upon meeting the conditions**

**and requirements set by the Public Works Committee at their May 14, 2012 meeting. Supervisor Stacey seconded the motion; carried 5-0. The original motion carried 5-0.**

**Discussion and possible action regarding funding for Lake Beulah Dam options** — Watson said this project was discussed at the last two Public Works Committee meetings. She prepared two resolutions, one to repair the dam and one to fund the replacement, so we could move forward as recommended by the Public Works and Finance Committees. At their meeting on May 14, 2012, the Public Works Committee voted to proceed with complete replacement of the dam rather than repairing it. The current budget estimate for that project is \$1.2 million. The county may receive up to \$400,000 in grant funds so the net county cost would be \$800,000. The grant requires that the county outlay funds and submit a reimbursement request. Grant asked if the funding is guaranteed. Based on grant documentation, Watson believes we have a commitment. The State has identified dams which need repair. Ours is 5<sup>th</sup> on the list. We won't get an official grant award until after we go out for bids and the state recognizes that we have a qualifying bid. Andersen added that the State's letter indicated they have funding to cover the first 15 dam projects and ours is #5. Schaefer is not against repairing the dam but feels projects like this should have been included in our Capital Improvements Plan (CIP). Russell agreed but what convinced her we need to move forward now is the State's rating of the dam's condition. Although we could repair it, the State requires that dams with a certain rating be inspected every 2 years. In that event, we could constantly be putting money into the dam for repair. Andersen has talked with public works staff about projects being included on the CIP and plans to discuss the issue with the new public works director. She added that we have sufficient dollars to cover this project. She believes Bretl commented that this is a significant priority for him and he would also recommend proceeding. **Supervisors Stacey and Kilkenny moved to approve Resolution \*\*-06/12 Authorizing General Fund Use of Unassigned Fund Balance to Replace the Lake Beulah Dam; carried 5-0.**

**Consent items** — Russell asked that agenda item 8B1, sale(s) of tax foreclosure property, be held for separate discussion. Kilkenny requested that item 8C2, update on tax incremental financing districts, also be held. **Supervisors Stacey and Grant moved to approve the remainder of the consent items; carried 5-0.**

**Budget amendments**

Finance

- FN001 — Adjust 2012 health insurance budget

Health & Human Services

- HS006 — Increase Comprehensive Community Services (CCS) budget
- HS007 — Reflect increased use of stabilization (respite) program
- HS008 — Transfer a position from the Birth-to-Three Program to Children Services Ongoing Unit

Information Technology

- IT-1 — Purchase data back-up system

Bretl arrived at 10:00 a.m.

### **Bids/contracts**

Award sale(s) of tax foreclosure property

- Parcel YDT 00814A — Watson reported that one qualified highest price bid of \$650.00 was received. **Supervisors Stacey and Kilkenny moved to award the bid to Darnell Wilson; carried 5-0.**
- Parcel JLCB 00156 — We received one qualified highest price bid of \$57.00 for this property. **Supervisors Stacey and Grant moved to award the bid to Brett and Lisa Geiger; carried 5-0.**
- Parcel JLCB 00785 — Watson said we received one qualified highest price bid of \$40.00. **Supervisors Stacey and Grant moved to award the bid to Brandon Burge; carried 5-0.**
- Parcel CCR 00098 — We received one qualified highest price bid of \$100.00 for this property. **Supervisors Stacey and Kilkenny moved to award the bid to WFN Alternative Energy, Inc.; carried 5-0.**

### **Reports**

- Quarterly investment report – 1st Quarter 2012
- Update on tax incremental financing (TIF) district(s) — Kilkenny commented that the City of Delavan is considering an amendment to their developer's agreement with Lake Lawn. They may also postpone closing the TIF.
- Out-of-state travel
  - a) Health & Human Services
    - Melissa Ruiz, Kristi Reynolds, Elizabeth Duessler, Blueprints for Violence Prevention, San Antonio, TX
  - b) Human Resources
    - Donna McIntyre & Lisa Pohl, NeoGov Minnesota/Wisconsin Regional User Meeting, Burnsville, MN
  - c) Public Works
    - Jeremy Jacobs & Art Nelson, Electrical and Electronic Systems for Mack Truck, Joliet, IL

### **New business**

**Resolution \*\*-06/12 Authorizing Addition of Seal A Smile Grant to Pre-Approved Recurring Grants List — Supervisors Grant and Stacey moved to approve the resolution; carried 5-0.**

**Discussion and possible action regarding 2011 donations and fundraisers** — Andersen explained that this report summarizes all of the donations the county received in 2011 and the fundraisers which were held. The amount of community support is significant and we appreciate their support.

**Discussion and possible action regarding 2013 budget** — Bretl said the committee needs to decide how to proceed with establishing budget targets for 2013. Maybe 11-12 years ago, we had virtually maxed out our tax rate cap so we just stayed at the cap. Because of rapidly escalating property values and modifying our spending, we then created a gap between the cap and where we were in terms of the mill rate. That allowed us flexibility in determining a budget target. In the most current budget environment, the State imposed a virtual budget freeze on counties and municipalities. Bretl recommended that the committee's budget guidance be to comply with the State cap that is in effect. The only variation we may see is the increment of equalized value created by net new construction. He proposed taking advantage of that flexibility even though it may be less than 1%. He thinks we can take a significant step towards putting more roads on the tax levy, with the goal of eventually weaning ourselves off of debt. Also, we are close to achieving our other post employment benefits (OPEB) goals. When we do, money that was going to fund OPEB could be directed towards road projects. However, overall in terms of flexibility, we do not have many options.

Russell asked if the library levy is exempt from the cap. She feels we need to fully fund the libraries. They are important to the community and our youth. Bretl said the library levy is exempt, as is the Children with Disabilities Education Board (CDEB) levy. He noted that using the information we have now, we would need to cut \$100-150,000 just to meet the caps we are projecting. Kilkenny spoke in favor of a 0% levy increase. The amount we could gain from the flexibility of the net new construction would probably be around \$120,000, according to Bretl. He would rather put that money towards reducing debt for roadwork as opposed to cutting the levy increase to 0% and borrowing for road projects. Andersen added that the levy limit caps are complicated. You have to use multiple formulas to calculate them. Currently, one of the issues we have is that the levy must be reduced by any debt authorized post-2005, which was called. In our case, even though it was prudent to call debt, it works against us in this instance by reducing our allowable levy by approximately \$108,000. The reduction in the levy would be offset by any net new construction or the elimination of any tax incremental financing districts that come back onto the tax rolls. **Supervisor Russell moved to establish the county administrator's budget at the cap allowed by the State. Supervisor Grant seconded the motion.** Stacey asked if we would see savings in the sheriff's budget from the drug court and electronic monitoring. That was part of the 2012 budget, according to Bretl. Those programs may be a good topic to include on an Executive Committee agenda. We could ask command staff to bring us up to date. Grant asked how cuts in State aid affected HHS. Seemeyer said we took most of the cuts with the biennial budget but are losing an additional \$85,000 in child support.

Bretl reiterated that if there is no net new construction in the county, we would be decreasing the levy by \$108,000, or .0017%, based on the cap. He stressed that we typically will not

know what the figure for net new construction is until fairly far into the budget process. Andersen said we generally get that information in August but it generally changes from when the figure is distributed by the State and when we adopt our budget. Kilkenny asked if we are compelled to have a levy decrease if there is no net new construction in the county. Bretl affirmed but said it isn't much money either way. **The motion carried 4-1 with Supervisor Kilkenny voting nay.**

**Review and modification of investment strategy for other post-employment benefits (OPEB) fund** — Our target for fixed income investments in this fund is 70%, according to Andersen. Staff recommend adjusting the range to 50-90% to allow for market fluctuations. When we are buying and selling securities and both are in transition, then technically we could exceed the 70% range that is currently established. **Supervisors Grant and Kilkenny moved to approve the recommended range.** Lanser added that PFM rebalances quarterly so we will stay at the 70% target, but there are fluctuations when we are working on purchases. **Motion carried 5-0.** Andersen said our investment advisor asked if we are interested in having him come back at some point to discuss a different allocation ratio. After discussion, the committee asked staff to request that the PFM representative provide a short presentation as to where the fund is and any ideas he may have. Andersen noted that our investment advisor believes we are on the conservative end of the investment scale. As part of our actuarial assumptions, we assume 4.5% interest over the life of the OPEB fund. If our investments were more conservative, we might have a difficult time meeting our actuarial estimate over the life of the fund.

**Correspondence** — There was no correspondence presented.

**Confirmation of next Finance Committee meeting:**

- The next Finance Committee meeting was confirmed for Thursday, June 21, 2012 at 9:30 a.m. in County Board Room 114 at the Government Center

**Adjournment of Finance Committee**

**Upon motion and second by Supervisors Grant and Kilkenny, Chair Russell adjourned the meeting at approximately 10:39 a.m.; carried 5-0.**

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

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

**DRAFT**

**Walworth County Board of Supervisors  
Public Works Committee  
MEETING MINUTES  
Monday, May 14, 2012  
Walworth County Government Center, County Board Room 114  
100 West Walworth Street, Elkhorn, Wisconsin**

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Chair Russell called the meeting to order at 3:33 p.m.

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

Others present:

County staff: County Administrator David Bretl; Public Works staff: Larry Price, Director of Operations, Assistant Superintendent John Miller, Assistant Superintendent Jack Delaney and Business Office/Purchasing Manager Peggy Watson; Deputy County Administrator-Finance Nicki Andersen; Assistant Corporation Counsel/Director of LURM Michael Cotter; Director of Health and Human Services Linda Seemeyer

Members of the Public:

Kurt Feuerstein, P.E., Patrick Engineering; Allen Curler, W4140 Woodview Trace, East Troy, Wisconsin; Tom Amon, B.R. Amon & Sons, Inc.; David Bitter, Chair of the Lake Beulah Management District

**Agenda withdrawals/approval**

Supervisor Monroe asked to move item 7 h) up on the Agenda to be considered first. **Supervisors Schaefer and Stacey moved to approve the agenda as amended. The motion carried 5-0.**

**Approval of April 23, 2012 meeting minutes**

**Supervisors Stacey and Schaefer moved to approve the April 23, 2012 meeting minutes, with a scrivener's error correction on page 1. The motion carried 5-0.**

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

**Recommendation for confirmation of County Administrator's nomination of Kevin Brunner as Director - Central Services.** County Administrator Bretl invited Kevin Brunner to speak to the committee. Bretl said he is pleased to bring his nomination to the committee, as it is his responsibility to make nominations for department heads, and then ask for a recommendation from the full County Board. Bretl said he hoped to hold a special County Board Meeting on Thursday, May 17 to speed up the process to get Mr. Brunner on board in time for the 2013 budget process. The Human Resources Committee will address Brunner's proposed contract, salary and benefits within the established range. Bretl said they had an outside rater come in to assist with the applications; they evaluated resumes and writing samples, and he, Chair Russell and Director of Human Resources Suzi Hagstrom conducted the interviews. There were a number of solid candidates, which reflects positively on the county's reputation. Mr. Brunner's credentials came in at the top of the group, and as Director of Central Services his experience in local government will benefit the county. Bretl thanked Larry Price and Peggy Watson for keeping things moving forward at the Public Works Department in the absence of a director. He said it was a credit to their professionalism; operations ran smoothly and he appreciates the work they did. Mr. Brunner introduced himself and said he was happy to be nominated and is flattered for the opportunity. He has over 30 years of management experience, beginning with the job as assistant to the Kenosha County Administrator, and eventually moving up to his present position as Whitewater City Administrator. He has worked with county staff over the years, and appreciates the organization and is looking forward to working at Walworth County. Chair Russell said on behalf of the Committee and the County Board, she believes Mr. Brunner will fit in well and she is looking forward to doing good things together with him as Director of Central Services. The committee had no questions for Mr. Brunner. **Supervisors Stacey and**

**Monroe moved to approve County Administrator Bretl's nomination of Kevin Brunner as Director of Central Services.**

**The motion carried 5-0.**

**Referred from May 7, 2012 County Board of Supervisors meeting:**

**Correspondence from Allen Curler in regard to a zoning issue for a building located on property in the Town of Troy.** Allen Curler addressed the committee. He purchased a building in the Town of Troy and has been working with the county zoning office concerning a roof overhang which is in the county right-of-way, and has been that way since at least 1965. In 2007, the previous owner added onto the building and the overhang is encroaching further into the right-of-way. He received notice from the county to have the overhang removed. He wants to keep at least most of the overhang for safety reasons, as he doesn't want his sidewalk in front of the building getting wet and icy. Kids waiting for the bus stand under the overhang during the school year to keep dry. The Board of Adjustment told him they cannot grant a variance into the right-of-way. Mr. Curler met with Supervisor Stacey previous to this meeting, and Code Enforcement Officer Darrin Schwanke told him the County Board would have to hear his request. He added that there are a lot of buildings encroaching on county rights-of-way. He talked to Larry Price, and Price told him the Highway Division didn't have a problem with the overhang. The Town of Troy Chair is vehemently opposed to the overhang in the right-of-way. Director of LURM/Deputy Corporation Counsel Michael Cotter said their office received a complaint about the overhang. From a zoning perspective, Cotter said they could go to a 0' setback to the roadway, but the Zoning office cannot grant a permit into the right-of-way. Zoning recommends selling or deeding the right-of-way to Mr. Curler, which has been done in the past with other controversial issues. The Chair asked if perhaps the county could grant Curler a long-term lease on the property so he could maintain what he has in place. Bretl suggested a Quit Claim deed be executed, but cautioned that others in our right-of-way may ask for the same consideration. This has existed since the 1960's, and he suggested putting specifics into a Quit Claim Deed. **Supervisors Schaefer and Stacey moved to approve a Quit Claim Deed to Mr. Curler.** Supervisor Monroe recommended requiring Mr. Curler to cut back the 2 feet that was added in 2007 and Stacey agreed. Vice Chair Redenius said that there are properties in nonconformance across the street as well, and questioned whether the county could have to give those property owners the same consideration. Darrin Schwanke, Code Enforcement Officer at LURM, said the roof needed to be removed back to the right-of-way because it has been altered and it has been more than 12 months. The concrete could stay in place. Discussion ensued as to options. **Supervisors Schaefer and Stacey withdrew their original motion. Chair Russell and Vice Chair Redenius moved to table consideration until the June committee meeting, to allow time to get a recommendation from the County Zoning Committee and obtain an opinion from the Town of Troy. The motion carried 5-0.**

### **Unfinished Business**

**Discussion and possible action concerning satisfaction of liens and final payments – CTH A, J and ES roadwork.** Bretl said he and Larry Price met with Mr. Amon last week, and Bretl has spoken to the attorney for Frawley Oil. Frawley has not filed a lien against Mann Brothers to date. B. R. Amon & Sons is the low bid on the CTH D project, and the bid expires June 1. The CTH A, J and ES projects need to be closed out. Staff is withholding money from the final payment to Amon, and the liens from Western Culvert and the liens from Three T's and Hall Trucking need to be satisfied. Bretl added that withholding sufficient funds from the final payment to the general contractor would be manageable. Tom Amon addressed the committee and said the subcontractors have agreed to quantities. His bonding agent and consultant said that his bond wouldn't be approached on a fuel issue, and unless Frawley could produce tickets proving the fuel for these particular projects he doubted they could file a lien. Amon offered to write two party checks to settle the liens, and said that Mann Brothers agreed to it. Amon also said he would agree to extend his pricing on the CTH D project if the county needed more time. Bretl said he doesn't see an impediment to awarding the CTH D project if the county withheld sufficient funds from the final payment. **Supervisors Stacey and Redenius moved that when the three liens are satisfied (Western Culvert, Three T's and Hall Trucking), and upon receipt of the lien waivers, from all suppliers to, and subcontractors of, the prime contractor, B.R. Amon & Sons, the County will**

release to B.R. Amon & Sons all but \$20,000 of their final payment for the projects. The \$20,000 will be held for 30 days for any potential additional liens. The motion carried 5-0.

**Resolution authorizing the closing of CTH A, CTH J, and CTH ES roadwork projects and CTH O bridge replacement project and transferring remaining funds to the CTH D roadwork project** Supervisors Stacey and Monroe moved approval of the resolution. The motion carried 5-0.

**Bid award for CTH D roadwork project.** Bretl said he was comfortable with awarding the project. B.R. Amon & Sons was the low bid by far, and he said the county should take advantage of favorable pricing. **Supervisors Stacey and Redenius moved to award the bid for the CTH D roadwork project to B.R. Amon & Sons, Inc., in the amount of \$2,626,297.37. The motion carried 5-0.**

**Lake Beulah dam project.** Price said in the packets is a report and recommendations from engineer Kurt Feuerstein, along with several documents related to the dam, including the easement agreement, the Department of Natural Resources (DNR) inspection report, the DNR approval for repairs and the DNR grant ranking list. Mr. David Bitter, Chair of the Lake Beulah Management District, introduced himself. He said the dam is critical to Lake Beulah and rated "high risk"; if it should fail the loss would be devastating to the property owners near the dam and to the lake. The dam is 80-90 years old and has outlived its useful life, it is continuing to deteriorate and something needs to be done. He urged the committee to consider replacement of the dam, as the grant funding is available now and may not be in the future. Engineer Kurt Feuerstein said during the process of repairing the dam last year, it was discovered that the north end is the worst part, and at that same time, the DNR told him the grant would be available, so they delayed the north end repair until the grant application process was complete to see if the county was eligible for funding. Feuerstein said traffic counts were done at the dam and heavy truck traffic accounts for 15 to 20% of the traffic. Bretl said one of the concerns was that the project wasn't included in the Capital Improvement Plan, and it would appear that it is a high priority item now. He said the DNR would allow construction completion as late as May 22, 2014, but said that if the committee were in favor of replacing the dam, a 2013 project would make sense rather than waiting an additional year. Chair Russell said that initially she was in favor of repairing the dam vs. replacement. However, after she read the information in the report provided by Feuerstein, she supports replacing the dam. She added she is appreciative that all of the information was provided in the packets to assist in making a decision. Feuerstein said that the spillway is what needs replacing. A map was provided on the screens to show the committee the specific areas of the dam. The grant would be payable when 50% of the work was complete, and the other 50% at project completion, with the county paying up front and the DNR directly reimbursing the county. The county would need to fund the engineering this year, and construction in the 2013 budget. As soon as the plan is complete, the DNR has to approve it. Price said the DNR representative assured them she would approve the plan when they met with her. **Supervisors Stacey and Monroe moved to approve replacing the Lake Beulah Dam. The motion carried 4-1, with Supervisor Schaefer voting no.**

**Bulldozer bids.** In the agenda packet is a memo from Peggy Watson in response to committee request for the pricing submitted by vendors whose bids were rejected. All of the bids rejected were over \$94,000, Price reported. No action needed on this item.

### **Regular Business**

**Proposed amendment to the Year 2035 Walworth County Jurisdictional Highway System Plan Requested by the Wisconsin Department of Transportation and Town of Delavan – STH 50 between CTH F (north) and STH 67.** The Walworth County Jurisdictional Highway Committee voted 7-2 on May 3 to recommend the amendment to the 2035 Plan recommended by the Department of Transportation and endorsed by the Town of Delavan. Price said he attended the Southeastern Wisconsin Regional Planning Commission (SEWRPC) Advisory Committee on Regional Transportation meeting on May 9, and that committee also endorsed the amendment. Bretl said that a contingent of residents who would be affected by the widening of the road to four traffic lanes expressed their opposition at the meeting. Price said that the DOT would be meeting with those people, and as there is no certain timeline

yet, there are some adjustments that could possibly be made. **Chair Russell and Supervisor Stacey moved to approve an amendment to the 2035 Walworth County Jurisdictional Highway System Plan to include the widening of State Highway 50 from two to four traffic lanes between County Trunk Highway (CTH) F (north) and State Highway (STH) 67. The motion carried 5-0.**

**Bid specifications for HVAC system replacement at Health and Human Services.** Price reported that the specifications are a condensed version of what will be sent out for bids. The boilers have been prepurchased for the project. The base bid includes installation of the boilers only and the alternate bid is for replacement of the remaining HVAC system. Staff hopes to have a bid recommendation for the June committee meeting. Chair Russell asked if the new boilers would allow for future expansion at Health and Human Services. John Miller said the system could be enhanced if the building were added to in the future. He said there would be ample space in the boiler room to add equipment at a later date. **Supervisors Monroe and Stacey moved to approve the scope specification for the Health and Human Services Building HVAC replacement project. The motion carried 5-0.**

**Bid award for plow blades.** Price said the bid was a split bid, with FABCO Equipment, Inc. the low bid for the carbide blades, and Mid States Blade & Chain was low bid on the steel cover blades. **Supervisors Schaefer and Stacey moved to approve the bid for the plow blades. The motion carried 5-0.**

**Bid award for hydraulic hammer.** The lowest responsive, responsible bid was from American State Equipment Company. Five bids were rejected because they didn't meet the minimum specifications. Price explained the reasons for the rejections. **Supervisors Stacey and Redenius moved to award the bid for the hydraulic hammer to American State Equipment Company in the amount of \$23,395. The motion carried 5-0.**

**State of Wisconsin 2012 Routine Maintenance Agreement.** Price said there are no new developments on the Agreement and only one county has signed the Agreement to date. The State of Wisconsin hasn't yet added language requested to cover guaranteed payments. Bretl advised scheduling the Agreement for the August committee meeting, and if something were to occur in the meantime, it could be considered earlier. **Supervisors Stacey and Monroe moved to reschedule consideration of this item to the August committee meeting. The motion carried 5-0.**

**Walworth County Public Works Department 2011 Financial Report of Operations.** Peggy Watson entertained questions on the report, a complete copy of which is posted on the County's website under Departments/Public Works-Highway Division. Chair Russell questioned an item on employee reimbursements, and Watson replied that was something an employee reimbursed the county for, such as insurance, but that she didn't recall the specifics. **No action required on this item.**

**Memo from Deputy County Administrator-Finance requesting the Public Works Committee to hear appeals to the Administrator's 2013 CIP budget on September 17, 2012.** Bretl said this was a heads-up to the committee regarding the appeals to the Administrator's 2013 Capital Improvement Plan, which will be heard at the September 17 Public Works Committee meeting. **No action required on this item.**

**Next regularly scheduled Public Works Committee meeting date and time: Monday, June 18, 2012 - 3:30 p.m.**

#### **Adjournment**

**Supervisors Stacey and Redenius moved to adjourn. The motion carried 5-0 and the meeting concluded at 5:19 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.*

**County Board Executive Committee**  
**MEETING NOTICE**  
**Monday, May 14, 2012**  
**10:00 AM**  
**County Board Room 114**  
**Walworth County Government Center**  
**100 W. Walworth St., Elkhorn, Wisconsin**  
*Draft Minutes*

The meeting was called to order by Chairman Weber at 10:00 AM.

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

Others in attendance included Dave Ortin, Information Technology Department; Linda Seemeyer, Director of Health & Human Services; Rosemary Badame, Elizabeth Sukala, John Roth, Mike Hurlburt and Mariette Nowak, citizen applicants/nominees; Michael Cotter, Deputy Corporation Counsel/LURM Director; Nicole Andersen, Deputy County Administrator - Finance; Sheila Reiff, Clerk of Circuit Court; and, County Administrator Dave Bretl.

**Agenda withdrawals and approval.** Supervisor Brandl moved approval of the agenda with citizen interviews, amended to have citizen interviews follow the public comment period. Supervisor Russell seconded the motion to approve the agenda as revised. Motion carried 5 – 0.

Approval of the April 23, 2012 executive committee minutes was moved and seconded by Supervisors Russell and Brandl. The motion carried 5 – 0.

There was no comment offered during the public comment period.

**Appointments.**

*Board of Adjustment.* The committee conducted brief interviews with the Administrator Bretl's nominees, John Roth and Elizabeth Sukala, both of whom are incumbents interested in continuing to serve. Executive committee duties require interviews with BOA nominees, pursuant to section 2-131 (a) of the Code of Ordinances. Bretl said BOA decisions and policies have a large impact on the county's operations and committee business. If the committee is supportive of reappointing the Roth and Sukala, the recommendation would be for county board appointment at the June 2012 meeting. The committee asked John Roth and Elizabeth Sukala several questions, listed below.

- Are you a resident of an unincorporated area of Walworth County? In what town do you live?
- Have you had any experience with the Walworth County Land Use and Resource Management Department and the County Zoning Agency? If yes, please describe your experience.
- If you answered "yes" to the last question, were you an applicant for a permit or did you represent an applicant?
- Have you had any experience with the Walworth County Board of Adjustment? If yes, please describe your experience.
- Please articulate your feelings regarding growth in Walworth County.

- What qualities do you believe make you a good candidate to serve on the Board of Adjustment?
- 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?
- Do you have any restrictions with respect to days and/or times of BOA meeting attendance?
- What influenced you to apply to continue serving?

**Supervisor Russell moved recommending John Roth and Elizabeth Sukala be reappointed, each for an additional term of service on the BOA. The motion was seconded by Vice Chairman Kilkenny and carried 5 – 0.**

*Land Conservation Committee.* The committee conducted a brief interview with the county administrator's nominee Rosemary Badame. Mr. Bretl indicated that land conservation committee decisions have an important impact on county operations. The committee asked Ms. Badame the following questions:

- Please describe your knowledge about land conservation issues in Walworth County and your interest in serving (or continuing to serve) on the Walworth County land conservation committee.
- Please briefly describe your experience with the Walworth County land conservation committee, if you have previous experience.
- What qualities do you believe make you a good candidate to serve on the county's land conservation committee?
- Do you have any restrictions with respect to days and/or times that would preclude your attending monthly land conservation committee meetings?

Supervisor Russell said Ms. Badame was highly recommended by Louise Olson, Deputy Director - Land Use and Resource Management. Mr. Bretl said it is a significant time commitment to serve on the land conservation committee. **Supervisors Brandl and Kilkenny moved and seconded recommending Ms. Badame for appointment. The motion carried 5 – 0.** The appointment will be included on the June county board agenda.

*Park Committee.* The committee conducted brief interviews with Administrator Bretl's nominees, Mike Hurlburt and Mariette Nowak. Bretl indicated that both are charter members of the park committee, and served on the park advisory committee pre-dating the current park committee. He said both are valuable members, from his perspective. The committee asked Nowak and Hurlburt the following questions:

- Please describe your knowledge about parks and park issues in Walworth County and your interest in serving (or continuing to serve) on the Walworth County park committee.
- Briefly describe your experience with the Walworth County park committee, if you have previous experience.
- What qualities do you believe make you a good candidate to serve on the county's park committee?
- Do you have any restrictions with respect to days and/or times that would preclude your attending bi-monthly park committee meetings?

**Vice Chairman Kilkenny moved reappointing Hurlburt and Nowak, each to an additional term of service. Supervisor Russell seconded the motion, which carried 5 – 0.**

*East Troy Lions Public Library.* Chairman Weber stated that County Administrator's nominee Kathleen Keckhaver was not scheduled to interview with the committee. Mr. Bretl said library board appointments are recommended by the library boards, and interviews are not required; however, the committee is free to schedule interviews. **Vice Chairman Kilkenny and Supervisor Schiefelbein recommended county board appointment of Kathleen Keckhaver at the June board meeting. The motion carried 5 – 0.**

*County Zoning Agency (CZA).* County Administrator Bretl had placed in nomination incumbents Richard Kuhnke and Jim Van Dreser, and recommended the executive committee invite them to interview in June, if they are available. Chairman Weber asked whether it was necessary to interview them. Bretl said CZA members are appointed by the full county board, and there is no ordinance requiring that nominees be interviewed; appointment is based on executive committee recommendation. Chairman Weber said he didn't want to break from the usual process but did not want to make the appointment process difficult for the incumbents. Supervisor Russell asked Supervisor Schiefelbein his preference as a new member of the board and committee. Schiefelbein stated he preferred to conduct interviews. Bretl suggested the committee could convene a special meeting prior to the June 12 county board meeting or if that was not convenient, Kuhnke and Van Dreser could be invited to interview at the June 18 executive committee meeting. Supervisor Russell thought it was important to make the interview process convenient for them. The committee's preference was to conduct a brief interview on June 12, preceding the county board meeting, if Kuhnke and Van Dreser are available.

### **Ongoing/unfinished business**

*Update regarding consultant to conduct business analysis for implementation of ProPhoenix records management.* The committee has been reviewing two IT Sheriff's issues: a communications division consultant to manage different software applications; and, a consultant to conduct a business analysis for implementation of the ProPhoenix Records management system. The Sheriff's office uses ProPhoenix, and other police departments in the county are also using it. The software's design allows interface between municipal police departments. Bretl said there are costs associated with that. The Elkhorn Police Department is already using ProPhoenix. Staff has worked on a plan for interactive system implementation and user agreements with those police departments that want to interface with the county. The consultant will be hired to conduct the business analysis for interoperability between the departments, and then make recommendations to the Information Technology department regarding how to proceed with implementation. Money to pay for consulting services is in the Sheriff's budget, Mr. Bretl said. There was no committee action on this item.

*Regional Housing Consortium and administration of U.S. Housing & Urban Development Community Development Block Grant (CDBG) program.* Lisa Marks of the Wisconsin Department of Administration presented information regarding this program at the April executive committee meeting. The housing consortium program makes HUD money available to

property/homeowners to rehabilitate housing to make it more livable. Walworth County has not been involved in the housing program in the past; however, the Village of Darien, and cities of Elkhorn and Whitewater have been. Individuals apply for a housing grant and the municipality in which they live becomes the administrator for a no interest loan. Some municipalities have administered the program in-house; others hired a vendor. Upon approval by the state DOA, loan payments are deposited to a revolving loan fund managed by the municipality and the money becomes available to other applicants for the same purpose. Marks indicated the state no longer wants to deal with hundreds of municipalities that participate in this program so counties have been asked to organize into regional consortia. If counties want to participate, their boards must adopt a resolution. Mr. Bretl said he notified all towns and municipalities in the county about the program changes and asked them to let the county know of their interest in participating. There was fair attendance at a special meeting of the county's Intergovernmental Cooperation Council (ICC) held on May 9 to discuss the housing consortia although there was not a quorum. Some local officials are taking the issue to their boards and councils. There has been some fear expressed that without the county joining the southern regional consortium, they won't be able to participate or if the county does participate that each town, city and village must also join. Bretl said he was not convinced how much voice Walworth County would have at the table with other, larger counties in our region, and towns, cities and villages could have even less. If towns are not interested in participating, that should be taken into consideration. At present, we are awaiting input from towns and municipalities, and requested they respond by June 1<sup>st</sup>. Supervisor Russell stated she favored joining the regional consortium. There is no cost to join. Russell said the poverty level in Walworth County seems to have escalated in recent years, making low income housing even more important. In Lake Geneva, for example, there is a high-rise, low income multi-housing unit for seniors. Chairman Weber expressed appreciation for Bretl's research and effort regarding the consortia. Bretl said it was an education for him learning about the consortia plan. The pool of money for the housing consortium has decreased significantly. Each consortium will consist of a representative of each of the participating counties. The consortia will simplify Wisconsin government but create another level of work for counties. If a county is criticized for consortium management, the complaint will filter down to the county board. Vice Chairman Kilkenny asked if each participating county would be allowed one vote. Bretl said that was unclear. He said it appears that Washington County will not be participating, but the City of Hartford wants to participate and plans to join on its own. It is difficult to believe the weight of Hartford's vote would be equal to, as an example, Rock County's vote. If a village or city doesn't join a consortium, the housing funds will not be available to them. Counties haven't been given a choice in selecting which consortium to join. The consortia map has been drawn by the state. There might be private firms interested in serving as consortium administrator for a fee. How to review the performance of such firms would be a consideration. Supervisor Schiefelbein asked about length of time commitment once a county joins a consortium. Bretl said it was unknown but would most likely be stated in the agreement counties must enter with the state. It is also unclear whether counties and/or towns and municipalities can join at a later time if they have not made a commitment by the state's deadline. Mr. Bretl said he would be attending a meeting with the other counties in southern Wisconsin to learn more about the state's housing consortia program. He suggested the possibility of a special committee meeting, if necessary, prior to the June 12 board meeting, depending on what he learns. **Supervisors Kilkenny and Russell moved and seconded**

**recommending the county board adopt a resolution and commit to join the south/southeastern housing consortium. The motion carried 5 – 0.**

**The consent items listed below were moved and seconded for approval by Supervisors Brandl and Russell (Kilkenny abstained). The motion carried 4 – 0.**

- a) Mileage reimbursement claim of Supervisor Kilkenny in the amount of \$58.50
- b) Mileage reimbursement claim of Supervisor Stacey in the amount of \$18.87

### **New business**

*Resolution Establishing Committee of the Whole meeting dates for the following topics:*

Walworth County Metropolitan Sewerage District Commission (WalCoMet) presentation of the 2011 WalCoMet annual report and report, and an update regarding Gateway Technical College programs and operation (July 10 was suggested). In addition, a date needs to be established for the scheduled presentation of the county administrator's 2013 budget on September 6, 2012. Bretl indicated he invited Gateway Technical College to make a brief presentation at a committee of the whole meeting on July 10. He is still awaiting confirmation regarding their availability. WalCoMet requested an opportunity to present its 2011 report to the county in June or July 2012 and indicated that 15 minutes would be sufficient. Bretl recommended moving this forward and having the board establish committee of the whole meeting dates on July 10 and September 6. **Supervisors Brandl and Russell moved and seconded county board adoption of a resolution establishing committee of the whole dates on July 10, 2012 and September 6, 2012. The motion carried 5 – 0.**

*County policy concerning financial mediation in family cases.* Courts are required to provide mediation services (divorce cases) but not required to offer financial mediation. A request was made of Sheila Reiff by attorneys that have been providing financial mediation. The attorneys requested that the Clerk of Courts office collect payment from the mediation parties and then pay the attorneys. If the parties had not paid for mediation services within three months, pursuant to a proposed memorandum of understanding with the attorneys, the county would be liable to pay the attorneys for their services, even if the mediation parties had not paid the required fee. It was stated that the probability of getting paid by parties in mediation has gotten more remote than in past years. The family court judge or court commissioner appoints attorneys to perform mediation serves. Financial mediators are appointed after mediation is ordered. Ms. Reiff said the attorneys that are currently handling cases have been paid by the mediation parties in most instances. One of the attorneys doing mediation has settled 94% of the cases; the other attorney has a lower rate of settlement. The court can order mediation in any type of case. Mediators typically are compensated at the rate of about \$200/hour. Supervisor Schiefelbein asked if other counties have a program similar to the one being proposed. Reiff didn't know whether any offer financial mediation in family settlement cases. Supervisor Russell said she was convinced not to enter into the proposed agreement because it seems to have the potential for too much financial obligation. She doesn't think taxpayers should take on a burden for a service counties are not obligated to provide. Chairman Weber agreed with Russell that we would be liable for guaranteed payments to the attorney and might never receive payment from the mediation parties. Vice Chairman Kilkenny stated agreement with Russell and Weber. The Clerk of Courts also offers foreclosure mediation, for which a fee is paid up front, said Reiff. Bretl said

the relationship between the courts and county board is very positive with respect to the accomplishments and progress the Criminal Justice Coordinating Committee (CJCC) has made. He said he hoped nothing would jeopardize that. To the extent the Clerk of Courts became the collection agency in such a proposal, attorneys are asking that county office to pay their fee and then make collections from mediation parties. As such, it would become a program the county funded. Bretl suggested that if it is the board's desire to support such an agreement, it should be done in the context of the 2013 budget. Everything the Clerk of Courts does involves collections, said Reiff, and her office is very aggressive in that regard. Fees collected by that office are mandated. Vice Chairman Kilkenny confirmed his understanding the committee did not need to take any action. Mr. Bretl said that was correct. There was no action.

**Reports/announcements by Chairperson.** Chairman Weber had no reports or announcements.

June 18, 2012 at 10 AM was confirmed as the next regular executive committee meeting date. A special brief meeting will be convened on June 12, just before county board, to interview CZA nominees Rich Kuhnke and Van Dreser.

**Claims and litigation.** At approximately 11:10 AM, on motion by Vice Chairman Kilkenny and second by Supervisor Brandl, the committee convened in closed session pursuant to the exemption contained in Section 19.85 (1) (g) of the Wisconsin Statutes, "conferring with legal counsel for the governmental body who is rendering oral or written advice concerning strategy to be adopted by the body with respect to litigation in which it is or is likely to become involved," relative to the item listed below:

- Jess Dynek, Linda Dynek, Victor Stepaniuk and Barbara Stepaniuk v. Walworth County and Estate of Odilia Zelinski

The committee reconvened in open session on motion and second by Supervisor Brandl and Vice Chairman Kilkenny. There was no action taken relative to the closed session item.

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

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

**Walworth County Land Conservation Committee**

**MINUTES**

**DRAFT**

Monday, May 14, 2012 at 2:00 p.m.

Walworth County Board Room 114  
Elkhorn, WI 53121

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The meeting was called to order by LURM Director Michael Cotter at 2:04 p.m.

Roll call - Committee members present included: Supervisors, Kilkenny, Russell, and Schiefelbein. Sue Bellman was absent, excused. A quorum was declared.

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

Also in attendance – Marilee Holst, Geneva Lake Conservancy, Rosemary Badame

Approval of the Agenda – **Vice-Chair Russell and Citizen Member Schiefelbein moved and seconded approval of the agenda. Motion carried 3-0.**

Approval of the Minutes – **Vice-Chair Russell and Citizen Member Schiefelbein moved and seconded approval of the April 23, 2012 LCC meeting minutes as presented. Motion carried 3-0.**

Public Comment – none

LCC representative to the SE Area Land and Water Conservation Association Louise Olson said the seven county reorganization SE Area Meeting will be held on June 13, 2012 – **Vice-Chair Russell and Citizen Member Schiefelbein moved and seconded to, if approved by the County Board on June 12, appoint Rosemary Badame as the LCC Representative to the Southeastern Area Land and Water Conservation Association. Motion carried 3-0.**

Walworth County Lake Districts 2012 Appointments - Louise Olson provided a list of everyone interested in lake district appointments including LCC, Walworth County supervisors, and citizens. **Supervisors Russell and Schiefelbein moved and seconded that the LCC make a recommendation that those on the list be sent to the County Board for approval. Motion carried 3 -0.** LCC Vice-Chair Russell also said she was very pleased to see that four county board supervisors have taken on lake district responsibilities.

Walworth County Farmland Preservation Update – Louise Olson said that Deb Grube, Neal Frauenfelder and she spoke with DATCP representatives in Madison on May 2. DATCP agreed to accept the Comprehensive Land Use Plan map and the A-1 soils listed on it (and classification of soils, I, II, and III) with multi-zoning jurisdictions per tax parcel. This was the sticking point of their acceptance of our Farmland Preservation Plan. She was told that the plan did not have to be re-certified by corporation council. There are a few minor points to be included that still need to be addressed. Ms. Olson has worked with the GIS Division of the IT Department and they now have all our maps in compliance with state requirements. Ms. Olson forwarded the maps to the DATCP representative who received acceptance. We will be scheduling a Public Hearing/LCC Meeting on June 18, 2012 to enable us to go forward with the Farmland Preservation Plan.

Decision for Nonmetallic Mining in Walworth County Farmland Preservation Area – Louise Olson said one of the criteria was to address the nonmetallic mining lands that were initially A-1 and being converted to nonmetallic mining designation. At that time there was a conversion fee. The state has removed the conversion fee for A-1 land converted into another zoning designation. This negates the need for another zoning district of A-1M. Neal Frauenfelder said the original A-1M designation was to assure the land would be rezoned back to A-1. That has been fixed with conditions on a conditional use permit for mineral extraction and having applicants prepay the rezone application fee for mineral extraction, which the towns prefer. **Vice-Chair Russell and Citizen Member Schiefelbein moved and seconded leaving our current system in place whereby it takes a rezone to put in a nonmetallic mining operation and the petition for rezone back to agricultural be a part of that, as stated by Neal Frauenfelder and removal of the A-1M zoning category. Motion carried 3-0**

Next Meeting Date – Monday, June 18, 2012 at 2:00 p.m.

Adjournment – **On motion and second by Vice-Chair Russell and Citizen Member Schiefelbein Chair Kilkenny adjourned the meeting at 2:25p.m. Motion carried 3-0.**

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

## Walworth County Board of Adjustment

### MINUTES

May 9, 2012 - Hearing – 8:30 AM

May 10, 2012 – Meeting – 8:30 AM

County Board Room

Government Center – Elkhorn, Wisconsin

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A hearing and decision meeting of the Walworth County Board of Adjustment was held on May 9 & 10, 2012, in the County Board Room of the Government Center in Elkhorn, Wisconsin. Those present on May 9, 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 May 10, 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. “Sign-in” sheets listing attendees on May 9, 2012, and May 10, 2012, are kept on file as a matter of record.

The May 9, 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 April 11 & 12, 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, May 10, 2012. Seconded by Ann Seaver. Motion carried. 3-favor, 0-oppose.** The May 9, 2012, hearing went into recess at approximately 9:42 A.M.

On May 10, 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, Gregory E. Guidry motioned to adjourn until the June 13, 2012, hearing at 8:30 A.M. Seconded by Ann Seaver. Motion carried. 3-favor, 0-oppose.** The May 10, 2012, decision meeting adjourned at approximately 8:48 A.M.

Two variance hearings were scheduled and details of the May 9, 2012, hearings and the May 10, 2012, decisions are on audio recorded discs which are on file and available to the public upon request / and video to view for the 5-10-12 decision meeting on our website: [www.co.walworth.wi.us](http://www.co.walworth.wi.us).

### **New Business – Variance Petitions**

Disc #1 Hearing - Count #8:37:54 – 8:47:16 / Disc #2 Decision – Count #8:32:21 – 8:34:30  
**The First Hearing** was William H. & Gretchen E. Schrader, owners / Geneva Homes Inc., applicant – Section(s) 10 – Linn Township

Applicants are requesting a variance from Section(s) 74-167 / 74-181 of Walworth County’s Code of Ordinances – Shoreland Zoning to construct a covered entry to a home.

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

**VARIANCE REQUEST:** The applicants are requesting an approximate 57' shore yard setback. The request is a variance from Section(s) 74-167 / 74-181 of Walworth County's Code of Ordinances – Shoreland Zoning to construct a covered entry to a home.

**BOARD OF ADJUSTMENT DECISION:** The Walworth County Board of Adjustment, during the meeting of May 9 & 10, 2012, for the petition of William H. & Gretchen E. Schrader, owners / Geneva Homes Inc., applicant, voted to **APPROVE** the request to permit an approximate 57' shore yard setback.

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

**BOARD OF ADJUSTMENT FINDINGS:** The Board found the location of the pond on one side of the house to be a unique property limitation. The Board found the covered entry to be on the opposite side of the house from the pond. The Board found to approve the variance request would cause no harm to public interests as the home is located closer to the pond that the covered entry would be. The Board found the variance request of a covered entry to be a small increment of relief. The Board found the pond was in place when the subdivision was platted out. The Board found the home was built according to the zoning codes existing at that time. There were two letters of support from neighboring property owners. There was no opposition.

Disc #1 Hearing – Count #8:47:31 – 9:41:49 / Disc #2 Decision – Count #8:34:31 – 8:40:18  
The Second Hearing was No Tengo Catarro LLC, owner / Tom & Margaret Gardiner, applicants – Section(s) 9 – Linn Township

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

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

**VARIANCE REQUEST:** The applicants are requesting an approximate 12' shore yard setback to a stairway, an approximate 17' shore yard setback to a deck, an approximate 7 ½' shore yard setback to a trellis and an approximate 10' shore yard setback to an addition to the envelope of a residence. The request is a variance from Section(s) 74-167 / 74-181 / 74-221 of Walworth County's Code of Ordinances – Shoreland Zoning to construct additions, deck, stairway and trellis to a single-family residence.

**BOARD OF ADJUSTMENT DECISION:** The Walworth County Board of Adjustment, during the meeting of May 9 & 10, 2012, for the petition of No Tengo Catarro LLC, owner / Tom & Margaret Gardiner, applicants, voted to **APPROVE** the request for an approximate 12' shore yard setback to a stairway, an approximate 17' shore yard setback to a deck, an approximate 7 ½' shore yard setback to a trellis and an approximate 10' shore yard setback to an addition to the envelope of a residence.

**A motion was made by Gregory E. Guidry to approve the variance request. Seconded by**

**Ann Seaver. Motion carried. 3-favor 0-oppose**

**BOARD OF ADJUSTMENT FINDINGS:** The Board found the exceptional and unique property limitations to be the house was constructed prior to the DNR designating the ditch as a navigable waterway and now the entire house is within the 75' shoreyard setback. The Board found the structure does need improvement to avoid further deterioration. The Board found the majority of the proposed variance request would not go outside the footprint. The Board found the height requested to be a 4/12 pitch. The Board found to approve the variance requests will improve water drainage and will not put more surface water to the lake. The Board found to approve the variance requests would cause no harm to public interests. The Board found to approve the variance requests will not disturb neighboring views of the lake. There was one letter of support from the Town of Linn, a letter of support from a neighboring property owner and a neighboring property owner appeared to speak in support. There was no opposition.

**Other**

- A. Discussion / possible action regarding status of Board of Adjustment members

Interviews will begin for the Board of Adjustment positions that will expire next month.

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

**Staff Reports**

- A. Court cases update - none

- B. Distribution of reports, handouts and correspondence

Board members received a copy of the Court of Appeals decision regarding Walworth Homes LLC.

**Proposed discussion for next agenda**

The following items were requested to be put on the June 2012 agenda, if applicable:

- A. Discussion / possible action regarding status of Board of Adjustment members
- B. Discussion / possible action on Township correspondence
- C. Court cases update
- D. Distribution of reports, handouts and correspondence

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ANN SEAVER  
WALWORTH COUNTY BOARD OF ADJUSTMENT

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





DRAFT 5/9/12

PLEASANT LAKE PROTECTION AND REHABILITATION DISTRICT  
BOARD MEETING  
SATURDAY, MAY 05, 2012, 9:30 AM  
LAGRANGE TOWN HALL

MINUTES

Present: Dave Stamm (2012), Ted Slupik (2012), Marcia Sahag (2013), Pat Kachur (2014), Bob Arnold (County)  
Absent: Doug Behrens (2013), Don Sukala (Town)  
Public Attendance: Peter Schuler, Jim Mueller, Rick Callaway

1. Approval of Agenda: Motion to approve the Agenda (Pat/Ted). Carried.
2. Approval of Minutes: Motion to approve the Minutes of 2/14/12 (Pat/Bob). Carried.
3. Treasurer's Report: Account balances total \$95,739.87 (copy attached)). There have been no expenditures for 2012 yet. The balance after budgeted expenses would be about \$70,000. Motion to approve the Treasurer's report (Dave/Pat). Carried. The depository bank will be changed to People's Bank after the annual meeting.
4. Aquatic Plant Management report: Jeff Thornton of SEWRPC is completing the narrative portion of the APM grant application. Letters of Support for the grant will be requested from the PL POA, Town of LaGrange and Walworth County LURM department.
5. Drain project and grant report and options: The drain is clogged again. Doug, Jim Mueller, Tom Short will work with the Town to clear it. The spring round of grant applications was very competitive with 28 applicants. The District grant's ranking was 11 and did not qualify for an award. DNR representatives recommend resubmitting the application for the fall round on August 1, 2012. Minor adjustments to the application will be needed but a new authorizing resolution is needed. The DNR was approached regarding concentrating on the drain between the lake and Pleasant Lake Road considering removing the 90 degree bends, increasing the pipe size, altering the drain path and changing the pipe opening at the lake to a riser pipe. After a additional field study April 5, Pam Schense and Michelle Hase sent their comments essentially that an engineering study is needed and "attention should be focused between the lake and the road and eliminating as much pipe length as possible", eliminating the 90 degree bends and evaluating the pipe material, size and grading for constant flow.  
Motion to resubmit the application for the Lake Planning Grant for drawdown improvement to the DNR August 1, 2012, incorporating the DNR comments from the drain review request of 5/4/12 and updating the information as appropriate (Ted/Pat).  
Carried.
6. Resolution for updated Lake Planning Grant for drain project: Motion to adopt the Resolution for Lake Planning Grant 2012-03 as presented authorizing Marcia Sahag to act on behalf of the District for the drain improvement project (Pat/Dave). Carried.
7. Goose Control report: Doug and Peter attended the WCLA meeting regarding goose control with the speaker Mike Jones of the US Department of Agriculture. A goose round up will probably be needed this year. Doug is in contact with Mike Jones. Goose control alternatives will be investigated. The weather prevented oiling eggs this spring.

8. POA report: Peter had reported at the POA meeting that the DNR did another fish survey which will be available. The Fish crib project has been approved by the DNR and is progressing. Ted reported the directory will be updated with the new information received at the annual meeting.

9. Finance Committee report and recommendations: a) The audit committee comprised of Paul Higdon, Kevin Smith and Rick Callaway will perform the audit June 9, 2012.  
b) Budget recommendations; the proposed budget has a deficit of 4675 which is covered from the prior year's reserves in order to keep the tax levy \$18,000, the same as previous years. Conferring a borrowing authority to the Board will be investigated. Dave will talk with Don Sukala about forming an agreement with the Town for drain maintenance. From the Cost and Funding Options for Drain Project Engineering Study, the funding option for the District applying for the grant was reviewed. It will be added to the proposed budget with the funds for the District's out of pocket expense coming from reserves. Motion to approve the budget proposal as presented including the out of pocket cost for the grant request (Pat/Dave). Carried.

10. Appointment of Election Committee for annual meeting: Motion to appoint Phil Holland, Peter Schuler, Tom Short and Rick Callaway as the election committee for the annual meeting June 2012 (Dave/Ted). Carried

11. Discussion of Annual Meeting: Registration is at 8:30; 9:00am POA meeting; brief break; 10:00am District meeting. Doug and Rick will register electors. Ted and Dave are up for re-election.

12. Discussion of Pier legislation: In a conversation with Pam Schense on 4/5/12, there is no longer pier registration with the DNR. Existing piers as of 2012 are grandfathered. Effective August 2012 new piers and changes to existing piers will require permits. Other changes are effective August 2012 and will be posted on the DNR website. Environmentally sensitive areas are a concern for the DNR and the legislation interpretation is being clarified.

13. Review schedule of meetings and next Board meeting date: the schedule of meetings through May 4, 2013 has been distributed. The next Board meeting is scheduled for August 4, 2012. A time line for discussion of issues will be discussed at the August 4 meeting. The POA meeting will be at 8:00am. The District meeting will be at 9:00 am.

Motion to adjourn at 11:15 am (Ted/Pat). Carried.

Respectfully submitted,

Marcia M Sahag, secretary  
PLPRD



**Walworth County Board Finance Committee  
MEETING MINUTES  
Thursday, April 26 2012**

**DRAFT**

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

The meeting was called to order by County Administrator David Bretl at 9:32 a.m.

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

**Others in attendance included:**

- Board members: There were no additional County Board members present.
- County Staff: David Bretl-County Administration/Corporation Counsel; Nicki Andersen, Jessica Lanser-Finance; John Orr, Dave Ortin-Information Technology; Peggy Watson-Public Works; Kurt Picknell, David Gerber, Janeen Mehring, Kevin Williams-Sheriff's Office; Kathy Du Bois-Treasurer's Office
- Members of the public: Rich Schulze, Lake Como Sanitary District, Burlington, WI; Bill Bogard, Logicalis, Brookfield, WI.

**Special order of business**

**Election of Finance Committee Chair** — Bretl called for nominations for Finance Committee Chair. **By motion and second, Supervisors Kilkenny and Schaefer nominated Nancy Russell. Supervisors Grant/Kilkenny then moved to close nominations and unanimously elect Russell; carried 4-0.** Bretl turned the meeting over to Chair Russell.

**Election of Finance Committee Vice-chair** — Russell called for nominations for Finance Committee Vice-chair. **Supervisor Schaefer moved to nominate Grant. The motion was seconded by Kilkenny; carried 4-0. Supervisors Schaefer and Kilkenny moved to close nominations and elect Grant as Vice-chair by unanimous consent; carried 4-0.**

**Role of the Finance Committee** — Bretl explained that overviews are provided to all committees for the benefit of those who may be new to the Board or to a committee.

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

**Approval of minutes of last meeting(s)** — March 22, 2012 — **Supervisors Schaefer/Kilkenny moved to approve the meeting minutes; carried 4-0.**

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

**Unfinished business**

**Discussion and possible action regarding concerns of Alex Turlakes relating to his purchase of a tax foreclosed property** — Du Bois reported on research she did since the last meeting. First, the county treasurer cannot add or remove anything from the tax roll. The municipal clerk is responsible for doing that. They certify the tax roll and then turn the information over to the county for preparation of the tax bills. Second, in the county's terms of sale, we state that the purchaser is responsible for all tax bills after purchase. Third, the county currently buys out all specials. If that practice were to change, then we look at making the county whole from closing to the sale, and any dollars remaining would be prorated to the municipality. The county forecloses pursuant to Wis. Stats 75.521. When we file the court action, we notify the municipal clerk, any owners or mortgage holders, and the State, if applicable. Public notice of commencement of the in rem proceeding is published in the paper for 3 weeks. When the county actually takes title, we send another notice to the municipal clerk. At that point, the municipal clerk would remove deferred specials from the following year's tax roll. Specials remain on the current tax roll because the parcel was taxable as of January 1. Mr. Turlakes purchased the parcel in 2011. There were assessments on the property as of January 1. The municipal clerk would remove those specials for the 2012 tax roll. Grant asked about assessments for 2010. Du Bois responded that the county paid out in August, 2011 for assessments on the property in 2010.

Du Bois said she talked to a couple of municipal clerks on this subject. The county does not dictate the duties of the municipal clerk. Further, each municipality, sanitary district and taxing jurisdiction has legal counsel. She expressed an interest in meeting with municipal clerks to review the county's process and perhaps offer advice as to what they could be doing.

The 2011 bill Turlakes received reflects the water and sewer assessment plus interest and also a delinquent water charge. These are basic charges with rates fixed by the Public Service commission. Delinquent water charges are not considered a deferred charge. Du Bois believes it was correct for Turlakes to pay the 2011 tax bill in accordance with the county's terms of sale. The potential bidder is responsible to research the property, any specials, zoning, etc. Bidders are aware of that when they submit their bid to purchasing.

Schulze represents the Lake Como Sanitary District. He reviewed the video of the committee's March meeting. There are two different statutory sections, which are quite distinct, that talk about deferred special assessments as opposed to assessments payable in installments. He explained that a deferred assessment is one which the district that levies the assessment, in this case, the Lake Como Sanitary District, determines is not appropriate to charge the property owner currently. An example would be running sewer lines past farmland. State statute says you can't levy against the farmland while it is being used for agricultural purposes. The district would assess in the future when the farmland is developed. An example of an assessment payable in installments would be construction of a sewer main which is assessed to property owners for their share of the cost of that line. By statute, the property owners have the option to pay in a lump sum or in installments. Schulze said the district determines whether an assessment is payable in installments or if it is deferred. Section 66.0715(2)(a) of the statutes discusses deferred special assessments, Section 66.0703 refers to general special

assessments and the installment section is 66.0715. Bretl agreed there is a distinction between assessments which are deferred and those payable in installments. The sanitary district's position is that the assessment on this parcel is an installment and Tournalakes is responsible to pay it. Schulze said Tournalakes implied at last month's Finance Committee meeting that the sanitary district had an obligation, upon receiving notice of the in rem proceeding from the treasurer, to accelerate the installments and that they would now all be due. He was unable to find a statutory reference giving the district that authority. He also does not feel it makes sense when the county proceeds with an in rem foreclosure. He understands Tournalakes reasoning but said the statute doesn't seem to say that. Section 75.36(2)(a) says "If property is acquired by a county taking a tax deed under this chapter, the county is not required to pay any special charges or special assessments until the property is sold by the county." That indicates to him that special assessments remain in place. The same section defines special assessment to include "...all installments payable after the date the county takes a deed under this chapter." If installments which come due after the county takes the deed are eliminated by the in rem tax foreclosure, then there is no reason for that language to be in the definition in the statute. Also, he doesn't find anything in the statutes authorizing districts to accelerate installment payments. The statutory language doesn't use the term "assessments levied after." His interpretation is that the statutes talk about an assessment which is already in place, with the installments coming after the tax sale. Schulze believes Du Bois correctly stated the notice requirements. As far as he knows, the county is correctly following those requirements. He emphasized what Du Bois said about the delinquent user charges, stating that those are not a special assessment or charge but in fact a different tax. A different statutory section permits that tax to be levied. He commented that if someone were to purchase real estate, at the time of purchase, the title company would give the buyer special assessment letters. Schulze said his final point is that the method the county uses for tax sales has been in place for years. He is not aware of anyone else raising the issues Tournalakes has and believes someone would have pointed it out if the process were being done incorrectly.

Bretl distributed a letter Tournalakes emailed late last night. There are multiple issues. First, the county includes a standard disclaimer on the in rem book advising bidders to check everything out. The question is whether that is a proper way for us to handle that issue and whether such notice is adequate. The second issue relates to bills such as for water or shoveling a sidewalk when the county has title to foreclosed property. In the case of the current water charge, Tournalakes feels the bill is due and payable and that the county should administratively pay it. Then you have the question of special assessments, which ties into the committee's previous discussions as to whether the county should continue settling with municipalities in the future. We have the question regarding the interpretation of a deferred special assessment versus an assessment with installments. Bretl believes the solution Du Bois proposed in her April 19, 2012 memo to the committee, i.e., wiping out the installments, is not one to which the district agrees. If liens related to assessments due in installments continue on a parcel, the county could easily have parcels that are not salable. The assessment on the Tournalakes parcel is relatively small but, in the context of developers agreements, we would own them forever if no one wants to buy them out of the in rem process. Bretl suggested obtaining an opinion from the attorney who handles the county's in rem properties as he is very well versed in that area. He will work with Du Bois on a list of questions. **Supervisor Kilkenny moved to refer**

this matter to county corporation counsel for legal advice, with options for disposition to be brought back to the Finance Committee at the May 17, 2012 meeting for policy discussion. Supervisor Schaefer seconded the motion. Carried 4-0.

**Resolution \*\* 05/12 Authorizing the Closing of CTH A, CTH J, and CTH ES Roadwork Projects and CTH O Bridge Replacement Project and Transferring Remaining Funds to the CTH D Roadwork Project** — Bretl said the issue with closing the project is that supplier liens continue to be filed with the County relative to work done by Mann Brothers. Western Culvert is owed approximately \$35,000. Two additional liens have been filed so far. Staff recommend holding this item as there may be other liens not yet filed. BR Amon was the low bidder on the CTH D project. We would like to take advantage of that bid but it is difficult for us to issue one contract when the other is still pending. **Supervisor Schaefer moved to table this resolution over for a month; seconded by Supervisor Grant. Carried 4-0.**

**Update regarding tax software Request for Proposal (RFP)** — Orr reported that staff re-wrote this RFP to reflect functions we absolutely need, and a second area for those which would be good to have. The RFP was out again, and responses are due May 3.

**Consent items** — Kilkenny asked that agenda items 9B2, the bid for information technology managements services, 9C1, notification of mold remediation, and 9D3, update on tax incremental financing districts be held for separate discussion. Russell asked that agenda items 9B1, the bid for emergency vehicle warning systems, and 9D2, the quarterly property insurance report, also be discussed separately. **Supervisors Schaefer and Grant moved approval of the remainder of the consent items; carried 4-0.**

### **Budget amendments**

#### Public Works

- PW004 — Establish budget for additional asphaltic crack repairs and joint sealing on US Hwy 12

#### Sheriff's Office

- SH001 — Reflect Homeland Security/HS WISCOM Upgrade grant for sheriff's office radios

### **Bids/contracts**

- **Award bid for emergency vehicle warning systems for the sheriff's office** — Russell asked if this is specialized equipment. We solicited 102 bids but only received 1. Grant wondered if the specifications may have been written too closely. **Supervisors Kilkenny and Grant moved/seconded to award the bid to General Fire Equipment Co., Inc.** Bretl noted that the Bids Received portion of the form incorrectly identifies Logicalis, Inc. as the bidder. This was a clerical error as General Fire should have been listed in that section, too. Watson explained that Nick Cramer, a purchasing buyer, wrote the bid. He pulled the specifications together but departments are required to approve specs before we go out to bid.

Bretl added that centralized purchasing is still relatively new for us. While specs appear to be written to preclude other products, staff start with specs from product sheets or a vendor and work from there. We may become more general in our specifications over time as we purchase more and go through more purchasing cycles. **The motion to award the bid carried 4-0.**

**Award bid for information technology management services for the information technology department** — Kilkenny understands that 24/7/365 support can be costly. Orr indicated this bid is under budget. The vendor will do the work remotely and guarantee the equipment will be up and running in a functional, productive manner within 4 hours. If they miss the 4-hour period, we will get money back. IT had to set a 2-hour response time for their own people to get back to staff who report problems because of the size of the IT department. This company guarantees that we will be back up and running in 4 hours, which is critical for departments such as the Sheriff's office, Health & Human Services, and the Lakeland Health Care Center. The IT department cannot provide that level of service around the clock using their own staff.

Orr added that every critical application is first installed on a test server so updates may be tested before they are put onto our regular servers. We don't need 24-hour service for the test servers, just the ones deemed to be critical. Bretl said Orr made a point of highlighting this outsourcing in the annual budget. We are at, or maybe beyond "the breaking point" in terms of IT. There have been some major software projects in recent years, all of which require time and resources. Part of the reason we were able to downsize the county workforce so significantly is that functions were automated, and will continue to be so. That's great but it creates a huge vulnerability if our system goes down or a server crashes. His preference at budget time was to outsource this work and he would recommend approval of the bid award. When you look for 24/7/365 coverage, you need more staff and are not talking about people who are in minimum wage positions.

Russell noted that 310 bids were sent out but we received only one. Orr explained that purchasing staff send out Request for Proposal based on commodity codes to try to blanket as much as possible. This is a very high tech, specialty service. We only knew of 4 companies that can provide such a service and specifically asked that the RFP be sent to them. The county has a diverse environment in that we use Lotus Notes, the AS400, and Microsoft. We needed to find a vendor that can support all of those applications. Hopefully, in 2 to 5 years, we will be using more standardized software but that is not currently the case. Staff did not want a vendor that would function as a general contractor and outsource applications they can't support. That causes a mess in the IT world. The company that responded is the only one that can work with the environment we have. **Supervisor Kilkenny moved to award the bid to Logicalis, Inc. The motion was seconded by Supervisor Schaefer; carried 4-0.** Orr offered to report back to the committee later in the year as to how the outsourced support is going.

- Award sale(s) of tax foreclosure property

**Notification of emergency procurement**

**Mold remediation in drug unit office area** — Kilkenney asked if this was a one-time event. Was the mold determined to be particularly hazardous? Bretl said apparently there was a breach in the vapor barrier which conveyed moisture and mold. Picknell added that moisture at an outside window leaked into the interior of the building and the drywall started to mold. John Miller examined the area and recommended the course of action. The room was sealed and the remediation done. Russell reported that discussion at the Public Works Committee meeting on Monday indicated a lot of mold had gotten under the wallpaper. The building underneath the office is not heated so there was a lot of condensation. The remediation included fixing the insulation around the outlets so the problem won't recur. Kilkenney wondered what the county's policy is with regard to mold remediation. Bretl said we try to allay fears and have a healthful workplace. This may be a good question to ask when we have a public works director on board. Bretl will follow up. No action is required as this is an informational report.

**Reports**

- Quarterly delinquent tax report – 1st Quarter 2012
- Quarterly property insurance report – 1st Quarter 2012 — Russell complimented staff who are driving county-owned vehicles. In 2011 and 2012, it appears that county staff were not involved in any accidents that could have been avoided.
- Update on tax incremental financing (TIF) district(s) — Kilkenney asked if the county has received anything from the City of Delavan regarding their proposed new TID. Andersen and Lanser indicated we have not.
- Out-of-state travel

**Finance**

- Linda Gregurich, Tyler Technologies “Connect 2012” Conference, Grapevine, TX
- Health & Human Services
- Mary Campbell, Wisconsin/Iowa Boarder Project, Dubuque, IA

**New business**

**Ordinance \*\*-05/12 Amending Section 30-286 of the Walworth County Code of Ordinances Relative to Children with Disabilities Education Board Summer School Fee** — Bretl noted that the ordinance was unanimously approved at the CDEB's meeting yesterday. **Supervisors Schaefer and Grant moved and seconded approval of the ordinance; carried 4-0.**

**Discussion and possible action regarding write-off of uncollectible amounts related to civil process and jail debt** — Supervisor Grant moved to authorize staff to write off uncollectible amounts related to civil process and jail debt. Supervisor Kilkenny seconded the motion; carried 4-0. Bretl mentioned that Mehring will be retiring June 1. She is one of the people you may not see at committee meetings but is integral behind the scenes to keep the books for the sheriff's office. On behalf of the committee, Russell thanked Mehring for all her hard work.

**Ordinance \*\*-05/12 Amending Sections 30-148 Through 30-150 of the Walworth County Code of Ordinances Relating to Cash and Receivable Policies** — As staff reviewed some of the Sheriff's office write-offs, we realized we did not have a clear policy as to who can authorize those write-offs, according to Andersen. In general, staff recommend that payments be considered "in full" if they are within \$5 over or under so we don't have to trace small receivables. Departments will have to certify that they made every effort to collect the receivables. Individual accounts under \$100 may be written off at the department head's discretion, but larger amounts require committee approval. **Supervisor Grant moved to approve the ordinance. The motion was seconded by Supervisor Kilkenny.** Schaefer asked if authorization to write off personal property tax under \$100 could be included, to save committee time. Bretl said staff can amend the language before the ordinance goes to the Board. **The motion to approve the ordinance with the amendment discussed carried 4-0.**

**Discussion and possible action regarding funding for Lake Beulah Dam options and budget amendment PW005 establishing budget to engineer repairs** — Bretl said there has been considerable discussion about this project at several Public Works Committee meetings. The property owners pay for inspections of the dam and the county pays for repairs, by and large, based on what the Department of Natural Resources (DNR) indicates must be done. There are two options. We could make spot repairs every couple of years or we could completely replace the dam. Spot repairs are considerably cheaper but the downside is that we may find that a larger area must be replaced under emergency conditions. Replacement would give us a brand new dam but would cost about \$1.2 million. There are grants to offset that cost by about \$400,000. At their meeting on Monday, the Public Works Committee determined more diligence is needed, given the large fiscal impact. They are waiting for a written recommendation from our consulting engineer and deferred a decision to next month. Kilkenny asked if grant funds were guaranteed. Bretl replied that the award is not a foregone conclusion. We are in the queue to get the grant, but the funds may not be available every year. **Supervisors Kilkenny and Schaefer moved/seconded to hold this item over for 1 month; carried 4-0.**

**Resolution \*\*-05/12 Authorizing Use of Contingency Fund Balance to Complete the Health and Human Services Parking Lot Lighting Project** — Supervisors Schaefer and Grant moved to approve the resolution; carried 4-0. Russell noted that this resolution was approved by the Public Works Committee on Monday.

**Resolution \*\*-05/12 Authorizing Write Off of 2009 Personal Property Taxes Uncollectible in 2010** — Supervisor Schaefer moved to approve the resolution. Upon second by Supervisor Grant, the motion carried 4-0.

**Resolution \*\*-05/12 Closing Fiscal Year 2011** — Andersen complimented Lanser and her staff for their work. She reported that all departments came in under budget. Some have requested that their excess dollars be committed for future debt service payments and other commitments down the road. She feels we have been very prudent, even in these difficult economic times, and are in a strong financial position. The lapsing funds will go into the county's uncommitted General fund balance and may be allocated in next year's budget for capital projects, prepayment of debt, and so forth. Kilkenny asked if we are current with amortization on our Other Post-Employment Benefits (OPEB) liability. We are ahead of schedule, according to Lanser. Bretl added that we do not want to overfund because the money must remain in our OPEB Trust until all of those liabilities have been resolved. He feels it is a credit to the Board that our OPEB liability is so well handled. He would recommend that we continue funding OPEB through our normal budget process and instead direct some of the lapsing funds towards debt payments. Schaefer asked what we owe on bonds. What do we currently have in the General fund? Lanser responded that we owe \$40.5 million. Based on the draft closing resolution, we have \$21.5 million unassigned right now. Of that, we would have \$5 million available above the 20% level we maintain in the General fund. Russell asked if that money could be used to fund the dam repair if we move forward with that project. Andersen said that would be the expectation. Grant asked if we could also use the funds for the HHS heating system. Funds are already allocated to replace the complete system if that's what the Board votes to do. We set aside \$1.8 million for that project, according to Lanser.

Andersen thanked Bretl and the Board for helping to establish reserves. Bretl noted that the universal feeling at the department level is that, first and foremost, they need to remain in the black. Second, there can be unforeseeable reasons why a budget is out of variance, but we do try to prevent the foreseeable ones. We don't want to levy more than we have to but we also don't want department budgets to run out, either. A county contingency fund is maintained to aggregate the risk of unforeseen variances and not have to budget as much. In larger departments, we may want to establish a departmental contingency fund. There are pros and cons. We have to be careful of the amount we budget and what we spend it on. **Supervisors Schaefer and Grant moved to approve the resolution and close fiscal year 2011.** Andersen noted that a significant amount of the funds lapsing this year resulted from changes at the State level. We budgeted but did not utilize funds for Wisconsin Retirement; there was a staffing freeze last summer, and a significant amount of the savings were from salary and benefits. **Motion to approve carried 4-0.**

**Resolution \*\*-05/12 Committing Fund Balances as of December 31, 2011** — Supervisors Grant and Kilkenny moved to approve the resolution. Russell asked if the resolution reflects parks donations. Lanser said they are not. Those funds are considered restricted. **Motion to approve carried 4-0.**

**Resolution \*\*-05/12 Committing Children with Disabilities Education Board 2012 Fund Balances** — Supervisors Schaefer and Grant moved to approve the resolution; carried 4-0.

**Correspondence** — There was no correspondence presented.

**Confirmation of next Finance Committee meeting:**

- The next Finance Committee meeting was confirmed for Thursday, May 17, 2012 at 9:30

a.m. in County Board Room 114 at the Government Center

**Adjournment of Finance Committee**

**Upon motion and second by Supervisors Schaefer and Grant, Chair Russell adjourned the meeting at approximately 11:16 a.m.; carried 4-0.**

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

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



DRAFT

Walworth County Children with Disabilities Education Board

MINUTES

April 25, 2012– 5:00 p.m.

County Board Room 114 – Government Center  
Elkhorn, Wisconsin

Children with Disabilities  
Education Board

The meeting was called to order at 5:05 p.m. by County Administrator Bretl.

Roll call - In attendance were, Supervisors Weber, Schaefer, Grant and Schiefelbein. Supervisor Monroe was excused. A quorum was declared.

County Staff present --County Administrator Dave Bretl, and Lakeland School Principal Greg Kostechka.

Agenda withdrawals -- None

Agenda Approval – Supervisor Weber suggested moving item #6 and #7 , elections, before #4, approval of the minutes. There were no objections. **A motion and second were made by Supervisors Weber and Grant to approve the revised agenda. Motion carried 4-0.**

Election of committee chairperson and secretary - Bretl began by asking for nominations for Chairperson. Supervisors Schaefer and Schiefelbein moved and seconded nominating Supervisor Weber as Chairperson. Bretl called for any other nominations. Hearing none, nominations were closed on a motion and second by Supervisors Weber and Schaefer, motion passed 4-0. The committee unanimously approved Supervisor Weber as chair. The meeting was turned over to Chair Weber. Weber called for nominations for Committee Secretary. Supervisor Schaefer moved to nominate Supervisor Grant, seconded by Chair Weber. Weber called for any other nomination. Hearing none Chair Weber called for a unanimous vote. Supervisor Grant was named Committee Secretary.

Approval of the Minutes – **Supervisor Schaefer and Secretary Grant moved and seconded approval of the March 21, 2012 minutes as prepared. Motion carried 4-0.**

Role of the CDEB Committee - Administrator Bretl explained that the board duties are defined in Wisconsin State Statute 115.81 which was included in the agenda packet. A historical review of Lakeland School from 1982 to present was handed out during the meeting along with the 2012 Budget. Bretl gave a brief overview of the Lakeland School operation in regards to being a County run school. Bretl suggested that board members tour Lakeland School and familiarize themselves with the building and operations.



*DRAFT*

New Business -- Resolution No xxx-05/12. This resolution recommends amending the consolidated fee schedule for summer school at Lakeland School. The current \$20.00 fee has been in effect since 2008. It is recommended that the fee be increased to \$30.00 to help cover the costs for the 3 week program.

**Motion to approve the resolution was made by Secretary Grant, seconded by Supervisor Schiefelbein, motion approved 4-0.**

Children with Disabilities  
Education Board

Resolution xxx-05/12. This resolution is to adjust the CDEB's Fund Balance and its use for 2012. Bretl explained that normally county departments are not allowed to carry funds over year to year. Tracy Moate has worked with the Finance Department to assign a portion of the fund balance for future use. The fund balance would be used for future debt service and severance responsibilities. **Secretary Grant and Supervisor Schiefelbein moved and seconded approving the resolution and moving it on to the County Board. The motion carried 4-0.**

Reports & Correspondence --

Chair Weber had no reports or announcements.

Principal Kostechka reported on upcoming events at Lakeland school. Our annual School Fest will be held Saturday June 12, 2012 from 9:00 to 3:00. There will be a live and silent auction, plant sale, food, games, craft booths and entertainment. Lakeland School Prom was held on Friday night April 20, 2012 with 60 students attending. The spring music program will take place April 26, 2012 at 1 o'clock. All are invited and encouraged to attend. Graduation will be Monday June 4, 2012 at 7 o'clock in the Lakeland School gymnasium. This year will be unusual in the number of graduates. Normally there are approximately 10 students who graduate. This year there will be 27 students. Students who have completed their 4 years of high school and have the academic credits will "socially" graduate. They are eligible to return to school and be in one of the transitional programs called Life Skills You and Life's Integrated Needs Curriculum until they reach the age of 21. These programs focus on life skill activities, self-help and community skills. Seven of our students will age out (reach age 21) and the other 20 will be returning next fall.

Set time and date of next meeting.- May 16, 2012, 5:00 pm.

Adjourn -- **On motion from Supervisor Schiefelbein and seconded by Secretary Grant, the meeting was adjourned at 5:35 pm on a 4-0 vote.**

Minutes recorded by Kathy Kramer, CDEB

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

**Walworth County Human Resources Committee**

**MINUTES**

April 25, 2012 – 3:00 p.m.

County Board Room 114 – Government Center

Elkhorn, Wisconsin

*Draft*

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The meeting was called to order at approximately 3:00 p.m. by David Bretl.

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

Others present – Supervisor Nancy Russell; David Bretl, County Administrator; Suzi Hagstrom, Labor/Employee Relations Director; Nicki Andersen, Deputy County Administrator – Finance; Dale Wilson, Payroll/Benefits Manager; Kurt Picknell, Undersheriff; Kevin Williams, Captain; David Graves, Sheriff; Mary Burpee, AFSCME Organizer.

Approval of the agenda was moved and seconded by Supervisors Brandl and Brellenthin, with no withdrawals, and carried 5 – 0.

Approval of the February 22, 2012 Human Resources Committee meeting minutes was moved and seconded by Supervisors Grant and Brandl. The motion carried 5 – 0.

Public comment period – none

Election of committee chairperson and vice chairperson. Bretl began by asking for nominations for Chairperson. Supervisors Redenius and Brellenthin moved and seconded nominating Supervisor Brandl as Chairperson. Bretl called for any other nominations, and there were none. On motion and second by Supervisors Brellenthin and Grant, nominations were closed and a unanimous vote for Brandl as Chair was cast. The motion carried 5 – 0. Bretl called for a nomination for Vice Chairperson. Supervisors Monroe and Redenius moved and seconded nominating Supervisor Grant as Vice Chairperson. Bretl called for any other nominations, and there were none. On motion and second by Supervisors Brellenthin and Redenius, nominations were closed and a unanimous vote for Grant as Vice Chairperson was cast. The motion carried 5 – 0. Bretl turned the meeting over to Chairperson Brandl.

Role of the human resources committee. Bretl stated that Hagstrom is typically available before and after meetings if supervisors have questions or concerns. Bretl explained that the four functional committees have the greatest impact on county operations. The committee sets policy through the code of ordinances, which is adopted by the full board.

60-day review of communications division in charge pay. Bretl explained that this item is a follow-up to the approval that the committee had given in January for the in-charge pay. The goal of the in-charge pay concept was improved supervision. Williams stated that this item was based on a request from Supervisor Grant for a review on how the in-charge concept is working.

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Williams stated that overall, this is working out well. One person is considered "in charge." There is a requirement for the in charge employee to create a report at the end of the shift, and that report goes to Williams. This report keeps Williams informed of what is going on when he is not there. The reports have brought to light several things that Williams wants to look at. The duties of the in charge employee include guidance and support, troubleshooting and direct communication with staff. The in charge employee ensures that warrants are entered properly. The in charge employee can also approve time off requests. Originally, Williams had planned to spread out the in charge duties equally among employees. In December, 6 of the 15 eligible employees wanted to be in charge. By March, all 15 employees were interested. Williams feels that this is working well, but by the end of May, he hopes to have a more comprehensive plan in place to address the supervision needs of the division. Prior to the in charge program, there was no shift supervisor in communications. Chairperson Brandl asked if Williams stops in at different times to see how things are going. Williams said yes, he does, and he tries to do weekly reviews of the trainees. One of Bretl's concerns had been whether or not the in charge employee would be reliable given that the employee's co-workers would be in charge next. Williams has not seen any problems with this. Bretl reiterated that Williams was still looking at some other organizational structure. Williams stated that he was putting together a report on where the division should be going in the future, for example, having one shift supervisor assigned and having an employee designated as in charge when the shift supervisor is gone. This change would go through the normal budget process. Williams hopes to have a report prepared in time for the June meeting that would give the different options, their budget impacts and his recommendation.

**Vice Chairperson Grant and Supervisor Redenius moved and seconded continuing with the in charge concept and bringing the item back to the committee in June. The motion carried 5 – 0.**

IHS Healthiest Company Award. Andersen explained that employees are asked to participate in health screenings annually to buy down their health premiums. This is a significant part of the wellness program. Walworth County has again received the Healthiest Company Award from IHS. This is a significant achievement, and Andersen is very proud of all employees. Andersen was requesting that this award be presented at the County Board meeting as a special order of business.

**Vice Chairperson Grant and Supervisor Brellenthin moved and seconded having the IHS Healthiest Company Award presented as a special order of business at the next County Board meeting. The motion carried 5 – 0.**

Discussion and Possible Action Regarding an Amendment to Section 15-120 of the Code Relating to Hours of Work. Bretl stated that in the past, a side letter agreement with the unions was required to implement the 4-10 schedule in the summer for highway employees, but with no union contracts, the process for implementing this schedule can be changed. The Department of Transportation has indicated that it is hazardous to have crews out on the highway on Fridays

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during the summer months. Additionally, Bretl explained that once the crews get out on the roads and get mobilized, it makes sense to stay longer to get as much done as possible. There is a slight gas savings associated with the 4-10 schedule. Bretl stated that the director of operations recommended this, and the public works committee approved it. The ordinance amendment would give the county administrator the option to implement this schedule without coming back every year to get committee approval. This ordinance amendment also gives the flexibility for the county administrator to decide not to implement this. **Supervisor Monroe and Vice Chairperson Grant moved and seconded approval of the amendment to Section 15-120 of the Code.** Supervisor Brellenthin asked what constituted summer. Hagstrom stated that the 4-10 schedule is typically implemented the first full week after Memorial Day until the last full week before Labor Day. In the past, this had all been spelled out in the side letter agreements. Now, it will be called out in the work rules. Bretl explained that this will be made clear to employees. **The motion to approve carried 5 – 0.**

Discussion and Possible Action Regarding Prescription Drug Benefit Change. Wilson explained that his memo in the packet explained the proposed change. Specialty medications would only be available in a 30-day supply rather than a 90-day supply. He explained that specialty medications and treatments can frequently change. Switching from a 90-day supply to a 30-day supply will help eliminate unnecessary costs.

**Vice Chairperson Grant and Supervisor Brellenthin moved and seconded approval of the proposed prescription drug change. The motion carried 5 – 0.**

Discussion and Possible Action Regarding an Amendment to Section 15-502 of the Code Relative to the Authority to Amend Benefit Plan Documents. Bretl explained that the County is required by the IRS to maintain a plan document describing insurance benefits. It is not uncommon for new state or federal regulations to be passed that require changes to those plan documents. For example, the IRS might pass a regulation requiring that certain language be included in the plan document. In those instances, the language has been put in the documents. Andersen had raised the concern about clarifying the authority of the County Administrator and Deputy County Administrator – Finance when such changes to the plan documents are required. The ordinance amendment would authorize the County Administrator and Deputy County Administrator – Finance to authorize statutory changes to the plan documents. All other substantial changes would go to the Deputy County Administrator – Finance for a recommendation, and then on to the County Board for approval. Bretl pointed out that the amendment sets forth exactly when he and Andersen can sign and co-sign the changes.

**Supervisor Monroe and Vice Chairperson Grant moved and seconded approval of the amendment to Section 15-502 of the Code. The motion carried 5 – 0.**

Discussion and Possible Action Regarding the Overfilling of the HHS Senior Accountant Position. Hagstrom stated that no action is needed on this item. The employee who had given

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notice will be leaving sooner than originally anticipated, so there will be no need to overfill the position.

Discussion and Possible Action Regarding the Overfilling of the Business Office Supervisor Position at the Sheriff's Office. Hagstrom explained that the incumbent has been in the position for 20 years. She gave the county a great deal of notice to help with the recruitment and training of the new employee for the position. Chairperson Brandl appreciated that the overfill request was for a short period of time. Picknell stated that they were very comfortable with the time frame. The employee filling the position is from the finance department and is familiar with many aspects of the position already.

**Vice Chairperson Grant and Supervisor Redenius moved and seconded approval of the request to overfill the Business Office Supervisor position at the Sheriff's Office. The motion carried 5 – 0.**

Request of Sheriff to review and adjust the compensation of a member of his command staff. Chairperson Brandl read the closed session language. Vice Chairperson Grant and Supervisor Monroe moved and seconded going into closed session. At approximately 3:42 p.m., the committee convened in closed session pursuant to the exemption contained in Section 19.85 (1)(c) of the Wisconsin Statutes, "Considering employment, promotion, compensation or performance evaluation data of any public employee over which the governmental body has jurisdiction or exercises responsibility." At approximately 4:14 p.m., on motion and second by Supervisor Monroe and Vice Chairperson Grant, the committee reconvened in open session.

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

Chairperson Brandl had no reports.

The next regular meeting of the human resources committee was confirmed for May 16, 2012 at 3:00 p.m.

Adjournment. On motion and second by Supervisor Monroe and Vice Chairperson Grant, Chairperson Brandl adjourned the meeting at approximately 4:15 p.m.

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

**County Board Executive Committee**  
**MEETING NOTICE**  
**Monday, April 23, 2012 – 10:00 AM**  
**County Board Room 114 - Walworth County Government Center**  
**100 W. Walworth St., Elkhorn, Wisconsin**  
*Draft Minutes*

Chairman Weber called the meeting to order at 10 AM.

In attendance were Chairman Weber and Supervisors Brandl, Kilkenny, Russell and Schiefelbein.

Supervisor Kilkenny moved addressing item 11 j), regarding the Regional Housing Consortium and Administration of U.S. Housing & Urban Development Community Block Grant (CDBG), as the first item under new business, immediately following agenda consent items. The motion was seconded by Supervisor Russell and carried 5 – 0. **The agenda was approved as amended by 5 – 0 on motion and second by Supervisors Kilkenny and Russell.**

The March 13, 2012 and March 19, 2012 executive committee minutes were approved 5 – 0 on motion and second by Supervisors Brandl and Russell.

There were no comments offered during the public comment period.

*Election of executive committee vice chairperson.* Chairman Weber called for nominations. Supervisor Russell nominated Supervisor Kilkenny; the motion was seconded by Supervisor Schiefelbein. No other names were placed in nomination. Supervisors Russell and Schiefelbein moved and seconded closing nominations and casting a unanimous ballot for Kilkenny as Vice Chairman. Kilkenny abstained from voting. The motion carried 4 - 0.

*Role of the Executive Committee - Sec. 2-131 Walworth County Code of Ordinances.* County Administrator Bretl asked if any supervisors had questions or comments pertaining to the committee's role under the county code. He explained that historically, of all of the board's standing committees, the executive committee had undergone the greatest change over the years, including a change of name from executive to administrative for a number of years, and then reverting back to executive. The committee's duties have increased over time and include broad responsibilities, such as public safety and economic development, as well as more traditional duties like revisions to the board's operating rules and committee appointment recommendations. Duties may continue to evolve over time and may even change during this elected term. Mr. Bretl said the county has historically functioned best when supervisors act in a supervisory role versus as advocates for staff requests. The role of county board supervisors in viewing county issues with a critical eye helps to yield a better product and outcome on projects and issues, compared to when an issue is first presented at committee. Mr. Bretl encouraged supervisors requesting more information if/when the pace on any issue is too quick for them.

### **Appointments**

*Aging and Disability Resource Center Governing Board (ADRC).* County Administrator Bretl had placed Patti Pagel's name in nomination for appointment to a three-year term. Supervisors Brandl and Kilkenny moved and seconded support of forwarding the nomination to the county board for appointment. The motion carried 5 – 0.

*Board of Adjustment (BOA).* Applications received from incumbents John Roth and Elizabeth Sukala had been provided to the committee. Under executive committee rules, committee interviews with BOA candidates are required. **Vice Chairman Kilkenny moved interviewing Mr. Bretl's nominations for the Board of Adjustment, land conservation and park committees at the May 14 executive committee meeting. Supervisor Russell seconded the motion and clarified that interviews include Mariette Nowak, whose application for service on the park committee had been received following agenda mailing. The Kilkenny/Russell motion carried 5 – 0.**

*Land Conservation Committee.* Rosemary Badame's application had been received and reviewed by executive committee members. Mr. Bretl indicated he would place her name in nomination and invite her to an interview on May 14.

*Park Committee.* Applications were received from incumbents Michael Hurlburt and Mariette Nowak. Mr. Bretl said he planned to place them in nomination for reappointment and invite them to an interview with the committee on May 14.

#### **Consent items**

Three mileage reimbursement claims submitted by Supervisor Stacey totaling \$56.61 were approved 5 – 0 on motion and second by Supervisors Brandl and Russell.

#### **New business**

*Regional Housing Consortium and administration of U.S. Housing & Urban Development (HUD) Community Development Block Grant (CDBG) program.* Lisa Marks from the Wisconsin Department of Administration Division of Housing (DOA) was in attendance. Mr. Bretl asked if she could provide a brief primer about the program. In the past, CDBG funding was distributed under what she described as an onerous application process, in which approximately \$10,000,000 was available and distributed to cities, towns and villages. In the most recent round, over 250 applications were received, of which seventeen were selected, said Marks. Low to moderate income families are eligible for the funding. Since 1985, \$1.4 million in program funding has been awarded to projects in the cities of Delavan, Whitewater and Elkhorn. The DOA is asking counties to form regional consortiums and select one county to act as the lead agency. There is a pool of \$6.3 available for 2013 construction projects. Two-year contracts would be entered between the DOA and consortiums, ensuring that approximately \$1 million is available to each consortium. Ms. Marks distributed a map of the state showing counties organized by the state into regional consortiums. The lead county in each consortium would be eligible to keep 15% of the \$900,000 - \$1,000,000 for administrative costs. Supervisor Kilkenny asked if counties allocate the funding, what the criteria are for funding distribution. Ms. Marks said if there is an individual in a particular community that meets criteria and there are existing CDBG funds in that community's revolving loan fund, funding would be allocated from there first. Within the regional consortium, how will funds be distributed? Ms. Marks said there are HUD rules guiding distribution; however, if the regional consortium selects a methodology, that decides a set of criteria. Once criteria are established, funds are distributed according to rules established by the consortium. Consortiums can also establish their own boards, which would be responsible to review all applications from homeowners in the regional consortium. The lead county can hire one or more contractors to assist in carrying out the program and ensure that criteria are met. The DOA will meet with local officials who administer the program and review each project. The State of Wisconsin has already submitted its plan to HUD, stated Marks, and the CDBG housing program *will* be carried out under the new

paradigm. Supervisor Russell said the consortiums didn't appear to be eligible for equal amounts of funding. She asked whether the state had already determined how the consortiums will be joined regionally. Marks answered that Dane, Milwaukee and Waukesha counties are entitlement communities, with their own funding source, and they deal directly with HUD. Some cities within counties are also "entitlement-funded" communities and deal directly with HUD. HUD requires funding based on individuals who are in the low-to-moderate income category that meet the age of the current housing population and unemployment rate within the region. She stated this was to ensure households aren't receiving other sources of funding to assist them. Regional consortiums will receive HUD funding if those criteria are met. She was asked if the funding is expected to discontinue or be decreased. CDBG funding has been decreased 20% over last four years. Marks said HUD is not planning to decrease it for the next two-year period. Mr. Bretl asked the date by which the state wants the consortiums to be formed. Ms. Marks said the DOA wants to implement the new housing consortium model by the end of May 2012. Any county that wants to join a housing consortium is required to have its county board adopt a resolution by June 30, 2012. In the past, eligible communities have applied directly to the state for funding. Walworth County has not previously been a direct recipient of CDBG funding. Bretl suggested that the county receive input from the communities in Walworth County that have been receiving CDBG funding. If Walworth County doesn't join the consortium, the Village of Darien might be compelled to join if it wants to receive CDBG/HUD funding from the state, as have other communities in the county, said Marks. The first step is to convene a meeting of the communities that have participated in the CDBG funding program in the past. Ms. Marks said the counties highlighted in light blue, light yellow and light purple on the map have not yet partnered in a regional consortium. The lead county can administer programs in-house or contract with a for-profit or non-profit agency to administer the programs, paid by the county, said Marks. She stated that she had not yet met with Columbia and Dodge counties. The state wants no more than eight consortiums statewide, each with no more than eight counties participating. The choice seems to be joining the consortium or declining, thereby leaving it to the communities in counties to join individually. Administrator Bretl recommended inviting towns, cities and villages in Walworth County to a meeting, within the next two weeks, to provide feedback concerning a consortium. Following that meeting, a multi-county meeting could be held. Lastly, a lead county would need to be designated and criteria established for review of applications and funding eligibility, according to HUD guidelines. Ms. Marks was asked if towns are eligible to receive funding under this program. She said they are, if the town's home county does not participate in a consortium, but towns can't receive funding directly from the state. Rock and Jefferson counties are interested in meeting to discuss the possibility of partnering. Marks said she doesn't have direct experience with Kenosha or Racine counties. She also stated that Rock County might be interested in becoming a lead county and the possibility of administering the program in-house. In the past, Lafayette County had challenges and didn't want to participate in the onerous HUD rules and regulations, said Marks. **Supervisors Kilkenny and Russell moved and seconded inviting the communities in Walworth County to a meeting to provide input regarding participating in a consortium with other counties, and then making recommendations at the May 14, 2012 executive committee meeting. The motion carried 5 – 0.**

*Discussion regarding request by WalCoMet (Walworth County Metropolitan Sewerage District) to present the 2011 WalCoMet annual report at a meeting in June or July.* Mr. Bretl indicated he thinks this is a good idea. He suggested inviting WalCoMet to make its presentation and also inviting Gateway Technical College (GTC) to present information about its services and programs, if GTC staff is available. WalCoMet requested making its presentation in June or July. The board could host both presentations at one committee of the whole meeting. **Vice Chairman Kilkenny**

**moved support of Bretl's recommendation and authorizing him to determine the best month to hold the committee of the whole meeting. Motion was seconded by Supervisor Russell and carried 5 – 0.**

*Outagamie County Resolution No. 124-2011-12 opposing language that holds the county financially responsible for services that are already paid for by other entities.* Sheila Reiff said Rock County has a veterans court. Veterans services that are ordered by the court are paid for by the federal V.A. program and federal funding. Vice Chairman Kilkenny and Supervisor Brandl moved placing the Outagamie County resolution on file; the motion carried 5 – 0.

*Requesting Gateway Technical College (GTC) to provide information at a committee of the whole meeting regarding Gateway's provision of services to Walworth County residents.* An invitation will be sent to GTC, as indicated above (discussion and committee vote regarding inviting WalCoMet to a committee of the whole meeting.)

*Resolution Recognizing Kunes Auto Group of Delavan for Partnering with the Walworth County Sheriff's Office and Operation Click Teen Driver Safety Program.* Vice Chairman Kilkenny moved county board adoption of the resolution and recognition of Kunes. Captain McClory explained that Operation Click promotes teen driver safety practices and seat belt use. Walworth County is the first county in the State of Wisconsin to implement Operation Click. All students that meet the program requirements are eligible for recognition. Seven schools in Walworth County participated this first year of the program. Whitewater High School was in the 96<sup>th</sup> percentile in meeting the Operation Click program requirements. Milwaukee media Channels 6 and 12 covered the Kunes car giveaway at a ceremony on April 11 held at Lakelawn Lodge. **Supervisor Russell seconded the motion for board adoption. The Kilkenny/Russell motion carried 5 – 0.**

*Resolution Recognizing the Badger High School Culinary Team for Their Second Place Finish at the 2012 ProStart Invitational Culinary Competition at the Wisconsin Restaurant Expo.* Supervisors Russell and Kilkenny moved and seconded adopting the resolution; the motion carried 5 – 0. The resolution will be sent to the culinary team at Badger High School.

*Resolution Recognizing the UW-Whitewater Warhawks Basketball Team on the Occasion of Their Third NCAA Division III National Championship.* Mr. Bretl indicated that UW-Whitewater's preference is to receive the recognition at the school rather than attending a county board meeting. **Supervisors Brandl and Kilkenny moved and seconded adoption. The motion carried 5 – 0.** Supervisor Russell suggested providing the resolution to the team at the school given school officials' preference and considering it is getting close to the end of the school year, and because students and staff are busy.

*Discussion/recommendation concerning a consultant to conduct an analysis of Sheriff's Office IT support needs for the ProPhoenix records management system.* Mr. Bretl said the ProPhoenix system has benefits over the previous system used. Other police departments that use ProPhoenix can tap into the county's database and access police arrest and other records. Allowing access to our records raises questions, however, concerning network security and how the system is designed. Elkhorn P.D. is already actively connected to the system. Another entity, Linn Township, wants to come on board. The idea is to establish the network in a way that will make it work for any additional departments that want to join. Dave Gerber is project manager for the records management system, ProPhoenix. The Sheriff's Office dispatches for many municipal police

departments. Supervisor Kilkenny asked if we're hiring a consultant to advise us regarding connectivity in the database, whether we would be footing the bill to structure the business plan or if the municipalities would be cost sharing. Staff indicated the county will bear the expense. The system will enhance public safety. The Elkhorn Police Department is currently connected at no charge. Going forward, all police departments will need to be on equal footing. Rules and expectations will need to be established. The Elkhorn and Linn police chiefs are open to fiscal responsibility going forward, said Sheriff's staff. IT Director John Orr said we have the expertise to design a cooperative plan; however, there are staffing issues and questions regarding the method of delivery for this product/service: does county continue to house servers in-house, for example. Expectations regarding potential system outages must be established, as well. Administrator Bretl said funding for a consultant is not in the existing budget but would need to come from the county's contingency fund. He suggested a sole source contract with an established vendor. Orr said he estimated the cost at \$20,000. IT has a vendor under contract already and has interviewed staff with business analyst skills to determine whether they can provide the consulting. **Kilkenny moved staff proceeding consistent with the committee's discussion, after reviewing both the Sheriff's and IT's budgets, before considering paying for consulting from the contingency fund, subject to finance committee recommendation. Motion was seconded by Russell and carried 5 – 0.** Supervisor Russell stated her support of this county-community effort in intergovernmental cooperation. Motion carried 5 – 0.

*Update regarding RFP for IT consultant in Sheriff's Communications Division.* No proposals were received in response to the county's RFP. Staff is looking at re-bidding the work and providing a recommendation at the June 2012 executive meeting. John Orr said Kenosha County contracts with an agency that will respond, and there are other vendors, as well. May 21 is the new RFP deadline. **Supervisors Brandl and Schiefelbein moved and seconded support of staff providing and update and recommendation at the June 18 executive committee meeting. The motion carried 5 – 0.**

*Discussion and approval of Hazardous Mitigation Plan (HazMat) grant application in the amount of \$17,000.* Lt. Ennis, Emergency Management Director met in February with the state. It takes approximately eighteen months to effect completion of all aspects of the HazMat plan update. Ennis had a deadline by which to submit the grant application in order to be eligible for the funding. Mr. Bretl's memo to the committee about this grant had indicated there would be one or two meetings held for plan participants, including all of our towns, cities and villages, to give them an opportunity to review the plan and confirm its accuracy. Walworth County's current HazMat funding will end in June of 2014. We learned of the availability of grant funding for plan updates after the executive committee had already held its March meeting; therefore, County Administrator Bretl approved the grant application pursuant to section 30-311 (b) of our Code of Ordinances, which states: "When time is of the essence and committee approval cannot reasonably be obtained prior to the application deadline, the county administrator may approve the initial grant application. Notice of application will be agendized for the appropriate committee at the next regularly scheduled meeting." Of the \$17,000 grant funding that is available for HazMat mitigation plan updates, 87.5% will be funded by state and federal sources. The remaining 12.5%, which is \$2,125, will be funded out of the sheriff's existing budget. Ennis explained that his mileage and wages could be a "soft" match under the grant rules. All regional mayors have agreed to participate. **Supervisors Brandl and Schiefelbein moved/seconded approval of submitting the grant application. Carried 5 – 0.**

*Discussion and recommendation concerning Southeastern Wisconsin Tri-county consortium Agreement - Workforce Investment Act.* This agreement is for the provision and administration of programs under the federal Workforce Investment Act (WIA). Marilyn Putz, the director of the Walworth County job center, explained that the agreement before the committee for approval had been reviewed thoroughly and approved by officials of Kenosha, Racine and Walworth counties. There is good news for our county about funding formula changes. The main change is ongoing review of the percentages assigned to each participating county in the various job service categories. The agreement will be reviewed annually, and the most current statistical population and employment data and information available will be used to modify the funding allocation formulas, as appropriate, to accurately correlate to each county's population and employment service needs. Kenosha and Racine counties have agreed on the changes and approved them in concept, said Ms. Putz. A liability and indemnification clause was added after review by all three counties, and review and approval by Walworth County's general liability insurer. Walworth County will receive more funding than in the past. Overall state allocations were reduced because federal funding was reduced. For 2012, for Walworth County's adult programming funding is 22% instead of 14%. The actual amount we received is 19% because the agreement's "hold harmless" language states that no county will lose more than 10% in one year. Ms. Putz said the figures in the agreement are based on the 2011 population statistics available when the agreement was drafted. The figures are illustrative, as indicated in the agreement. **Supervisors Russell and Brandl moved and seconded forwarding the agreement for full county board approval. The motion carried 5 – 0.**

Chairman Weber had no reports or announcements.

The next regular executive committee meeting was confirmed for May 14, 2012 at 10:00 AM.

The committee took a break at 11:40 AM and returned at 11:50 AM.

**Claims and litigation.** At approximately 11:50 AM, the committee convened in closed session, on motion and second by Supervisors Kilkenny and Brandl, pursuant to the exemption contained in Section 19.85 (1) (g) of the Wisconsin Statutes, "conferring with legal counsel for the governmental body who is rendering oral or written advice concerning strategy to be adopted by the body with respect to litigation in which it is or is likely to become involved," relative to the items listed below. All supervisors voted "aye" to convene in closed session.

- a) Dynek v. Walworth County and Estate of Odilia Zelinski
- b) Claim for Public Improvement Lien filed by Three T's Trucking, Inc. d/b/a Jung Bros. Trucking
- c) Claim for Public Improvement Lien filed by Hall Trucking

The committee reconvened in open session on motion and second by Supervisors Kilkenny and Brandl. There was no action regarding the items discussed in closed session.

Chairman Weber adjourned the meeting on motion and second by Supervisor Brandl and Russell.

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

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

**MINUTES**

April 25, 2012 Meeting – 1:00 p.m.

Walworth County Meeting Room 111  
Government Center – Elkhorn, Wisconsin

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The meeting was called to order by Ms. Seemeyer at 1:00 p.m.

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

Others present – Linda Seemeyer, Director of Health and Human Services/Lakeland Health Care Center Superintendent; Liz Aldred, Deputy Director Health and Human Services; Juliet Young, Health and Human Services; Bernadette Janiszewski, Lakeland Health Care Center Administrator; Nancy Russell, County Chairperson; David Bretl, County Administrator

Public in attendance – There were two members of the public in attendance.

There were was a motion to remove the election of the committee chair and election of the committee vice-chair from the agenda. **Supervisor(s) Grant/Schaefer moved to approve the agenda as amended. Motion carried 5–0.**

The Lakeland Health Care Center Board of Trustees committee minutes of the March 21, 2012 meeting were approved. **Motion and second made by Supervisor(s) Schaefer/Schiefelbein to approve the minutes. Motion carried 5–0.**

Public Comment – Mary Burpee, a staff representative from ASFCME Council 40 was at this meeting on behalf of a group of concerned Lakeland Health Care Center employees. She thanked this committee for resolving issues that had been mentioned previously. She stated there were still some concerns but that there is a renewed trust in the concerned employees. There are still concerns regarding employees not having enough time to do all their duties and that CNAs spend more time on doing food service work then on direct care for the residents.

Role of the Lakeland Health Care Board of Trustees Committee – Ms. Janiszewski gave a brief overview of the role membership plays. Mr. Bretl explained that the elections were removed from this agenda because the ordinance dictates that the elections be done during the Health and Human Services Board meeting. He told the members that their primary duties are to oversee and give policy guidance. Mr. Bretl encouraged them to ask questions and tour the facilities.

Unfinished Business – There were no items of unfinished business.

New Business –

*Scholarship for Lindsey Hager and G. Charger Harrison Fund* – Ms. Janiszewski gave a background on the scholarship fund. Recommend a \$1,000 award for Ms. Hager.

Supervisor Grant asked if this was a renewable grant. Ms. Janiszewski stated that applicants may reapply each semester. Supervisor Grant asked if Ms. Hager was a past recipient of this grant. Ms. Janiszewski stated this was Ms. Hager's first time applying for the grant.

**Motion and second made by Supervisors Schaefer/Monroe to approve a \$1,000 scholarship award for Ms. Hager. Motion carried 5-0.**

Reports –

*LHCC Administrator's Report and Financial Update* – Ms. Janiszewski distributed the March 2012 income statement. There were two worker's compensation incidents in the past month. No claims filed and no recommendations from the safety committee for changes as a result of these injuries. The budget on target so far for the year.

*Minutes from LHCC Team Meeting Regarding Food Service* – Ms. Seemeyer explained this item was on the agenda to keep the committee informed on staff concerns at Lakeland Health Care Center.

Supervisor Schaefer thanked Ms. Janiszewski for the follow up.

Correspondence – There were no correspondence.

Announcements – Supervisor Grant announced that the Walworth County AARP chapter was sponsoring a bingo event on May 11<sup>th</sup> at Lakeland Health Care Center. He encouraged committee members to help with this fundraiser.

Next Meeting Date – The next meeting is tentatively scheduled for May 16, 2012 at 1:00 p.m.

Adjournment – **On motion and second by Supervisor(s) Schaefer/Grant , Ms. Seemeyer adjourned the meeting at approximately 1:13PM. Motion carried 5-0.**

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

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

April 25, 2012 Meeting – 1:15 p.m.

Walworth County Board Room  
Government Center – Elkhorn, Wisconsin

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The meeting was called to order by Ms. Seemeyer at 1:15 p.m.

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

Others present – Linda Seemeyer, Director of Health and Human Services/Lakeland Health Care Center Superintendent; Elizabeth Aldred, Deputy Director Health and Human Services; Lisa Kadlec, Health and Human Services Manager; Liza Drake, Health and Human Services Supervisor; Alicia Kovac, Health and Human Services Team Lead; Bernadette Janiszewski, Lakeland Health Care Center Administrator; Ety Wilberding, Health and Human Services Manager; Juliet Young, Health and Human Services; Nancy Russell, County Board Chair; David Bretl, County Administrator

Public in attendance – There were two members of the public in attendance.

There were no agenda withdrawals. **Motion and second made by Supervisors Schaefer/Grant to approve the agenda. Motion carried 5-0.**

The Health and Human Services minutes from the March 21, 2012 meeting were approved. **Motion and second made by Supervisors Grant/Schaefer to approve the minutes. Motion carried 5-0.**

Public Comment – There were no comments from the public.

Election of Committee Chair – **Motion and second made by Supervisors Schiefelbein/Schaefer to nominate Supervisor Grant as committee chair. Motion carried 5-0.**

Election of Committee Vice-Chair – **Motion and second made by Supervisors Schaefer/Monroe to nominate Supervisor Schiefelbein as committee vice-chair. Motion carried 5-0.**

Role of the Health and Human Services Board – Ms. Seemeyer gave a brief overview of the role of this committee. She also included a handout on Municipal Code Section 50-5 – Human Services Priorities for the committee's review.

Unfinished business –

*Walworth County Community Health Survey Report – Commissioned by Aurora Health Care* – Ms. Seemeyer stated this item appeared on the agenda to afford Supervisors an opportunity to ask questions. Supervisor Grant asked for the item to be tabled to next month to give the new members time to review this document.

*Crisis Respite Pilot* – Ms. Seemeyer introduced Liza Drake, Crisis Intervention Supervisor. Ms. Drake gave a background on this recent pilot program which sought to reduce hospitalization costs by contracting for four beds in a respite facility. Information gathered from this pilot indicated that at this time a four bed facility was too large. Money was saved if the beds were reduced to two. As a result Ms. Drake is recommending DHHS to contract for a two-bed hold at a facility.

Ms. Seemeyer provided some history stating that the department originally hoped to justify having a facility in the county.

Supervisor Schiefelbein asked about transportation to and from the respite facility. Ms. Drake stated it was similar to hospitalizations and DHHS used an ambulance service. There were some transports done by staff but mostly it was by ambulance.

Supervisor Schiefelbein asked how many transports were done by ambulance. Ms. Drake did not have that data with her and stated she would get that information to the committee. Ms. Aldred explained it is part of the inpatient costs and that DHHS contracts with ambulance services.

Supervisor Monroe asked if a consumer's insurance is charged for the ambulance costs. Ms. Drake stated that if a consumer has insurance it is billed to that insurance company.

Supervisor Schiefelbein asked if there was a problem with consumers walking away from the respite facility. Ms. Drake said that there were not any walk away issues.

Supervisor Schiefelbein asked if the committee recommends a four-bed hold, like that in the pilot program, if the unused beds could be sublet. Ms. Aldred stated there would be a possibility of contracting those unused beds to another agency. Mr. Bretl added that there would not be a legal impediment to do this, just a matter of finding another agency willing to enter this contract.

Supervisor Schiefelbein asked if the bed hold was for both Protective Custody (PC) and Emergency Detentions (ED) situations. Ms. Drake stated the respite facility bed hold was for EDs. Even though there is a high number of PCs the length of stay is usually only a day

Supervisor Schiefelbein inquired about how local law enforcement feels about the respite facility. Ms. Drake stated that would support a local facility.

Supervisor Schiefelbein stressed the need for a facility for PCs since there are more of those types of situations than EDs. Ms. Drake stated that there has been an interest from various vendors for a local detox facility but so far none have come to fruition.

Supervisor Grant asked if a sober relative is sought out prior to using the hospitalization option for PCs. Ms. Drake stated that attempts are made and consumers are only hospitalized if a sober friend or relative is not found.

Supervisor Schaefer asked if there were any Walworth County consumers in either of the state hospitals. Ms. Drake said there is one person at Winnebago. Supervisor Schaefer asked if it was the same consumer discussed last year. Ms. Drake stated it was a different person.

Supervisor Monroe asked how long is a stay in the hospital for these consumers. Ms. Drake stated it varied; DHHS has had a consumer hospitalized for as long as a year but most are just a few days.

**Motion and second made by Supervisors Schaefer/Schiefelbein to recommend reserving two-beds at a facility for crisis respite. Motion carried 5-0.**

New Business –

*Community Recovery Services* – Ms. Seemeyer introduced Lisa Kadlec, Community Support Manager. Ms. Kadlec discussed a new state waiver program that the department is interested in pursuing. Ms. Kadlec outlined the basic issues involved in obtaining CRS certification and noted that the department will be able to recover Medicaid dollars if DHHS is certified.

Supervisor Grant asked if there was any additional expense using CRS. Ms. Kadlec stated there was a small expense for this program.

Supervisor Schiefelbein asked what were the two of the three services required that DHHS does not currently have in place. Ms. Kadlec stated they were support Supportive Employment and Peer Support. VIP Services has agreed to provide DHHS Supported Employment services.

Supervisor Schiefelbein asked for an estimated cost for those services. Ms. Kadlec did not have any exact numbers but gave an estimate of approximately \$40 per hour.

Supervisor Schiefelbein asked about the match funds. Ms. Kadlec stated there is a county match requirement but that the Medicaid payments would replace county levy so there will be a savings.

Supervisor Schiefelbein asked about the certifying of twenty consumers. Ms. Kadlec stated that DHHS will be applying for twenty enrollment slots. She stated that there was no cost for the application and all slots do not need to be filled.

Mr. Bretl asked if there were any restrictions if DHHS decided to opt out of the program. Ms. Kadlec stated she would check with the state.

Supervisor Grant asked what was the cost to become certified. Ms. Kadlec stated it was a lot of paperwork but there is no cost to apply.

Supervisor Monroe asked what was the deadline for the application. Ms. Kadlec stated DHHS needs to be certified by July 1, 2012.

Ms. Seemeyer stated that DHHS is trying to expand its revenue streams.

Supervisor Schiefelbein commended Ms. Kadlec on her initiative to help increase revenues to DHHS.

Supervisor Schiefelbein asked what were 1915(i) and 1937. Ms. Kadlec explained that 1915(i) was the predecessor to the current CRS program. After the Affordable Health Care act it changed to 1937.

**Motion and second made by Supervisors Schiefelbein/Brellenthin to pursue certification. Motion carried 5-0.**

*Functional Family Case Management (FFCM)* – Ms. Seemeyer introduced Etty Wilberding, Children’s Services Manager, to offer e information on the new FFCM program being implemented in the Children’s unit. This is a family-focused case management model that started in Juvenile Justice and has expanded to Child Welfare. It is the case management practice that compliments Function Family Therapy (FFT) that is utilized by the outpatient Mental Health unit. This evidence-based practice helps reduce costly out-of-home placements. Juvenile recidivism is also reduced and if juveniles do re-offend, they s usually have a less severe charge. The program will be introduced in phases and hopefully will have a significant cost benefit. This program has been successful in other states, Netherlands and New York City.

Supervisor Schiefelbein asked if the program would work as well in rural communities, like Walworth County, as it has in urban communities. Ms. Wilberding stated there are enough similarities that DHHS feels confident in success.

Supervisor Grant asked how long families are in the program. Ms. Wilberding stated that in the beginning of the program it will be around six months on average but when there is a strong skill set it will be closer to four months.

Ms. Wilberding stated she would provide a follow up report to this committee at later date.

Reports -

*LogistiCare 1<sup>st</sup> Quarter 2012 Report* – Ms. Seemeyer started out with background on LogistiCare. She stated that only have one logged complaint means consumers are either happy with their service or have stopped calling DHHS with their concerns.

Supervisor Grant stated that consumers are probably complaining to directly to LogistiCare with their concerns rather than contacting DHHS.

*Income Maintenance Update* – Ms. Seemeyer started out with the history of how this program has changed in the past year. Currently there are discussions occurring regarding resources. Moraine Lakes is also having issues with call center times since this consortium is logging the slowest times in the state. Staff is continuing to research this and find solutions.

Supervisor Grant asked about the slow response times. Ms. Seemeyer stated that the Moraine Lakes Consortium receives more calls than any other consortium even though it does not have the highest number of case.

Correspondence – There were no correspondences.

Announcements –

*Holiday Care Golf Outing* – Ms. Seemeyer invited everyone on the DHHS Board to the 12<sup>th</sup> annual Holiday Care Golf Outing.

Next Meeting Date – The next meeting is scheduled for May 16, 2012 at tentatively 1:15 p.m. following the Lakeland Health Care Board of Trustees meeting.

Adjournment – **On motion and second by Supervisors Monroe/Schiefelbein. Chair Grant adjourned the Health and Human Services meeting at approximately 2:20p.m. Motion carried 5-0.**

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

**DRAFT**

**Walworth County Board of Supervisors  
Public Works Committee  
MEETING MINUTES  
Monday, April 23, 2012  
Walworth County Government Center, County Board Room 114  
100 West Walworth Street, Elkhorn, Wisconsin**

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County Administrator Bretl called the meeting to order at 3:35 p.m.

Roll call was conducted with the following members present: Ken Monroe, Carl Redenius, Nancy Russell, and Joe Schaefer. Rick Stacey was late with excuse.

Others present:

County Administrator David Bretl; Public Works Director of Operations Larry Price; Assistant Public Works Superintendent John Miller; Deputy County Administrator-Finance Nicki Andersen; Business Office/Purchasing Manager Peggy Watson; Director of Health and Human Services Linda Seemeyer

Members of the Public:

Diana Dykstra, President of the Village of Sharon; William Henry, Kehoe-Henry & Associates; Kurt Feuerstein, Patrick Engineering; Tom Amon, B.R. Amon & Sons

**Supervisors Schaefer and Monroe moved to approve the agenda as presented. The motion carried 4-0.**

**Supervisors Schaefer and Redenius moved to approve the March 19, 2012 meeting minutes as prepared. The motion carried 4-0.**

There were no public comments during the period allotted.

**Special Order of Business**

**Nominations and election of Chair of Public Works Committee**

Bretl asked for nominations for Chair. **Supervisors Monroe and Schaefer moved to nominate Supervisor Nancy Russell.** Bretl asked twice more for nominations. **Supervisors Schaefer and Monroe moved to close the nominations and cast their votes for Nancy Russell. The motion carried 4-0 and Chair Russell presided over the remainder of the meeting.**

**Nominations and election of Vice Chair of Public Works Committee**

**Supervisors Schaefer and Monroe nominated Supervisor Carl Redenius for Vice Chair. Upon motion by Schaefer and Monroe, the nominations closed and Supervisor Redenius was voted Vice Chair of the committee. The vote was 4-0.**

**Role of the Public Works Committee**

Bretl referred to the excerpt from the County Code of Ordinances setting forth the duties of the committee. Bretl said the committee deals with both Highway and Facilities issues since the Public Property and Highway Committees combined several years ago. The department deals with large dollar items, which can be daunting at times for the committee. He encouraged members to thoroughly understand issues before making decisions and said that they can always postpone action until the next regular meeting or hold a special meeting when they require more time or information. **Supervisor Stacey arrived at 3:40 p.m.**

## **Regular Business**

### **Request from Village of Sharon for review and approval of “Sharon Cycle Series” and assistance with placing signs along the proposed routes**

A letter from Kevin Hardman, Executive Director of the Bicycle Federation of Wisconsin, was placed on the Supervisors’ desk prior to the meeting. The letter strongly supports the Sharon Cycle Series and the Federation offered assistance in promoting the Cycling Series. Village of Sharon President Diana Dykstra came forward to answer any questions from the committee. Director of Operations Larry Price said according to the Manual on Uniform Traffic Control Devices (MUTCD) normally signs are not allowable in rights-of-way, but as bicycles are considered traffic, the bike route signs would be permissible. Dykstra asked for permission to place signs along the route that is on a county highway, and wants to make sure their proposed signage meets the Public Works Department’s regulations. The MUTCD says the signs should be green and white. Dykstra said they could make the signs on our county roadway green and white if required. Bretl said the county should designate the portion of county roadway involved in the routes as a bicycle route and define the system of bike routes as they apply to county roads. **Supervisors Stacey and Schaefer moved to draft an ordinance defining bike routes on county roads and designate the portion of county roadway(s) involved and directed staff to work with officials to erect appropriate signage for the routes. The motion carried 5-0.**

### **Discussion and possible action concerning satisfaction of liens – CTH A, J and ES roadwork:**

**Western Culvert & Supply - \$36,972.58**

**Three T’s Trucking, Inc. d/b/a Jung Bros. Trucking**

**Hall Trucking - \$174.00**

Bretl invited Tom Amon of B.R. Amon & Sons, the general contractor on the CTH A, J and ES roadwork, to address the committee. Bretl said that the county is withholding final payment to the contractor until all liens are satisfied and the lien waivers are filed. The committee moved at the March meeting not to award the CTH D project to Amon until these matters are concluded.

Mr. Amon said he talked to the parties involved, and that all of them would be satisfied if he issued joint checks to the three vendors above herein. Once that is done, he said he would procure the lien waivers and the project could be closed. Supervisor Schaefer asked if Amon was aware of any other parties who might file against Amon’s subcontractor. Business Office/Purchasing Manager Peggy Watson said that she received an open records request from attorneys for Frawley Oil Company, who is owed \$373,557.24 by Mann Brothers, the subcontractor to Amon on the roadwork. Only a portion of that amount would be attributable to the CTH A, J and ES roadwork projects. Amon asked if this is a bond proceeding or a lien issue, and Bretl said that by providing materials and labor to the projects that the subcontractors could file against the county. Chair Russell asked if staff knew how many lien waivers are still needed from the subcontractors. Kurt Feuerstein of Patrick Engineering said their firm is aware of who all the first tier subcontractors are. Amon asked if the county would release the money for the other subcontractors and perhaps withhold \$10,000 of the final payment for security. Bretl said the county wants to wrap up this project and proceed with the CTH D roadwork. However, no one is comfortable with letting the new project until everyone is paid for the CTH A, J and ES roadwork. Feuerstein said all of the subcontractors have agreed to the final payment amounts; however he has received no final lien waivers. Feuerstein explained the difference between true subcontractors, who have written contracts, and suppliers. Western Culvert was a supplier in the project. Bretl expressed concern that Mann Brothers may not be in a position to pay their suppliers. Amon commented that he was assured that Mann Brothers would issue a final lien waiver for the projects. Supervisor Stacey asked what the time limit was to file a lien. Watson said that the bond document states liens can be filed until one year after project close. Amon said that he wouldn’t be starting CTH D until July and that he was comfortable waiting another month to sort out the payments. Feuerstein said that time is of the essence to procure lien waivers, etc., and is concerned that he won’t receive them in time for the May meeting. The bid that came in for CTH D is only good until July 1, and the pricing was favorable for the county. **Supervisors Schaefer and Monroe moved to postpone this item to the May meeting to allow the general contractor and engineer to procure the lien waivers and determine the final amount owed to subcontractors. The motion carried 5-0.**

**Discussion and possible action concerning final payments - CTH A, J and ES roadwork**  
**Resolution authorizing the closing of CTH A, CTH J, and CTH ES roadwork projects and CTH O bridge replacement project and transferring remaining funds to the CTH D roadwork project Bid award for CTH D roadwork project**  
Supervisors Schaefer and Redenius moved to postpone consideration of the above three items until the May 14, 2012 committee meeting. The motion carried 5-0.

**Bid award for boilers and related equipment for Health and Human Services HVAC project**  
Price reported that only one bid was received from Fluid Handling. The funds for the project are coming from the 2011 general fund. Supervisors Schaefer and Monroe moved to award the bid to Fluid Handling, Inc., in the amount of \$99,753.00. The motion carried 5-0.

**Bid award for concrete saw**  
Supervisors Schaefer and Stacey moved to approve the bid of Star Equipment for \$24,733.44. The motion carried 5-0.

**Bid award for bulldozer**  
Price said they received 4 bids, three of which were rejected because they didn't meet the minimum specifications for the undercarriage. Price said the department specifically wanted wide tracks to be used in all weather conditions and for ditch work. Supervisor Schaefer asked who prepared the bid specifications. Price said the assistant superintendents in the field and the shop superintendent and mechanics all get together to develop a list of needs and see what is available. Chair Russell asked if the Caterpillar was the only model that met the specifications. Watson said that the track/wheel size was included in the summarized specifications that the committee previously approved. Price said that the department has to include detail in the specifications: for example, even a gas tank capacity needs to be specified. Russell asked if the department could specify a range of acceptability in the future. Bretl said that the equipment purchases have become a three step process: the project/purchase is budgeted for and approved by the Board; the committee approves the specifications; and the committee approves the bid recommendations. If the committee doesn't feel comfortable with summarized specifications and wants more explanation, they could certainly ask for it. Supervisor Monroe said that developing equipment specifications is an arduous process, even for staff with experience and technological knowledge. Supervisors Stacey and Monroe moved approval of the bid award for the bulldozer to FABCO Equipment, in the amount of \$77,300. The motion carried 5-0.

**Parking lot lighting upgrade project:**  
**Memo from Office/Purchasing Manager**  
**Bid recommendation**  
**Resolution authorizing Use of Contingency Fund Balance to Complete the Health and Human Services Parking Lot Lighting**  
Price said this was discussed at the February committee meeting. The original bids submitted contained discrepancies and it was in the county's best interest to reject all the bids, make clarifications and rebid the project. There will be 54 parking lot security lights installed at Public Works, 38 at Health and Human Services and 9 at the Judicial Center overflow parking lot. The bids for the lights for Public Works and Health and Human Services came in over budget, Watson reported. Public Works has sufficient funds in its building reserves to fund their project. The 2012 budget included enough funds for the Judicial Center lights. Health and Human Services does not have sufficient budget, and Finance suggested use of \$12,500 from the contingency fund in order to complete all three projects at the same time. A budget amendment for Public Works is pending approval by the Finance Committee. Chair Russell asked if Focus on Energy funds were available for the project, and engineer Kurt Feuerstein said in order to qualify for outdoor lighting funds, the entity would have to perform a lengthy study and provide documentation and comply with extensive reporting requirements. Supervisors Schaefer and Stacey moved: to recommend approval of a resolution authorizing the use of the contingency fund to complete the Health and Human Services parking lot lighting project and to approve the bid of MacKenzie Sales, in the amount of \$63,226.00, contingent upon Board approval of the resolution

**and Finance Department approval of the budget amendment for Public Works. The motion carried 5-0.**

**Government Center second floor west wing meeting rooms – approval of plans and specifications**  
Bretl said the concept of remodeling of the Government Center second floor west wing began when the Walworth County Alliance for Children (WCAC) considered that space for its offices. Bill Henry of Kehoe-Henry & Associates was initially retained by the WCAC to design that space. Subsequently, when the WCAC decided to build a stand-alone facility, the county retained Mr. Henry to design plans and specifications for a 4,500 square foot multi-purpose meeting space for county needs. The 2012 CIP includes \$250,000 for the project. The project description, outline specifications and a copy of the plans are included in the packet. The space would be divided into 5 separate meeting rooms. Four of the rooms on the west side could be combined into one space, or any other configuration to accommodate meetings, as accordion room partitions will be included in these rooms. The east side of the space would be one large room, with a demonstration kitchenette for use by UW-Extension, and a couple of storage rooms for tables and chairs. Corridor doors and partitions would be installed at the first floor and basement levels to provide access to and from the new meeting rooms via the existing main lobby area while maintaining security in other areas of the building. This will also allow access to existing public bathrooms, which eliminates the need for new toilet facilities. The doors would be full glass and have panic bars and a card reader could be installed on the doors.

Built in cabinets are included in the specifications, but appliances would be separate.

**Supervisors Schaefer and Stacey moved to approve the plans and specifications for the second floor Government Center meeting rooms. The motion carried 5-0.**

**Change order for LEC workstation project**

Price said this is a deduct change order – four individual workstations were of inferior quality. This completes the contract with the original vendor, and a new contractor has been retained to complete the project, not to exceed the amount of this change order. **Supervisors Stacey and Redenius moved to approve Change Order PRA-JRC-001 in the amount of \$(10,277). The motion carried 5-0.**

**Local Force Account Contract with the State of Wisconsin for asphaltic crack repairs and joint sealing on USH 12**

This is a side contract with the State for the county to accept the work for extra asphaltic crack repairs and joint sealing on Highway 12. The county will receive \$150,000 for this contract.

**Supervisors Schaefer moved to approve the contract and to authorize Operations Director Larry Price to sign the contract. The motion carried 5-0.**

**Notification of emergency purchase for remediation at the Sheriff's Office**

Price said mold was discovered under the wallpaper in the Drug unit, which was caused by the cold air in the lobby, the heat above and a break in the vapor barrier. Immediate remediation of the mold was required. The inspection was \$900 and the cost of labor was \$2,100. The mold has been removed. **No committee action required.**

**Public Works building expansion project**

**Project summary**

**Change order from Titan Building Co.**

**Change order from Kehoe-Henry & Associates architects for extra work to close out expansion project**

**Approval of Titan Building final pay request (contingent upon receipt and approval of closeout documents by architect)**

The project budget was \$600,000, and the project summary is included in the packets. There is \$29,368.90 in outstanding commitments. A deduct change order in the amount of \$(6,000) is included to eliminate landscaping and planting work done by staff rather than Titan Building, the contractor. Kehoe-Henry & Associates Architects submitted a change order in the amount of \$2,863 for additional work on

the project due to the contractor's failure to comply with the construction schedule. The contractor will be billed for the extra work done by the architect. There are some remaining punch list items due to the president of Titan Building leaving the firm before project completion. Final lien waivers are also pending because of a change in office management. Bill Henry asked that the committee approve the change orders and approve closing the project, subject to receipt of final documentation. **Supervisor Stacey and Monroe moved to approve Change Orders DPW-TI-005 and DPW-KH-003, contingent upon receipt of final lien waivers and Titan Building signing off on the reduction due to the architect's extra work. The motion carried 5-0.**

#### **Lake Beulah dam project**

Price said that the grant application and options for the dam were discussed at committee last fall. Staff applied for a grant from the Department of Natural Resources (DNR) to replace the dam, and the county came out 6<sup>th</sup> on the eligibility list. The dam is considered a "high hazard" dam because of the property downstream. Price met with DNR official Michelle Hase, who recommended that the county develop a plan for approval on May 22 and apply for an extension. The committee now needs to decide whether or not to replace the dam. Engineer Kurt Feuerstein said the estimate for total replacement of the dam is \$1.2 million. Under the grant, the county would be eligible for a maximum reimbursement of \$400,000. The dam is nearly 100 years old, and when it was patched during last year's roadwork project, it was noticed that there is a big chunk of concrete out of it. In addition, using a small air hammer, our engineers discovered that most of the concrete is not solid. The north end of the dam has most of the severe damage. The dam was patched last year, but under the DNR's rigorous inspection schedule, the county would be required to make repairs costing \$30,000 - \$50,000 if we do not replace the dam. We could possibly be required to make very expensive repairs, or even be required to replace the dam if and when subsequent inspections dictate (inspections are required every two years). Within 10-15 years, Feuerstein predicted the dam would need to be fully replaced, regardless of repairs made. The grant program is funded this year, and Ms. Hase said that the grant wasn't funded in last 10-15 years, and possibly won't be available within the next 10-15 years. The replacement could be done in 2013, or possibly pushed into spring of 2014, provided the county assured the DNR the plans were in place and we assured completion by an agreed upon date. If the committee decided to consider replacement, the next step is to develop a plan to replace the dam and fund the engineering costs. Bretl asked if it were possible to obtain a copy of the last inspection report, and Feuerstein said the DNR sent them a letter with requirements for the dam and some of the issues have been taken care of. Bretl suggested waiting to make a decision until more information is available to provide the committee. He added that no money was budgeted for engineering in 2012. Supervisor Stacey said he would like an explanation of how the dam actually works.

**Supervisors Stacey and Redenius moved to place the Lake Beulah dam project on the next committee agenda and directed staff and engineers to provide a written executive summary of the structural problems with the dam, including the pros and cons of patching vs. replacement, identify a funding source for engineering costs in 2012, include the project in the 2013 budget and file for a grant extension with the DNR. The motion carried 5-0.**

#### **Proposed ordinance amendment concerning Public Works - Highway Division four day, ten hour summertime work schedule**

Bretl said the ordinance amendment is to authorize the County Administrator to approve modifying the Public Works-highway employees schedule to four ten hour days during the summer months, which would be considered a temporary change in business hours for a specific purpose and specified time period. Price said the department has worked this schedule for the past four summers and it has produced work efficiencies and cost savings. **Supervisors Schaefer and Stacey moved approval of the ordinance amending section 15-120 of the county code relating to hours of work. The motion carried 5-0.**

Next regularly scheduled Public Works Committee meeting date and time: Monday, May 14, 2012  
- 3:30 p.m.

**Adjournment**

Supervisors Stacey and Monroe moved to adjourn the meeting. The motion carried 5-0 and the meeting concluded at 5:51 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.*

# WISCONSIN RIVER RAIL TRANSIT COMMISSION

EXECUTIVE COMMITTEE MEETING - FRIDAY, APRIL 13<sup>TH</sup>, 2012 @ 10AM  
 DANE COUNTY HWY GARAGE, 2302 FISH HATCHERY RD, MADISON, WI

1. 10:01 AM **Call to Order** – *Karl Nilson, Chair*
2. Roll Call. **Establishment of Quorum** – *Mary Penn*

Crawford	Tom Cornford, X-Committee	x	Rock	Ben Coopman, Alternate	
	Rocky Rocksford			Wayne Gustina	x
	Vacant			Alan Sweeney, Vice Chair	
Dane	Gene Gray, Treasurer,	excused	Sauk	Terry Thomas	x
	Jim Haefs-Fleming	excused		Scott Alexander	x
	Forrest Van Schwartz, Advocate	x		Joel Gaalswyk	
Grant	Ivan Farness		Walworth	Marty Krueger, Alternate	
	Margaret Ruf, Secretary, 10:04	x		Rob Sinclair, Asst., Secretary, left 11:26 AM	x
	Robert Scallon, 2 <sup>nd</sup> Vice Chair	x		Jerry Grant	
Iowa	Charles Anderson, X-Committee	x	Waukesha	Richard Kuhnke, X-Committee	
	Gerald Dorscheid, Vice-Treasurer	x		Allan Polyock	
	Robert Zinck			Karl Nilson, Chair	x
				Richard Manke	
				Fritz Ruf	

**Other present for all or some of the meeting:**

<ul style="list-style-type: none"> <li>• Mary Penn, WRRTC Administration;</li> <li>• Ken Lucht, WSOR;</li> <li>• Frank Huntingdon, Kim Tollers, Marty Morin WDOT;</li> <li>• Jim Matzinger, Treasurer</li> <li>• Ron Wolfe, ProRail left at 11:54</li> </ul>	<ul style="list-style-type: none"> <li>• Alan Anderson, Pink Lady Rail Transit Commission</li> <li>• Richard Templeton, Rock County (10:17 left)</li> <li>• Ronald Templeton, Rock County (10:17 left)</li> <li>• Bob Sieger, Architect, Sieger, LLC (11:21 left)</li> </ul>
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3. Action Item. **Certification of Meeting’s Public Notice** – *Noticed by Penn – Motion by Gustina/Van Schwartz, Passed Unanimously*
4. Action Item. **Approval of Agenda** – *Prepared by Penn – Motion by Cornford/Thomas, Passed Unanimously*
5. Action Item. **Approval of draft minutes from the March**– *Prepared by Penn –M. Ruf/Scallon, Correction to March Draft Minutes, Item 7 – Passed Unanimously*
6. Updates. **Public Comment** – Richard Templeton, landowner, spoke of his dissatisfaction with the railroad. He has had trespassing issues on his property (there are no fences between his property and the rail corridor). He said he had called the sheriff and was told to post and fence his land although that is not legally required. He said he posted but all postings were torn down. He told the Commission that the railroad should either be returned to active rail or the land returned to him. He said it is high time that something be done, noting that there have been railcars sitting on rails behind his property that have not moved for years. Karl Nilson thanked him for his comments and input but also reminded him that having cars sitting on rails was standard operating procedures on rail lines.
7. Updates. **Correspondence & Communications** – Mary Penn told the Commission that Rep. Paul Ryan’s office responded to the HR 721 letter that the Commission sent earlier in the year. Nilson read the letter to the Commission. Penn distributed the UW Extension Economic Freight Rail Study reimbursement letter to Commission, with Nilson commenting that the project is moving along nicely.
8. **WRRTC Financial Report** – *Jim Matzinger, Dane County CPA / WRRTC Accountant*
  - Treasurer’s Report for March

Jim Matzinger presented the Treasurer’s Report noting there were no checks this past month. The Commission has collected most of the assessments for the year (although Iowa and Dane counties are still outstanding). He added that WSOR still needs to pay their lease. Crawford paid last and this years’ obligation.

  - **Motion to approve the Treasurer’s Report** - *Anderson/M. Ruf, Passed Unanimously*

### 9. **Wisconsin & Southern Railroad's Report on Operations**

Ken Lucht said that annual maintenance is underway including maintenance ties, brush cutting, and weed control. He said that the Madison/Willton project will be concluding in the next few months, completing a 3-year project.

Lucht said there are a lot of things going on in the area of business development, saying there is a lot of sand (for hydrofracking) being moved to Chicago and then out to gas fields in the East. He noted that all the sand moving is creating havoc on the line's infrastructure. He said there is currently a lot of plastic coming into the region for manufacturing purposes. Grain businesses are also investigating increasing their shipment needs, and the City of Boscobel is also seeing an expansion in its rail yard for grain. There will be activity in Reedsburg to ship sand out East (trucked in from Tomah) and he added there is a new customer building in Reedsburg and at least 10 businesses are talking with WSOR for their shipping needs. "Business is growing" he said. In the near future, WSOR will be working on its annual operating plan. He said that WATCO is very happy with the Commission's interest in upcoming projects and Lucht said he will share future projects with the Commission.

Lucht talked about a March 13<sup>th</sup> TV video of a "ride-along", highlighting safety issues with WSOR's trains going through urban areas. He said that the Commissioner of Railroads also joined the "ride-along", and said that in 8<sup>1/2</sup> miles there were at least 75 various violations, in particular a bus blocking the barrier gates. There was no enforcement or education on this ride but added on May 16<sup>th</sup> there will be a law enforcement officers "ride-along" to work on enforcement issues. He said that WATCO is very interested in promoting safety.

Lucht noted that there has been some discussion by WSOR on the state budget (for the 13-15 biennium) which includes WSOR's budget request. He said that hopefully WSOR will know more by the May meeting and is planning on asking for the Commission's endorsement this summer, saying the Commission has given this endorsement in the past. He said that there is some hope that funding levels will return to previous levels and that there is the possibility of funds available to purchase the Reedsburg line.

Lastly, Lucht said he is planning to ask for consideration on insurance adjustments at the May WRRTC meeting. He was asked about the progress of the TIGER grant funding but there has been no formal response yet. He asked that officials call Transportation Secretary La Hood to endorse the project. Nilson asked Lucht if Eileen Brownlee should attend the May meeting and Lucht said she should, due to the discussion of insurance adjustments. Nilson also asked if moving the full Commission meeting from May to June would affect WSOR's insurance needs schedule and Lucht said yes, it would.

### 10. **WRRTC Administrator's Report – Mary Penn, WRRTC Admin.**

Penn told the Commission that she was working with SWWRPC's GIS Coordinator to develop a rail map with the intention of laying the groundwork for a fully interactive map which is sorely needed by the Administrator. She also updated the Commission on the status of the Defabbio-Ekleberry Crossing Permit and that she had not found proof of a paid crossing permit fee paid for the McFarlane Manufacturing Crossing Permit. Forrest Van Schwartz advised Penn to check the financial reports to see if the permit had been paid in 2011 (when the permit was approved) and if not found, will write a reminder letter to McFarlane. She also told the Commission that she was continuing to work on the Scot Forge siding lease and the crossing permit.

Before ending her report, Van Schwartz asked about emailing Commissioners meeting materials electronically only. When asked, Van Schwartz, Margaret Ruf, Terry Thomas, and Robert Scallon opted for receiving information electronically only; no paper copies by mail. Penn made note of those Commissioners and said she would update her data.

### 11. **WisDOT Report– Frank Huntington, WisDOT**

Frank Huntington said that there is a property sale in Avalon, distributing a map showing a hatched area that an area business is considering acquiring.

- **Motion to approve the sale of the Avalon property – Van Schwartz/Gustina, Passed Unanimously**

In the matter of the Sauk-Prairie High School trail clean-up, Huntington said that the school cannot get a hold harmless (insurance) to allow work on the rail. He said that he spoke with Ben Meighan in relation to this issue and said that WSOR could insure the students for the purpose of the clean-up. He did not know if the school had contacted the railroad to investigate this possibility. If the clean-up did occur, he said they would only clean up weeds and such, not move ties and heavy materials.

Next, Huntington distributed air photos of a track moving proposal in Prairie du Chien from a landowner who has suggested bringing in a large vessel along the river north of the highway bridge. Huntington said that while there has been no WDOT activity in this area

(WDOT is there via an easement) if WDOT leaves, the easement would be lost and there would be no right to return the area to track, therefore, DOT is not inclined to accommodate the property owner in order to protect WDOT track accessibility.

- **Motion to not support Prairie du Chien track moving property proposal – Van Schwartz/Alexander, Passed Unanimously**

Lastly, Huntingdon also spoke of an issue in Sauk City regarding a building redevelopment along the rail corridor, distributing building plan renderings. Bob Sieger, architect for the building developer brought a model of the redevelopment of the property which would include an overhang on the railroad side of the building. Sieger said there are two buildings involved, noting that Kim Tollers of WDOT had not found any record of easement on the property. He said that the building is 18' from the first rail of the track and the buildings have encroached 12' into the corridor for years. He said that this project is seeking among other things a temporary easement during the construction/renovation process and that with the great view the builder wants to cantilever removable balconies in case the track needed to be worked on after the building was redeveloped. Sieger said that the 2<sup>nd</sup> deck was actually 20' over the track (not 24' as is drawn on the distributed drawings). As the building is 18' from the track, and the decks are 8' wide, the distance from the deck to the track would be 10'. The architect said that the builder wanted some sort of approved encroachment; if the buildings were ever torn down the 12' currently encroaching would be returned to the railway or WDOT. He noted that there are variety of buildings in the village that encroach the line. Gerald Dorscheid asked where the ROW was currently and was told it is 12' inside the building. Rob Sinclair said that the track was put in during the building of the dam (this would be around 1910 or 1911). Nilson asked if the track was still in and Huntingdon said the track is there but is inactive. Also, the track does not have a bridge across the river, north of Sauk City.

Huntingdon said that WDOT does not have a problem with a temporary encroachment on the corridor to work on the building but WDOT has many reservations about any building that would extend over the track and any additional permanent encroachment. He said that once the Madison to Reedsburg line is acquired, WDOT would consider a bike trail thru the village. Sieger reminded the Commission that the decks on the buildings could be removed if necessary, and that if allowed, the deck height could be negotiated. Nilson asked for WDOT's position on the issue and WSOR's opinion. Huntingdon said WDOT would give some sort of permit for working on the structure as the building been there for 100 years, but WDOT has strong reservations about the elevated decks extending so close to the tracks. Lucht asked if there was any legal easement/lease agreement but Huntingdon said they have not found one. Sinclair said that the buildings have been occupied but probably not for a number of years: for the most part, they've been empty for at least 10 years.

Nilson suggested the Commission come back to the issue next month, to give time for WDOT, WSOR, and Sieger to communicate over the next few weeks. Sieger said the offer for the building is set on contingency that an encroachment easement be set in the next 15 days. Nilson said that his recommendation be that the buyer come to the next Commission meeting. Sieger said the building owner would need a letter of approval that the railroad would not pull permits. M. Ruf asked Huntingdon about the impact of the distance from the buildings and reminded the Commission that the architect emphasized that the decks could be removeable, although she did not as yet have an opinion on the issue. Van Schwartz said that freight cars are very wide nowadays and therefore would be much closer to an 8' deck, reducing the distance to 7' (between deck and freight car). Nilson repeated that the issue would carry to the May meeting. Lucht added that physically the decks could be removed but if there is rental vs owner situation they (renters/owners) might object to deck removal. Alan Anderson asked if the section of the rail were part of the trail system in Prairie du Sac and Huntingdon confirmed that it is. Anderson asked how the WDOT/trail conversation issue was moving along. Huntingdon repeated that once the Madison to Reedsburg line was acquired, then the track would most likely revert to trail. He also said that this outcome is probably 4-5 years in the future.

Nilson called a break at 11:21 PM. Meeting was reconvened at 11:34 PM.

## 12. Update on private crossing at Village of Blue River

Lucht spoke about the Village's permit which was issued in spring 2010 to gain access to a municipal sewer site. However, there was a delay in the Village gating the crossing. Lucht said that while the gate has now been put in, the permit has expired and has not passed final inspection. The Commission told Penn that no permit fee is necessary for a municipality.

- **Motion to renew the Village of Blue River permit without fee – Scallon/Dorscheid, Passed Unanimously**

## 13. Consideration and possible approval of revisions of insurance requirement in WSOR contract. – Frank Huntingdon, WisDOT

Huntingdon said that there has been discussion between WSOR and WDOT regarding adjustments of insurance with an increase by a pretty substantial amount. Due to the increase of the business through the WATCO acquisition, there is need for more insurance. At this point the agreement between WDOT and WRRTC is \$75K and the discussion is about upping that amount. The increases would

be significant both in coverage and dollar amounts. There will be continued discussion including legal counsel and bringing it back to the Commission in May. Huntingdon said that the current agreement has some specific language but over time following that language has become slack. There will be discussion about whether to go back to a strict interpretation of the agreement or to drop the language which could result in significant agreement changes. There was more discussion about this but at the time of this meeting there was no need for action. Huntingdon did say they would like action in May due to the insurance renewal cycle – signing agreements in May would avoid the Commission having to carry double insurance.

**14. Presentation and discussion on proposed passenger rail service between Madison and Chicago via the WRRTC owned track through Janesville and Fox Lake. – Ron Wolfe, President, ProRail**

Ron Wolfe distributed a handout and talked about ProRail’s mission to develop passenger service in Wisconsin. He noted they are working on two projects at this time, highlighting the second project which is to develop Madison-Chicago passenger service. He noted potential economic benefits to this project and asked the Commission for their guidance and advice. He said that passenger service became a huge political issue in the past and therefore the State is unlikely to fund it but asked the Commission rhetorically what the outcome might be if it were privately funded? Nilson asked Lucht if WSOR would offer passenger service? Lucht said that they could offer it but it also would depend on the particular circumstances and if another railroad could offer it too. Wolfe asked WSOR if there were even a possibility to share corridors (for passenger service)? Lucht said that there would need to be certain things in place (e.g. business plan, funding source, agreement from counties, etc.). Wolfe said if anyone had questions or advice to offer him, he would welcome it. Nilson asked Wolfe if he thought there was a demand for passenger service? Wolfe said there is a demand between Madison and Milwaukee but ProRail needs to find out if there is demand between Madison and Chicago. Lucht said currently there is an ongoing corridor study and he would email Wolfe information on it.

**15. Consideration and possible approval: Standard UW-Madison Research Agreement for WRRTC Partnering with UW Extension Services to Conduct Freight Rail Economic Impact Analysis**

Penn distributed copies of the Standard UW-Madison Research Agreement with WRRTC to the Commission, with reminders that it had been reviewed and approved by legal counsel. Van Schwartz volunteered to be the designated technical consultant for the Commission noted in item 9.

- **Motion to approve the signature of the Standard UW-Madison Research Agreement for WRRTC with Forrest Van Schwartz as the designated consultant. – M.Ruf/Cornford, Passed Unanimously**

**16. Consideration and possible approval to move May’s Full Commission meeting to June in order to better accommodate County election cycle and hold WRRTC officer elections at June meeting.**

Penn distributed a handout showing which Commissioners needed to be reappointed to the Commission. M. Ruf said that she would like to get a letter from the Commission requesting Grant County reappoint her but Nilson said that that was not necessary, saying that appointments to the Commission did not hinge on being on the County Board concurrently. Nilson went through each county/commissioner on the hand-out and those present if they were willing to serve. Penn noted all those willing, made corrections to reappointment dates and informed the Commission she would update and mail reappointment letters to the county clerks in time for a response at the May meeting. Nilson noted that no action was necessary on Item 16 as there was no need to change the June meeting to a full commission one in order to accommodate new appointees since most of the current Commissioners would continue to serve.

**17. Consideration and possible approval: Donation of a “Wig-Wag” signal to the Boscobel Rail Museum when one becomes available.**

Penn reminded the Commission this Item came out of a discussion regarding “wig-wag” signals in March and that Scallon made the agenda request after that meeting.

- **Motion to donate a wig-wag signal to the Boscobel Rail Museum when one becomes available. – M. Ruf/Cornford, Passed Unanimously**

**18. Action Item. Adjournment**

- **Motion to adjourn at 12:11 PM – Gustina/Scallon, Passed Unanimously**



**Valworth County Agriculture and Extension Education Committee**

**MEETING MINUTES**

**Monday, March 19, 2012---2:30PM**

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

**Daniel Kilkenny, Chair**

**Jerry Grant, Vice Chair**

**Randy Hawkins      Sue Bellman      Pam Knorr**

**Michael Krejci      Mary Kaye Merwin      Kathleen Papcke**

**(alternate citizen members: Kathy Baumeister, Bob Handel)**

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**DRAFT\*\*\*DRAFT\*\*\*DRAFT**

Supervisor Chairman Daniel Kilkenny called the meeting to order at 2:30 p.m.

**Committee Members Present**

Roll call was conducted and the following committee members were present: Committee Chairman Daniel Kilkenny, Supervisor Jerry Grant, Supervisor Randy Hawkins, FSA/Ag Representative Sue Bellman, School Representative Pam Knorr, Michael Krejci, Mary Kaye Merwin, and Kathleen Papcke. No members were absent from the meeting. There was a quorum.

**County Staff Present**

UW-Extension Department Head Christine Wen, UW-Extension Agribusiness Agent/Department Head Peg Reedy, UW-Extension Family Living Educator Jenny Wehmeier, UW-Extension Economic Development Educator Joshua Clements, and Walworth County Administrator/Corporation Counsel David Bretl were present.

**Amendments or Withdrawals from Agenda**

There were no amendments or withdrawals from the agenda. Chairman Kilkenny asked for a motion to approve the agenda, which was made by Supervisor Hawkins and seconded by Supervisor Grant. The motion was carried 8-0.

**Approval of Minutes**

Committee Chairman Kilkenny asked for additions or corrections of the minutes from the January 16, 2012 meeting. No corrections were made. Chairman Kilkenny asked for a motion to approve the minutes, which was made by Supervisor Grant and seconded by Supervisor Hawkins. The motion was passed 8-0.

**Public Comments**

There were no public comments.

**Unfinished Business**

**UW-Extension Centennial Celebration - Resolution Commemorating the 100th Anniversary of Cooperative Extension (enclosure 2)**

Wen stated that the resolution was provided in draft form by the state in hoping that each county in Wisconsin would adapt the resolution to promote and support the anniversary of UW-Extension as we move forward in the year. If approved, it will go to the county board in April for approval. Motion to approve was made by Supervisor Hawkins and seconded by Supervisor Grant. The motion was passed 8-0.

**Wisconsin Associated County Extension Committees (WACEC) Conference  
Green Bay, WI June 25-26, 2012 (enclosure 3)**

Reedy asked the committee if any members were interested in attending the conference. She should have more information about it at the next meeting. Wehmeier added that UW-Extension has room in the budget for fees and mileage reimbursement for that specific event. Extension has budgeted for two members to go in the past. Committee members should contact Chrissy Wen or Peg Reedy if interested.

### **New Business**

#### **Set date for AEE public hearing to solicit citizen input on UW-Extension issues**

Wen explained that it was brought to attention that the Community Partner Advisory Group, now part of the AEE committee, has an ordinance that states the committee should hold a public hearing once a year to solicit citizen input, and Extension would like to set up a date for the meeting. When, where, and how to run the public hearing was discussed. Bretl clarified that it is a home-grown ordinance, so there is no state statute that mandates the meeting. Ideally, there needs to be enough time to give people notice, and it should be done in one night. The committee agreed on the date Tuesday, May 22, 2012 at 7:00 p.m. in Room 214. Kilkenny asked for a motion to approve, which was made by Merwin and seconded by Krejci. The motion was passed 8-0.

#### **Walworth County hosting the 2015 Farm Technology Days - Peg Reedy, Agriculture Educator**

Reedy explained that 2015 Farm Technology Days was awarded to Dane County. However, Walworth County was asked to host in 2017. Farm Technology Days involves a lot of cooperation and sponsors. Reedy wanted to consult the office, committee, and county board before making a decision. For the event, the county would have to provide \$20,000 upfront, which would be paid back the October before the event. If the county agrees to go forward with the event, we will need to find a host farm with 400-450 acres, easy access by good roads, and a certain number of agribusinesses and hotels within a 50-mile radius. The farmers need 3 years notice for crop rotation that will provide alfalfa fields for parking. The host family will be compensated for tillage, seed, fertilizer, and buildings made will be left on their lot. Farm Technology Days requires a lot of collaboration, so this is a heads up that they will be asking us again for 2017. Reedy believes the event would be good for Walworth County as previous events have been known to have a 1 ½-4 million dollar economic impact on the county. The host county is expected to raise \$40,000-\$60,000 in support. Farm Technology Days and the host county split all profits, so most counties have had a significant amount of money stay in county. The county will need to make a decision by 2014. Bretl added that it is an honor to be asked to host and that it should be a board decision, made as early as possible. The decision can be made as early as the next meeting after receiving more facts.

### **Reports**

#### **2011-2012 Walworth County UW-Extension Website Data - Josh Clements, Community, Natural Resource and Economic Development Educator (enclosure 4)**

Clements stated that he sent out a report that highlights the website data. There is no 2012 data yet. Clements shared some highlights of the report. The UW-Extension website page went live on December 1, 2010. The page was then rebuilt from scratch. The traffic in 2011 included 17,000 hits, and 61,000 page views from links or in specific program areas. 4-H had the highest number of page views, followed by Horticulture. The top download was information about the Barn Quilt program. Only 49% of the site views were from Wisconsin. People from over 50 countries viewed the webpage. However, people from Wisconsin spent more time on the site. Clements also shared that the Journal of Extension had an article on the challenges of Extension websites. When "how to garden" was entered into a search engine, the first Extension website was the 82<sup>nd</sup> result.

#### **Family Living Program Update - Jenny Wehmeier, Family Living Educator (enclosure 5)**

Wehmeier explained that she had hoped everyone would have had the opportunity to read the report prior to the meeting. This document is part of her tenure promotion process. She had to

document what she had done every year. The report displays the variety of programs Family Living is able to do and shows some of her upcoming 2012 programs. She is just wrapping up her third Strong Women-Healthy Hearts program. It currently has 18 women, and they are hoping to walk a total of 7 million steps. This summer, she is working on a Get Moving Program, which is kicking off the week after school ends. There are 11 sites in Walworth County with organized activities once a month for families to participate in. It has a low cost of \$3 for adults, \$1 for children ages 4-17, and free for children under the age of 3. Mercy Health Care and Family Resource Coalition are co-sponsors. Mercy is donating pedometers and water bottles. There will be a wrap-up event during the county fair that will include donated prizes. The purpose of the program is to get people outside, active, and engaged. It is listed in one park and recreation book so far, and every park and recreation district in the county, with the exception of Whitewater, has committed to the program. The program is a direct result of grant dollars from the Strong Women program and is guided by public feedback. Wehmeier answered questions about some of her other programs in the report. She also stated that the Parenting the First, Second, and Third year newsletters are a direct mailing, with 9,684 issues mailed to new parents in 2011. Funding for the Parenting newsletters is provided by the Elkhorn Kiwanis group and a grant from the Elkhorn Fund.

**ExtensionCord Newsletter (enclosure 6)**

Wen explained the ExtensionCord is a quarterly newsletter to show stakeholders what the Walworth County UW-Extension office is doing. Our office staff rotates who writes the articles throughout the year. A copy is provided in the packet for your information.

**UW-Extension outreach and educational events (enclosure 7-11)**

Wen stated that some of our outreach and upcoming events are included in the packet. The first enclosure is a letter from Wisconsin School for the Deaf. Wen, Wehmeier, 4-H Youth Development Educator Debbie Burkman, and Nutrition Educator Karie Lutz attended the school in January to share a little about Extension and what we do. The other enclosures are some of our upcoming programs and registrations.

**Rock River Reflections (enclosure 12)**

Included for your information.

**Chairperson's Report**

Committee Chairman Kilkenny had nothing to report.

**Announcements**

Reedy announced that the new 2012 Farm Fresh Atlas is available.

**Set/confirm next meeting date and time**

Monday, May 14, 2012 at 1:00 p.m. in Room 114 at the Government Center

**Adjournment**

Knorr moved to adjourn the meeting. Merwin seconded the motion. The motion passed 8-0.

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Submitted by Brittany Wierzbach, recording secretary. Minutes are in draft form until approved by the AEE Committee at the July 16, 2012 meeting.