

**County Zoning Agency**

MINUTES

November 21, 2013 – 4:30 p.m.

100 West Walworth Street

Elkhorn, Wisconsin

**\* \* \* D R A F T \* \* \***

---

Chair Rick Stacey called the meeting to order at 4:30 p.m.

Roll call – Committee members present were Chair Rick Stacey, Vice-Chair Dave Weber, Supervisors Rich Brandl, Carl Redenius and Tim Brellenthin, Citizen Member Richard Kuhnke, Sr., Citizen Member Jim Van Dreser. 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 was County Administrator David Bretl, Debora Grube/ Senior Zoning Officer, Fay Amerson/ Urban Conservation Specialist

A “sign-in” sheet listing attendees on November 21, 2013, is kept on file as a matter of record.

Details of the November 21, 2013, meeting / hearing are on a digital recording 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)

**Rich Brandl motioned to approve the agenda as amended to withdraw item 8.b.3.)**

**Discussion/Possible Action re: Mark McKibben; 8.f.2.) Matthew & Margaret Walsh c/o Marilyn Honkisz and Joint School District No 4 (Woods School); 8.f.4.) Catherine J. McQueen (Greenleaf Inn) and item 8.f.5.) Whitewater Limestone, Inc. Seconded by Richard Kuhnke, Sr. Motion carried. 7 -favor 0-oppose**

**Dave Weber motioned to approve the October 17, 2013, Minutes. Seconded by Richard Kuhnke, Sr. Motion carried. 7 -favor 0-oppose**

Zoning / Sanitation / Land Conservation Enforcement – Michael Cotter

Disc Count #4:31:28 – 4:31:39

Subdivision Items – Old Business - none

Subdivision Items – New Business – none

Old Business - Ordinance Amendments – None

Old Business – Discussion Items

1. Discussion / Possible Action re: 112 Zoning Permits issued by the Village of Williams Bay within Walworth County Zoning Jurisdiction – Michael Cotter.

Disc Count #4:31:45 – 4:32:35

2. Discussion / Possible Action re: Walworth County Ordinance 74-44 related to keeping chickens in residential zoning districts – Michael Cotter, Debora Grube

**Dave Weber motioned to have formal ordinance put to public hearing. Seconded by Jim Van Dreser. Motion carried. 7-favor 0-oppose**  
Disc Count #4:32:44 – 4:37:20

New Business - Ordinance Amendments -

Amendment to Section(s) 74-59, 74-63, 74-74, and 74-131 of the Zoning Ordinance and Section(s) 74-186, 74-190, 74-203, and 74-263 of the Shoreland Zoning Ordinance, Walworth County Code of Ordinances relative to parking modifications. 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, WI Monday through Friday during normal business hours.

**Richard Kuhnke, Sr. motioned to forward this item for County Board approval. Seconded by Jim Van Dreser. Motion carried. 7-favor 0-oppose**  
This item will be forwarded to the December 10, 2013 County Board meeting for discussing/possible action.  
Disc Count #4:37:25 – 4:38:56

New Business – Discussion Items

1. Discussion / Possible Action re: Communication received from the Town of Lafayette in regard to reviewing descriptions and issues for A-5 zoning – Michael Cotter

**Jim Van Dreser motioned to review the code of ordinances regarding PRD's to be discussed again as committee. Seconded by Rich Brandl. Motion carried. 7 – favor 0 – oppose.**  
Disc Count #4:38:56 – 5:09:16

2. Discussion / Possible Action re: Whelan Nonmetallic Mining Site (Whelan Farms LLC.), Section 1, Sharon Township – Reclamation Plan – Michael Cotter.

**Jim Van Dreser motioned to issue Order regarding reclamation and conditional use issues. Seconded by Richard Kuhnke, Sr. Motion carried. 7-favor 0-oppose**  
Disc Count #5:09:18 – 5:20:47

**TABLED PRIOR TO MEETING – No Town Decision**

- ~~3. Discussion / Possible action re: Mark McKibben, request for amendment of an existing conditional use for Uriel Pharmacy to include Oil Dispersion Bath Therapy in designated area of the pharmacy building. Tax Parcel LA2753-1, Troy Township.~~

**Public Hearing: 5:32 p.m.**

**Ordinance Amendments –**

1. An Ordinance Repealing and Recreating Article I and Article II of Chapter 65 – Renewable Energy, Wind Energy Systems of the Walworth County Code of Ordinances, in compliance with PSC 128. 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, WI Monday through Friday during normal business hours.

This item will be placed on the 4:30 P.M. agenda of the December 19, 2013, Walworth County Zoning Agency for a vote.

Disc Count #5:35:32 – 5:41:08

2. An Ordinance Repealing and Recreating Article II of Chapter 64 – Telecommunications, Mobile Tower Siting Ordinance, Walworth County Code of Ordinances, in compliance with Wisconsin Act 20. 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, WI Monday through Friday during normal business hours.

This item will be placed on the 4:30 P.M. agenda of the December 19, 2013, Walworth County Zoning Agency for a vote.

Disc Count #5:41:08 – 5:44:36

**Rezoning with Conditional Uses - none**

**Rezoning –**

**TABLED PRIOR TO MEETING – No Town Decision**

- ~~1. **Reek Elementary School** Ryan Southwick (Treasurer of School Board), Section 16, Linn Township. Rezone approximately 8.21 acres of C-2 Upland Resource Conservation and C-4 Lowland Resource Conservation (Shoreland Wetlands) Districts to the P-1 Park and C-4 Shoreland Wetlands Districts in order to make the upland area of the school all P-1 zoned. Changes to the C-4 wetland district are accompanied by SEWRPC wetland delineation. Part of Tax Parcel IL-16-11.~~

2. **David Flitcroft and Randy Smith – Attorney Richard Torhorst applicant**, Section 23, Linn Township. The Property owners are requesting to rezone approximately 3.44 acres of B-4 Highway Business District to 1.60 acres of A-5 Agricultural-Rural Residential District and 1.84 acres of R-3 Two-Family Residence District (unsewered). The property of concern is located on the west side of Hwy 120 approximately 4,000 feet south of the intersection of Hwy 120 and Willow Road and is identified as parts of Tax Parcel IA1425-1.

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

The rezone petition will move forward to the December 10, 2013, Walworth County Board for possible action.

Disc Count #5:44:45 – 5:53:00

### Conditional Uses

(Tabled prior to public hearing - No owner/applicant appeared)

**Rose E. Jacobsen Life Estate, Rose Jacobsen and Kenneth Jacobsen – Richard Braun/ Countryside Woods applicant**, Section 20, Sugar Creek Township. The property owner is seeking conditional use approval to extend the life of a mineral extraction site (gravel pit) for 20 additional years, conduct washing and crushing operations in the pit and be allowed to import asphalt and concrete for recycling. The property of concern is located on the north side of Sugar Creek Road approximately 1800 feet west of the intersection of Sugar Creek Road and Hwy O and is identified as parts of Tax Parcels G SC-20-4A and G SC-20-8.

**Rich Brandl motioned to table the public hearing to next month. Re-notice fees to apply. Seconded by Jim Van Dreser. Motion carried. 7-favor 0-oppose**

Disc Count #5:53:00 – 6:00:23

**MATTER TABLED PRIOR TO MEETING AT REQUEST OF APPLICANT(S) Due to school referendum failing.**

~~**Matthew & Margaret Walsh c/o Marilyn Honkisz and Joint School District No 4 (Woods School)**, Section 33, Geneva Township. The School District is requesting conditional use approval to expand Woods School by the addition of a gymnasium, classrooms and parking on the school parcel zoned P-1 and associated athletic fields, playgrounds, Stormwater basin and a drive and on an adjacent lease parcel zoned A-2. The property of concern is located on the southwest corner of the intersection of Hwy 50 and Snake Road (west) and is identified as Tax Parcel J G 33-6E (Woods School) and the lease parcel portion of J G 33-6G.~~

**Wisconsin Department of Natural Resources – Lynette Check DNR Engineer applicant**, Section 20 and Section 21, Sugar Creek Township. The Department of Natural Resources is requesting conditional use approval for governmental office and storage use in existing buildings and a proposed new building for the district game wardens at the Turtle Valley Wildlife Area. The property of concern is located on the east side

of Hwy O approximately 3000 feet south of the intersection of Hwy O and Pierce Road and is identified as parts of Tax parcels G SC-20-1 and G SC-21-4.

Conditional use approval for governmental and cultural uses is allowed in the A-1 zone district under the farmland preservation statutes.

1. Approved as per plan submitted for governmental office and storage use in existing buildings and a proposed new building for the district game wardens at the Turtle Valley Wildlife Area with all additional conditions.
2. Storage limited to material and goods directly associated with use as specified. Outside storage shall be limited and located as identified on the plan of operations. No outside storage areas including displays of goods shall be allowed in the required setback areas.
3. On site hours of operation shall be from 6:00 a.m. to 6:00 p.m. with after 6:00 p.m. hours for off premise work and returning of equipment to the premises seven days a week.
4. Must meet all applicable Federal, State, County and local regulations.
5. Outside lighting shall be shielded and directed on site.
6. The applicant must obtain all required zoning permit approvals including a sign permit and sanitation review.
7. No fill, debris, branches or leaves may be brought back and disposed of on site. No burning of waste materials shall occur on site.
8. The applicant must obtain a County Land Disturbance Erosion Control and Stormwater Management Permit from the County Conservation Office. The applicant must submit and obtain approval of a landscaping plan from the County Conservation Office.
9. All parking and access to the site shall meet County requirements. All parking shall be installed according to County requirements within 60 days of this approval.
10. The project site must be kept neat, clean, and mowed.
11. If the Land Management Department determines that changes in either the character of the use or the intensity of the use are not consistent with this approval, then those changes must be brought before the County Zoning Agency for approval.
12. Failure to actively exercise this conditional use within three years of the approval date shall result in automatic dismissal without prejudice. The property owner may request a time extension for actively exercising the conditional use. A time extension for actively exercising the conditional use must be requested in writing during the original three year period. Any extension requested during the three year active exercise period greater than one year beyond the original three year period shall require additional Town and County committee approvals.

Specific conditions:

13. No general public sales allowed on premises.
14. The project must meet with all State, Federal and local regulations including wetland regulations prior to any filling on site. No fill encroachment will be allowed into the wetland area.
15. The property owner must either combine the parcels together by recording a CSM or obtain a variance from the County Board of Adjustment from the rearward setback prior to this conditional use being valid.

**Jim Van Dreser motioned to approve subject to receipt of confirmation of no fee required. Seconded by Dave Weber. Motion carried. 7-favor 0-oppose**  
Disc Count #6:00:23 – 6:08:50

**TABLED PRIOR TO MEETING – No Town Decision**

~~Catherine J. McQueen (Greenleaf Inn) – Convergence Energy applicant, Section 25, Delavan Township. The property owner is requesting conditional use approval to construct two fixed 10 Kilowatt ground mount solar arrays at the Greenleaf Inn project site. The property of concern is located on the north side of Hwy 50 approximately 2700 feet west of the intersection of Hwy 50 and Hwy 67 and is identified as Tax Parcel F D-25-2B.~~

**TABLED PRIOR TO MEETING – No Town Decision**

~~Whitewater Limestone Inc., Section 9, Whitewater Township. The property owner is requesting conditional use approval to extend the life of an existing limestone quarry operation by 15 years and to deepen the limestone quarry excavation by 40 feet. The property of concern is located east side of South Franklin Street approximately 750 feet north of the intersection of South Franklin Street and Willis Ray Road and is identified as Tax Parcel D W 9 4.~~

**Adjournment**

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

The meeting was adjourned at 6:09 p.m.

---

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

# HONEY LAKE PROTECTION AND REHABILITATION DISTRICT

## BOARD OF COMMISSIONERS

**JOHN LUTZ: CHAIRMAN; (re-elected for 3-year term, 8/25/13)**

**JUDITH CORRELL: SECRETARY; (re-elected for 3-year term, 8/28/11.)**

**GERALD SCHWARTEN: TREASURER; (re-elected for 3-year term, 8/26/12.)**

**MICHAEL WEINKAUF: ROCHESTER VILLAGE TRUSTEE REPRESENTATIVE**

**DONALD TRIMBERGER: SPRING PRAIRIE TOWN SUPERVISOR AS OF APRIL 2011**

**ROBERT E. McINDOE: REP. OF WALWORTH COUNTY CONSERVATION AS OF 8/15/11**

## NOVEMBER 19, 2013 MONTHLY MEETING

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

**Absent: Schwarten (minor surgery))**

**Meeting was called to order at 7:02 p.m by Chairman Lutz**

**Secretary Correl read the minutes of the October 15, 2013 monthly meeting which were subsequently approved. Chairman Lutz read the October, 2013 Treasurer's Report which was subsequently approved. (Copies of minutes and Treasurer's report attached.) Copy of meeting agenda and budget also attached.**

### Old Business:

**Chairman Lutz reported that the "No Dumping" sign and pole barriers have still not as yet been installed at the land adjacent to the Schryer property as indicated in the September, 2013, and October 15, 2013 minutes and report. Commissioner Weinkauf stated that he had talked with Racine County Deputy Milam who had told him she had discussed with local residents and they had assured her that they would discontinue dumping and burning in that area. Chairman Lutz stated that he had seen some yard trimmings and cuttings left in the area. Discussion held over whether to have the posts and sign installed now or defer until next Spring. Decided to wait until Spring. Chairman Lutz said that he might talk with the individual doing the road plowing this Winter and have him pile snow in that spot.**

**"Quicken" software recently purchased has been installed but manual is still not available.**

**Chairman Lutz indicated that resident Kempken is again parking work equipment in his yard contrary to Rochester ordinance and asked Commissioner Weinkauf to report to the Sheriff Deputy.**

**Chairman Lutz said that he had tried contacting Kresken Fencing regarding the work required around the dam area (ref: September, and October, 2013 reports) No reply received He will let it go until next Spring.**

**County Line Blvd. has been "cold patched". (ref: October, 2013 report)**

**Commissioner Weinkauf reported that the Rochester Fire Dept. still has not fixed the "groove" in the Honey Lake dike but will do so. (ref: September and October, 2013 reports) Chairman Lutz again repeated that he will arrange to have the work done and charged back to Rochester if that is what they might prefer. Weinkauf will discuss with the fire dept.**

**New Business:**

Chairman Lutz presented his proposal for a contract to have the dam boards built and replaced. (copy attached) After extensive discussion regarding the contract and the drawings, it was voted to proceed as proposed.

Chairman Lutz reported that the lake "draw down" device is leaking due to erosion/separation between the boards. The DNR had given specs for the device which specified using "pine" boards. As is the case with the dam boards, they should have been made of "oak". Unless we come up with a method of eliminating or reducing that leakage (such as caulking or installing a metal sheet backup) the boards will have to be replaced within the next year.

Chairman Lutz read the bills ready for payment, with a motion then made and seconded for payment.

A motion was then made and seconded for adjournment at 8:13 p.m.

Respectfully submitted,



Robert E. McIndoe 11/21/13



**Walworth County Board Finance Committee  
MEETING MINUTES  
Monday, November 18, 2013**

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

The meeting was called to order by Chair Russell at 3:08 p.m.

**Roll call** — Finance Committee members present included Supervisors Jerry Grant, Daniel Kilkenny, Nancy Russell and Joseph Schaefer. Supervisor Rick Stacey arrived at 3:20 p.m. A quorum was declared.

**Others in attendance included:**

- Board members: Ken Monroe, Carl Redenius.
- County Staff: David Bretl-County Administration/Corporation Counsel; Nicki Andersen, Todd Paprocki, Dale Wilson-Finance; Michael Cotter-Land Use & Resource Management; Linda Seemeyer, Lori Muzatko-Health & Human Services; John Orr-Information Technology; Tracy Moate-Lakeland School; Kevin Brunner, John Miller, Peggy Watson-Public Works; Dave Gerber-Sheriff's Office; Valerie Etzel-Treasurer's Office

**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)** — October 17, 2013 — **Supervisors Schaefer and Grant moved to approve the minutes; carried 4-0.**

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

**Unfinished business** — There was no unfinished business.

**Consent items** — Russell asked that agenda items 8B2 - specialized transportation services for HHS; 8B3 - stop loss for 2014 health insurance; and 8B4 - sale of tax foreclosure properties; be pulled for separate discussion. Grant asked that agenda item 8A2a, budget amendment FN002, also be pulled. **Supervisors Kilkenny and Schaefer moved to approve the remainder of the consent items; carried 4-0.**

**Budget amendments**

Clerk of Courts

- CT03 — Pretrial Diversion Program Grant award

Finance

- FN002 — Adjust employer-paid health insurance to reflect anticipated revenues through year-end — Grant asked if these funds are in a separate account. Andersen affirmed. The health insurance fund is segregated and all funds maintained in that fund. Each pay period, we charge the departments for the employees currently active on the health plan, and that money is transferred into the health insurance fund. **Su-**

**Supervisors Grant and Schaefer moved to approve budget amendment FN002; carried 4-0.**

**Health & Human Services**

- HS011 — Transfer funds for client placement care in the behavioral health unit

**Land Use & Resource Management**

- LU01 — Redistribute payroll budget to reflect increased activity with non-metallic mining initiatives
- LU02 — Offset projected revenue shortfall based on actual and projected 2013 activity

**Public Works**

- PW005 — Transfer funds for Government Center remodel of county board chair, human resources and veterans services areas

**Bids/contracts**

- Pre-trial diversion services for the Clerk of Courts — Awarded to I Am Counseling Services, LLC, by motion approving the consent items.
- Specialized transportation services for the Health & Human Services department – **Supervisors Grant moved to approve the award but amend it to be contingent upon approval by the Transportation Committee and the Health & Human Services Board, which both meet later this week. The motion was seconded by Kilkenny. The motion to amend carried 4-0. The main motion to approve the award as amended carried 4-0.**
- Stop loss for 2014 health insurance — Andersen said we were fortunate to have two very competitive bidders. Staff recommend a new vendor, HM Insurance. They are a well respected, national firm moving into the State. We were able to waive a secondary layer that had initially been talked about, and have negotiated it back down to our standard level. The county carries \$125,000 stop loss per individual. The carrier covers anything over that amount. HM initially wanted a higher level of deductible on one individual before they would be willing to cover that person from that point on. Russell noted that the stated aggregate factor is higher with HM Insurance than with Gerber Life but staff don't believe we would hit either of the aggregate limits. Andersen affirmed, adding that the level proposed by HM is the same level we had for 2013. **Supervisor Grant moved to award the stop loss contract to HM Insurance. The motion was seconded by Supervisor Kilkenny and carried 4-0.**
- Award sale(s) of tax foreclosure property — Brunner said there were 28 properties the committee directed staff to advertise on Wisconsin Surplus. We received 11 bids that met the minimum amounts. Additionally, the committee requested that the adjoining property owners be approached to ascertain interest in purchasing two parcels. Staff recommend accepting the bids recommended by staff. The remainder will be listed again because the bids did not meet the county's minimum threshold to cover our costs. **Supervisor Kilkenny moved to award bids as recommended by staff. Supervisor Grant seconded the motion.**

Supervisor Stacey arrived at 3:20 p.m.

**The motion to award the bids carried 4-0.**

- **Parcel CS 00111** – Town of Richmond Parcel – Award to Bauer & Raether Builders for the bid amount of \$2,655.00.
- **Parcel FI 00612** – Town of Sugar Creek – Reject; the bid is below our minimum threshold.
- **Parcel GSI 00004** – Town of Sugar Creek – Award to McAnderson's/Dennis Anderson for the bid amount of \$3,350.00.
- **Parcel HBS3 00001** – Town of LaGrange – Award to William Bednarz for the bid amount of \$72,000.00.
- **Parcel HBS3 00002** – Town of LaGrange – Award to Chris Alexander for the bid amount of \$13,250.00.
- **Parcel JGN 1700002** – Town of Geneva – Award to Good Day Construction for the bid amount of \$20,350.00.
- **Parcel JLCB 00716** – Town of Geneva – Reject; the bid is below our minimum threshold.
- **Parcel JLCB 00719** – Town of Geneva – Reject; the bid is below our minimum threshold.
- **Parcel JLCB 01636** – Town of Geneva – Reject; the bid is below our minimum threshold.
- **Parcel JLCB 01637** – Town of Geneva – Reject; the bid is below our minimum threshold.
- **Parcel JLCB 02236** – Town of Geneva – Reject; the bid is below our minimum threshold.
- **Parcel &PL 00579** – Town of Bloomfield – Reject; the bid is below our minimum threshold.
- **Parcel &PL 00972** – Town of Bloomfield – Award to Patricia Bradamore for the bid amount of \$14,450.00.
- **Parcel &PL 01053** – Town of Bloomfield – Reject; the bid is below our minimum threshold.
- **Parcel &PL 01487** – Town of Bloomfield – Award to McAnderson's/Dennis Anderson for the bid amount of \$2,951.00.
- **Parcel &PL 01608** – Town of Bloomfield – Reject; the bid is below our minimum threshold.
- **Parcel &PL 01609** – Town of Bloomfield – Reject; the bid is below our minimum threshold.
- **Parcel &PLA 00054** – Town of Bloomfield – Award to adjacent property owners, Ronald & Barbara Warren for \$100.00.
- **Parcel &PLA 00078** – Town of Bloomfield – Offered to adjacent property owners; no response.
- **Parcel &PLA 00103** – Town of Bloomfield – Reject; the bid is below our minimum threshold.
- **Parcel &PLA 00188** – Town of Bloomfield – Reject; the bid is below our minimum threshold.
- **Parcel &PLA 00213** – Town of Bloomfield – Reject; the bid is below our minimum threshold.
- **Parcel NCS 00105** – Town of Lyons – Reject; the bid is below our minimum threshold.
- **Parcel QFR 00022** – Village of Darien – Award to Kannan Sangaiah for the bid amount of \$13,781.00.
- **Parcel RA184800003** – Village of East Troy – Award to Good Day Construction for the bid amount of \$6,450.00.

- *Parcel RXUP 00016* – Village of East Troy – Award to Jordan Szewczykowski for the bid amount of \$576.00.
- *Parcel TVGC 00046D* – Village of Genoa City – Award to Linda Kraus for the bid amount of \$1,835.00.
- *Parcel WOP 00111* – Village of Williams Bay – Reject; the bid is below our minimum threshold.

**Notification of emergency procurement**

- Replace video surveillance system at Judicial Center and authorize early implementation of 2014 budget item

**Declaration of surplus**

- Recommendation to declare public works patrol trucks 080 and 081 as surplus and sell at online auction

**Reports**

- Update regarding Information Technology contract with Logicalis for server management services
- Quarterly delinquent tax report – 3rd quarter 2013
- Quarterly investment report – 3rd quarter 2013
- Update on tax incremental financing (TIF) district(s)
- Out-of-state travel
  - Health & Human Services
    - Becky Gove, Jacquelyn Equitz, Carlo Nevicosi; Echo Peer-to-Peer Conference; Portsmouth, NH
  - UW-Extension
    - Jenny Wehmeier, Galaxy IV/National Association of Extension Family and Consumer Science Conference, Pittsburgh, PA — Follow-up report from UW-Extension

**New business**

**Discussion and possible action regarding approval of Educator Effectiveness Grant application**

— Moate explained that the State now evaluates teachers on a uniform type of service, at a cost of \$80 per educator to be part of the evaluation process, as well as the network of information and improvement programs. We may choose not to participate in the Educator Effectiveness program but would have to present an alternative for approval by the State. The Department of Public Instruction suggested a grant to reimburse school districts for this expense. We would pay up front to enroll our educators in this mandated program and be reimbursed at the end of the year. Staff anticipate we will be reimbursed \$3,920. **Supervisors Schaefer and Grant moved to authorize staff to apply for the Educator Effectiveness Grant. Since this item will also be included on the Children with Disabilities Education Board’s agenda on Wednesday, Supervisor Grant moved to amend the motion to make the grant application contingent upon the CDEB approval. Supervisor Schaefer seconded the motion; carried 5-0. The main motion with the amendment carried 5-0.**

**Correspondence** — No correspondence was presented.

Bretl provided further information on the following two consent items approved by earlier motion.

- Notification of emergency procurement — Replace video surveillance at Judicial Center and authorize early implementation of 2014 budget item — The camera component went down and needs to be addressed now, according to Bretl. Is this something we would have sole sourced anyway? Miller said we installed a recording system and data storage array in the data center to be able to record off of these cameras. Our current 10 to 15-year-old analog cameras were to be replaced with digital cameras in 2014. Miller and Gerber believe it makes sense to replace them now as digital units through the emergency procurement process. We are looking to sole source the current vendor because their units are compatible with the system and they have a good level of service.

Supervisor Schaefer was excused at 3:27 p.m.

- Reports — Update regarding Information Technology contract with Logicalis for server management services — Orr explained that we have a 2-year contract with Logicalis, with three 1-year extensions. Normally, maintenance contracts increase from 4-10% each year. This contract does not include a “no escalation” clause so Orr talked with the vendor. If we sign today, they are willing to lock in today’s pricing for the next 3 years. That may save us from \$36-60,000 over the 3-year period. He added that this service is beneficial because it allows us to not have to hire 2<sup>nd</sup> and 3<sup>rd</sup> shift employees.

**Confirmation of next Finance Committee meeting:**

- The next Finance Committee meeting was confirmed for December 19, 2013 at 9:30 a.m. in County Board Room 114 at the Government Center.

**Adjournment of Finance Committee**

**Upon motion and second by Supervisors Kilkenny and Grant, Chair Russell adjourned the meeting at approximately 3:30 p.m.; carried 4-0.**

---

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

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

**Walworth County Land Conservation Committee**

**MINUTES**

November 18, 2013 – 2:00 p.m.

County Board Room 114 – Government Center

Elkhorn, Wisconsin

***DRAFT***

---

The meeting was called to order at approximately 2:01 p.m. by Chairperson Kilkenny.

Roll call – In attendance were Chairperson Kilkenny, Vice Chairperson Russell, and USDA Representative Bellman. Supervisor Schiefelbein and Citizen Member Badame were absent-excused. A quorum was declared.

Others present – David Bretl, County Administrator; Michael Cotter, Deputy Corporation Counsel/LURM Director; Louise Olson, Deputy LURM Director; Fay Amerson, Urban Conservation Specialist, and David Terrall, APHIS/USDA.

Approval of the agenda as amended to hear Item 6 last was moved and seconded by Supervisor Russell and USDA Representative Bellman, with no withdrawals, and carried 3 – 0.

Approval of the September 16, 2013 Land Conservation Committee meeting minutes were moved and seconded by USDA Representative Bellman and Supervisor Russell, with no withdrawals, and carried 3 – 0.

Public comment: None.

Discussion/Possible Action - 2014 budget approval – David F. Terrall- APHIS. Discussion of the 2014 budget by David Terrall. Approval of the budget was moved and seconded by Supervisor Russell and USDA Representative Bellman, with no withdrawals, and carried 3 – 0.

Discussion/Possible Action - 2013 crop price approval - David F. Terrall- APHIS. Discussion of the 2013 crop prices. Statement by USDA Representative Bellman to amend the field corn price to \$5.00. Approval of the crop prices as amended was moved and seconded by USDA Representative Bellman and Supervisor Russell, with no withdrawals, and carried 3 – 0.

Discussion/Possible Action - 5 year Cooperative Service Agreement - David F. Terrall- APHIS. Discussion of the 5 year Cooperative Service Agreement. Approval of the agreement was moved and seconded by Supervisor Russell and USDA Representative Bellman, with no withdrawals, and carried 3 – 0. The agreement is signed by Chairman Kilkenny.

Discussion by David Terrall regarding crop damage issues and questions.

*Draft*

Discussion/Possible Action – Whelan Nonmetallic Mining Site (Whelan Farms LLC) Partial Reclamation Bond – Michael Cotter. Discussion by Michael Cotter to provide update to the Committee regarding status. Discussions regarding payment stages/performance bonding. Approval of the recommended 50/30/20 payment schedule and performance bond requirement was moved and seconded by Supervisor Russell and USDA Representative Bellman, with no withdrawals, and carried 3 – 0.

Discussion/Possible Action – General Discussion of Ordinance amendment regarding requested review of a determination - David Bretl. Proposed amended ordinance provided by Administrator Bretl. Discussion by County Administrator David Bretl regarding the proposed Ordinance amendment concerning the request for review of a determination requested under Chapter 68 of Wisconsin Statutes. Clarification requested by Chairman Kilkenny. Chairman Kilkenny requests an extension to next month on this issue to have a flow chart provided and input from other committees.

Chairperson Kilkenny did not have any announcements.

The next regular meeting of the land conservation committee was confirmed for Monday, December 16, 2013, 2:00 p.m.

Adjournment. On motion and second by USDA Representative Bellman and Supervisor Russell, Chairperson Kilkenny adjourned the meeting at approximately 3:01 p.m.

---

Respectfully submitted by Sheril Oldenburg, LURM Assistant.  
These minutes are subject to approval by the committee.

# DRAFT

**Walworth County Board of Supervisors  
Public Works Committee  
MEETING MINUTES  
Monday, November 18, 2013  
Walworth County Government Center, County Board Room 114  
100 West Walworth Street, Elkhorn, Wisconsin**

---

The Chair called the meeting to order at 3:37 p.m.

Roll call was conducted and all members were present, to-wit: Chair Russell, Vice Chair Redenius, Supervisors Monroe, Schaefer and Stacey

Others present:

Director of Central Services Kevin Brunner; Director of Operations Larry Price; Assistant Superintendent John Miller; County Engineer Joe Kroll; Public Works/Purchasing Manager Peggy Watson; Deputy County Administrator-Finance Nicki Andersen; Linda Seemeyer, Director of Health and Human Services; Undersheriff Kurt Picknell

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

**Supervisors Monroe and Stacey moved to approve the October 14, 2013 meeting minutes as prepared. The motion carried unanimously.**

**Public comment period.** No one from the public was in attendance.

## **Regular Business**

### **Request from Health and Human Services department to purchase a replacement minivan in 2013 (currently in the 2015 CIP)**

Director of Health and Human Services Linda Seemeyer reported that the department has three cars, a minivan and two others for travel, training and for consumer transport. The current 2007 van has 126,000 miles, which broke down recently in Winnebago and had to be towed. \$1,486 has been spent on repairs and the vehicle needs an additional \$1,500 of work. The replacement is currently scheduled for 2015. Seemeyer requested the replacement this year, with funding to come from departmental salary savings. **Supervisors Stacey and Redenius moved approval.** Supervisor Monroe asked if they had gotten quotes, and Seemeyer said they got two quotes from V.A.L.U.E. purchasing consortium - one for \$24,660, which would be delivered in 5-10 days; and the other for \$21,180, with a 60-90 day delivery. Seemeyer recommended the purchase of the 2014 fleet Dodge Caravan for \$21,180. **The Chair called for a vote and the motion carried 5-0.**

### **Budget amendment to transfer funds and approval of the Government Center Remodel projects**

Director of Central Services Kevin Brunner said the adopted 2014 budget includes relocation of the Board Chair and the move of the Human Resources department to accommodate personnel changes. The County's consulting architect estimated \$8,260 for their fee and \$98,740 for the

construction costs. County Administrator Bretl added that when the Government Center was remodeled, the current County Board Chair's office was not updated. The Veterans Services office needs to expand to accommodate the addition of another employee and the increased service needs of our veterans. A portion of the current employee break room, which is under-utilized, will be used for their extra space. The Finance Committee approved the budget transfer to utilize excess sales tax revenue to fund the project. **Supervisors Schaefer and Monroe moved approval of the remodeling projects. The motion carried 5-0.**

**Approval of minimum specifications for the Government Center remodel projects**  
**Supervisors Schaefer and Redenius moved to approve the specifications. The motion carried 5-0.**

**Approval of minimum specifications for 2014 single axle dump trucks**

Brunner reminded the committee that at last month's meeting, staff reported that the department needs to be proactive on the purchase of replacement vehicles for the fleet, due to the deteriorated condition of trucks that were intended to be in reserve this year, the increase in the level of service demands, increase in lane miles, and the future addition of personnel. **Supervisors Redenius and Stacey moved approval of the specifications and the motion carried 5-0.**

**Report on planning for CTH NN, CTH M and CTH H improvement projects**

Brunner said that the public information meetings for the upcoming road improvement projects have been scheduled. The meeting on CTH H and CTH M will be on January 23, 2014 from 5:00 – 7:00 p.m. at the LaGrange Town Hall. The meeting on the CTH NN project, scheduled for construction in 2015, will be held on March 20, 2014 from 5:00 – 7:00 p.m. at the County Public Works Department. Notice will be given to residents and a media posting will go out in advance of the meetings.

**Ordinance Amending Chapter 54 of the Walworth County Code of Ordinances Relating to Streets, Sidewalks and Certain other Public Places**

Bretl said he drafted the ordinance based upon the minutes from the meeting on September 16. The impetus behind the ordinance was in response to fun runs, bicycle races, etc., on county roads which require law enforcement and public works services to maintain public safety. Any special event requiring extraordinary traffic services would need a permit from the county 30 days prior to the event and a deposit of 25% of the estimated costs of the county's services. Undersheriff Kurt Picknell and Brunner addressed the committee, and proposed that sec. 54.92 (a) (d) and (e) be changed to reflect that the Public Works Department will consider and issue a permit and will notify impacted municipalities of the upcoming event. The Sheriff's Office will calculate and collect fees from the special event organizers. Chair Russell suggested giving the Sheriff's Office authority to cancel an event due to adverse weather or safety considerations, either before or during an event. Events within municipal jurisdictions such as parades will remain as is and not require a permit. Bretl said that after the ordinance is adopted, an administrative procedure will be drafted to address the process and define special events exempted from obtaining a permit, conditions warranting cancelation, etc. Brunner added that Public Works needs to begin recouping its costs for assisting with such events. Russell thought that the fee should be adjusted for non-profit vs. for profit events. Supervisor Stacey asked how an event planner would know he needed a permit and said the ordinance should be clear on the process, adding that often auctions, private sales, etc., on county roads cause safety concerns as well. Picknell said that those occasions are different in that the Sheriff's Office already has the

authority to enforce traffic laws when safety is impacted. Bretl added that an event organizer would be responsible for contacting the proper authorities and following the county's procedures, and that the organizer would have to accept the consequences for not following the ordinance requirements. Bretl emphasized that the focus of the ordinance was to require approval from the county any time the flow of traffic is impeded or altered. **Supervisors Redenius and Stacey moved to bring the revised ordinance back to committee in December for review and approval. The motion carried 5-0.**

#### **Report on 2013 Clean Sweep Program**

Brunner referred to the summary of this year's event and the statistics from the collections in 2011, 2012 and 2013. This year's program set a record for the number of participants, and Brunner credited Janet Cline and Larry Price for all of their hard work in ensuring the continued success of the programs. Brunner noted that the future of the program is an ongoing concern because of the diminishing funds from the landfill. Next year will be the first year since 2000 that the county has had to levy tax to support Clean Sweep activities. The committee encouraged Brunner and staff to investigate alternate potential funding sources from our participating municipalities.

#### **Report on Directional Signage for County Campus**

Brunner distributed a template designed by engineer Joe Kroll for the proposed new signage at the county campus. Bretl said that he has received criticism from the public about the difficulty in locating buildings on the campus, particularly the Judicial Center. The handout Brunner distributed had examples of signs that would be installed on CTH NN in the vicinity of the campus on each end, and directional signs approaching each building. A sampling of colors was included. The signs are approximately 4' x 4' in size, plus the decorative top. Staff is currently working on monument signs for each building and those will be brought to committee with pricing estimates at a future meeting. Priority will be given to signage for the Judicial Center. Chair Russell mentioned that the public has difficulty locating the Elkhorn Police Department within the Government Center and asked that staff approach the department about purchasing and installing a sign over the entrance to the Police Department. **Supervisors Stacey and Schaefer moved to approve the design for the directional/wayfinding signs and to choose the burgundy color with yellow lettering. The motion carried 5-0.**

**Next regularly scheduled Public Works Committee meeting date and time: Monday, December 16, 2013 at 3:30 p.m.**

#### **Adjournment**

**Supervisors Monroe and Stacey moved to adjourn the meeting. The motion carried 5-0 and the meeting concluded at 4:35 p.m.**

Meeting minutes recorded by Becky Bechtel, Public Works Department

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

DRAFT 11/23/13

PLEASANT LAKE PROTECTION & REHABILITATION DISTRICT  
FINANCE COMMITTEE MEETING  
SATURDAY, NOVEMBER 16, 2013, at 11:05 AM  
LAGRANGE TOWN HALL  
MINUTES

Present: Ted Slupik, Chairman, Rick Callaway, Pat Kachur, Bob Arnold, Phil Holland,  
Marcia Sahag

Absent: Kevin Smith

Public Attendance:

1. Approval of Agenda: Motion to approve the Agenda (Rick/Phil). Carried unanimously.
2. Approval of prior meeting minutes: Motion to approve the Minutes of 4/6/13 (Pat/Bob). Carried unanimously.
3. Discussion and formulation of District Budget for calendar year 2015: Walworth County has changed the tax processing procedure having the Towns and municipalities (lake Districts) responsible for allocating the tax levies and special assessments. This does not affect Pleasant Lake PR District at this time. The Towns have the option to outsource the printing and mailing of tax bills for a reasonable cost. The electronic submission of the District tax levy is available in November. However, the Town has been requesting it in October. There was a general discussion of reserves and the amount needed for operating expenses and the timing of the District receipt of the tax levy funds. Committee members presented and discussed the budget line items. Motion to recommend the proposed budget to the District board contingent on the final copy (Marcia/Bob). Carried unanimously.
4. Update on drain expenses: The total of RA Smith invoices to date is \$6751.17. In order to offer possible options using different sizes of pipe, the effects of those pipe sizes on the east side of Pleasant Lake Road needs to be studied. The DNR suggested amending the scope of the current grant to accommodate this and the possible request for an additional grant. Installation of a water level gauge in the Bay is a part of the grant and should not be left out.
5. Selection and date for audit committee: The audit committee members selected are Phil Holland, Rick Callaway and Kevin Smith. The audit will take place in May, 2014.

Saturday, December 14, 2013, is a “reserve” date for a possible committee meeting.

If no additional budget discussion by the committee is needed, Ted will present the proposed budget to the District Board at the February Board meeting.

Motion to adjourn at 12:10 PM (Bob/Pat). Carried unanimously.

Respectfully submitted,  
Marcia M Sahag

## Walworth County Board of Adjustment

### MINUTES

November 13, 2013 - Hearing – 8:30 AM

November 14, 2013 – Meeting – 8:30 AM

County Board Room

Government Center – Elkhorn, Wisconsin

---

A hearing and decision meeting of the Walworth County Board of Adjustment was held on November 13 & 14, 2013, in the County Board Room of the Government Center in Elkhorn, Wisconsin. Those present on November 13, 2013, were Chair John Roth, Vice-Chair Gregory E. Guidry and Secretary Ann Seaver. Deb Grube, Senior Zoning Officer, and Wendy Boettcher, recording secretary of the Land Use & Resource Management Department were in attendance. Those present on November 14, 2013, 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 November 13, 2013, and November 14, 2013, are kept on file as a matter of record.

The November 13, 2013, 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 amended to remove item 6.A.2. Joint School Dist No 4 / Geneva Township. Seconded by Gregory E. Guidry. Motion carried. 3-favor, 0-oppose.** **Ann Seaver motioned to approve the October 9 & 10, 2013, Minutes and dispense with the reading. Seconded by John Roth. Motion carried. 2-favor, 1-abstain (Gregory E. Guidry).** **After testimony of all cases, Gregory E. Guidry motioned to recess until 8:30 A.M. on Thursday, November 14, 2013. Seconded by Ann Seaver. Motion carried. 3-favor, 0-oppose.** The November 13, 2013, hearing went into recess at approximately 10:11 A.M.

On November 14, 2013, 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 amended to remove item 5.A.2. Joint School Dist No 4 / Geneva Township. Seconded by Gregory E. Guidry. Motion carried. 3-favor, 0-oppose.** **After the decisions were completed, Gregory E. Guidry motioned to adjourn until the December 11, 2013, hearing at 8:30 A.M. Seconded by Ann Seaver. Motion carried. 3-favor, 0-oppose.** The November 14, 2013, decision meeting adjourned at approximately 9:08 A.M.

Four variance hearings were scheduled and details of the November 13, 2013, hearings and the November 14, 2013, decisions are digitally recorded and are 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).

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

Hearing – Count #8:32:23 – 8:50:48 / Decision – Count #8:33:57 – 8:37:42

**The First Hearing was William D. Harness Trust, owner – Section(s) 19 – Walworth Township**

Applicant is requesting a variance from Section(s) 74-38 / 74-51 of Walworth County's Code of Ordinances – Zoning to permit the location of a garage in conjunction with a farm separation application.

**REQUIRED BY ORDINANCE:** The Ordinance requires a 20' side yard setback.

**VARIANCE REQUEST:** The applicant is requesting an 11.7' side yard setback. The request is a variance from Section(s) 74-38 / 74-51 of Walworth County's Code of Ordinances – Zoning to permit the location of a garage in conjunction with a farm separation application.

**BOARD OF ADJUSTMENT DECISION:** The Walworth County Board of Adjustment, during the meeting of November 13 & 14, 2013, for the petition of William D. Harness, owner, voted to **APPROVE** the request for an 11.7' side yard setback.

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

**BOARD OF ADJUSTMENT FINDINGS:** The Board found that the separation of a second residence on a farm was permitted by the ordinance. The Board found the garage has existed since 1945 and to construct buildings in close proximity of each other on agricultural properties in order to preserve working farm lands was not unusual. The Board found the zoning requirements / setbacks are unnecessarily burdensome. The Board found that the garage has been in the family for generations. The Board found to require removal of the structure would cause the owner to lose a shop and storage facility. The Board found to approve the request would cause no harm to public interests. The Board found the structure fits the premises. There was one letter of support from the Town of Walworth. There was no opposition.

Hearing -- Count #N/A / Decision -- Count #N/A

The Second Hearing was Joint School Dist No 4, owner / Edward Brzinski, Geneva Jt. 4 School District, Woods School, applicant – Section(s) 33 – Geneva Township

Applicants are requesting a variance from Section(s) 74-53 / 74-74 of Walworth County's Code of Ordinances – Zoning to construct an addition to a school and additional parking stalls.

**REQUIRED BY ORDINANCE:** The Ordinance requires a 50' rear yard setback for the addition and 25' street yard setback for parking stalls.

**VARIANCE REQUEST:** The applicants are requesting an approximate 24' rear yard setback for the addition and an approximate 0' and 7' street yard setback for parking stalls. The request is a variance from Section(s) 74-53 / 74-74 of Walworth County's Code of Ordinances – Zoning to construct and addition to a school and additional parking stalls.

**BOARD OF ADJUSTMENT DECISION:** The Walworth County Board of Adjustment, during the meeting of November 13 & 14, 2013, did not vote on the petition of Joint School Dist No 4, owner / Edward Brzinski, Geneva Jt. 4 School District, Woods School, applicant.

**BOARD OF ADJUSTMENT FINDINGS:** This petition has been **POSTPONED** until further notice at the applicant's request.

Hearing – Count #8:50:59 – 9:47:10 / Decision – Count #8:37:43 – 8:53:03

The Third Hearing was Timothy J. & Karen S. Martin, owners / Attorney Richard W. Torhorst, applicant – Section(s) 5 – Linn Township

Applicants are requesting a variance from Section(s) 74-181 / 74-219 / 74-232 of Walworth County's Code of Ordinances – Shoreland Zoning to permit the location of a deck.

**REQUIRED BY ORDINANCE:** The Ordinance requires a 3' side yard setback and 14' rear yard setback for an uncovered deck.

**VARIANCE REQUEST:** The applicants are requesting a 2.5' side yard and a 2.2' rear yard for an uncovered deck. The request is a variance from Section(s) 74-181 / 74-219 / 232 of Walworth County's Code of Ordinances – Shoreland Zoning to permit the location of a deck.

**BOARD OF ADJUSTMENT DECISION:** The Walworth County Board of Adjustment, during the meeting of November 13 & 14, 2013, for the petition of Timothy J. & Karen S. Martin, owners / Attorney Richard W. Torhorst, applicant, voted to **APPROVE** the request for a 2.5' side yard and to **MODIFY AND APPROVE** a 2.2' rear yard for an uncovered deck to an 8' rear yard setback.

**A motion was made by Ann Seaver to approve the side deck at 2.5'.**

**Ann Seaver rescinded her motion.**

**Gregory E. Guidry made a motion to approve the side yard setback variance request of 2.5' and the modified variance request for the rear yard setback of approximately 8'.  
Seconded by Ann Seaver. Motion carried. 3-favor 0-oppose**

**BOARD OF ADJUSTMENT FINDINGS:** The Board found the 2.5' side yard setback request to be a small increment of relief. The Board found to modify and approve an 8' rear yard setback would not adversely affect the neighboring property as the codes exist at this time. The Board found the 8' rear yard setback offered by the applicant a compromise that considered the neighbors concern regarding the septic system setback requirements on the vacant parcel to the south. The Board found the variance request was for an owner that bought the property with structures existing. There was a letter from the Town of Linn in support of the existing side yard setbacks and in opposition of the rear yard setback request. There was a letter of concern from a neighboring property owner who also spoke at the hearing.

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

Hearing – Count #9:47:19 – 10:10:44 / Decision – Count #8:53:04 – 8:58:47

The Fourth Hearing was Michael Klumb, owner / Horwath Builders, applicant – 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 a boathouse.

**REQUIRED BY ORDINANCE:** The Ordinance requires a 25' street yard setback.

**VARIANCE REQUEST:** The applicants are requesting a 3' street yard setback. The request is a variance from Section(s) 74-167 / 74-181 / 74-221 of Walworth County's Code of Ordinances – Shoreland Zoning to construct a boathouse.

**BOARD OF ADJUSTMENT DECISION:** The Walworth County Board of Adjustment, during the meeting of November 13 & 14, 2013, for the petition of Michael Klumb, owner / Horwath Builders, applicant, voted to **APPROVE** the request for a 3' street yard setback.

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

**BOARD OF ADJUSTMENT FINDINGS:** The Board found the boat launch/street to the east side of the property to be a unique property limitation. The Board found the boat launch to be a low-speed traffic area and not in use year round. The Board found that the strict compliance with the ordinance requirements is unnecessarily burdensome. The Board found the proposed placement of the accessory structure would protect the neighbors view of the lake. The Board found to place the accessory structure elsewhere on the property would cause harm to public interests. There was no support. Two people from the Geneva Lake Conservancy spoke in opposition. There was a letter of opposition from the Geneva Lake Conservancy.

**Other**

- A. Discussion / possible action on Township correspondence – none
- B. Update / discussion on BOA annual report and recent BOA decisions
  - 1. Paul Demchenko / Whitewater Township  
Foundation in / septic tank installed / proceeding with permit
  - 2. Robert S. Luke / La Grange Township  
County needs final landscape plan submitted at this time
  - 3. Christopher Sandberg / Sugar Creek Township  
No permit applications submitted to the County at this time
  - 4. Catherine Thompson Trust / Richmond Township  
Property brought into compliance as of October 31, 2013
  - 5. Donna J. Milne Trust / East Troy Township  
Property brought into compliance as of November 1, 2013

**Staff Reports**

- A. Court cases update
  - 1. Litowitz / Bear Cave / Winston / Delavan Township  
This item is currently in Circuit Court
  - 2. Growth Management Corporation / Delavan Township  
This item is currently in Circuit Court

3. Vista Pointe LLC / Delavan Township  
This item is currently in Circuit Court

B. Distribution of reports, handouts and correspondence - none

**Proposed discussion for next agenda**

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

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

---

ANN SEAVER  
WALWORTH COUNTY BOARD OF ADJUSTMENT

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





DRAFT 11/4/13

PLEASANT LAKE PROTECTION AND REHABILITATION DISTRICT  
BOARD MEETING  
SATURDAY, NOVEMBER 2, 2013, 9:35 AM  
LAGRANGE TOWN HALL  
MINUTES

Present: Dave Stamm (chair, 2015), Ted Slupik (treas, 2015) by phone, Marcia Sahag (sec, 2016), Pat Kachur (2014), Bob Arnold (County), Don Sukala (Town)

Absent: Doug Behrens (2016)

Public Attendance: Rick Callaway, Peter Schuler

1. Approval of Agenda (Dave): Motion to approve the Agenda (Pat/Bob). Carried unanimously.
2. Approval of Minutes of 8/13/13 and 9/14/13 (Marcia): Motion to approve the Minutes of 8/3/13 (Bob/Don). Carried unanimously. Motion to approve the Minutes of 9/14/13 (Bob/Pat). Carried unanimously.
3. Treasurer's Report (Ted): As of 10/31/13, the balances in the People's Bank accounts are:

Checking	\$37,513.60
Money Market (reserves acct)	\$39,730.96
Grant Fund (restricted acct)	\$19,236.10
Total	\$96,480.66

Motion to approve the Treasurer's report (Ted/Pat). Carried unanimously. There will be a Finance Committee meeting on November 16 at 11:00 am.
4. POA Report (Peter Schuler):
  - a. Fish Management report: Keystone Hatcheries is stocking 45 northern today, 11/2/13, for a cost of \$511.50. There are fewer fish available due to the spring weather conditions. There was a contribution for fish stocking to the POA of \$11.50. The request for reimbursement is for \$500.00. The remaining budgeted amount of \$1000.00 that is not spent on fish stocking is requested to be used to reimburse the POA for the Fish Crib project crib installation. The DNR policy is to not reveal the locations of the Fish Cribs because the purpose is to protect the fish so they grow and reproduce and enhance fishing long term.  
Motion that the District policy is to not reveal fish crib locations based on the purpose of the cribs to provide protective fish habitat to enhance fishing in the long term in keeping with DNR policy and permitting (Marcia/Dave). Carried unanimously. To better accommodate POA activities, the budget line item designation should be changed to Fish Management instead of Fish Stocking
  - b. Website & Directory report (Ted): The website improvements are being worked on and tested. The changes will be more user friendly. The plans are to have them in effect January, 2014.
5. Budget expense request from POA (Peter): Motion to apply \$1000.00 of the fish stocking budgeted line item to reimburse the POA for Fish Crib installation expense for 2013 (Marcia/Ted). Carried unanimously.
6. Invoice Policy & Procedures revision (Marcia): Motion to revise item #4 of the District "Policy and Procedures to Approve Invoice Payments" changing the percentage of

budget line item overage needing board approval from 110% to 115% (Marcia/Dave).  
Carried unanimously.

7. Operating reserves use for unplanned budget item overages (Ted): The Finance Committee will discuss this and make its recommendations to the board.
8. Preliminary 2015 Budget discussion (Ted): The Finance Committee is meeting on November 16 to begin the budget process and developing recommendations to present to the board.
9. Emergency situations authorization (Marcia): This is to authorize the board chairman to act and make decisions in emergency situations and in situations needing prompt decisions and then get board approval as soon as possible after the fact. Example situations could be proceeding with extra weed control or actions in case of health hazards from water quality issues. The Town of LaGrange has an ordinance to cover such unforeseeable situations. Motion to approve Resolution number 2013-02 authorizing the PLPRD Board Chairman to act in emergencies or situations requiring prompt actions and to obtain Board approval as soon as possible after the fact (Marcia/Don). Carried unanimously.
10. Aquatic Plant Management/Weed Control report (Marcia): SEWRPC sent the preliminary report of their Aquatic Plant Management Plan update. The conclusion is "Based on the lists of dominant species in the Lake and relative abundance of Eurasian water milfoil compared to the native species, there appears to be little significant change in the aquatic plant community since the 2007 survey... The presence of a diverse plant community, especially pondweeds, is generally considered to be indicative of a healthy lake and good habitat for fishes and aquatic life". The report also stated, "Although these few preliminary findings regarding Eurasian water milfoil populations in Pleasant Lake on 2013 appear encouraging, it may be prudent to assume a more cautious view of the situation until a more complete and thorough examination of the 2013 data can be presented in the finalized update report". We are waiting to receive SWRPC's final report.
11. Drain Report (Dave): On 11/1/13 Dave and Marcia and Tim Barbeau of RA Smith National met with DNR staff Travis Schroeder, Water Management Specialist, and Heidi Bunk, Lakes Biologist. Travis is responsible for issuing the permits for projects like ours. Referring to Tim Barbeau's report of 9/25/13, (1) using the "pond" would not allowed. It would be expanding the lake and would be a connected enlargement. (2) He would issue a permit for a pipe adjacent to the wetlands parallel to Hancock Lane as long as it doesn't get into the wetlands. However, any contact with the wetlands would need a wetland permit which would be feasible if within reason for construction purposes. (3) For any solution, the degree of slope is a critical issue. It is necessary to know the change in elevation of the route of the pipe in order to know what is feasible. (4) The lake gauge must be a "fixed structure" with access from the public launch and requires a miscellaneous structure permit. For the drain system, the engineers are considering different pipe sizes and the amount of time required to move water given different rates of precipitation. For any increase in the size of pipe greater than the current 10 inches, the DNR would require additional engineering studies of the east side of Pleasant Lake Road to assess the impact of water flow on that side of the road. We can change the scope of the current grant for this. It may entail an additional grant. If the pipe remains 10 inches, we do not need to do anything on the east side of the road. Assuming that the drain is

kept clear and it only rains once, the following examples are estimates of the length of time for water drainage to reach the high water mark for one "10 year rain event" (when the amount of rain received is about 3.5 inches in 24 hours for one event):

- a. The current system (10 inch pipe): 115 days
- b. 10 inch pipe, drop box inlet, gentler bends: 40 days

(This amount of precipitation does not include snow or ice or more than one rainfall within the 115 or 40 days.)

More time is needed to study the different options. We need to do something because the current concrete pipe is deteriorating and the current type of inlet clogs and is ineffective. We are getting closer to estimating costs of different options but we need to know the options' effects on the east side of Pleasant Lake Road. Hopefully, by the next meeting we will have more information of a realistic way to improve the drain system.

12. Goose Control (Dave): Nothing to report at this time.

13. Schedule meeting dates 2013 & 2014 (Dave): The different calendars for meetings with the Annual Meeting held in June or in August were reviewed. The consensus at this time would be to use the calendar with the Annual Meeting scheduled in August and with the Annual Meeting date to be August 23, 2014.

Marcia will ask Heather at Pottawatomie Hills to reserve that date for us. The next scheduled board meeting date is Saturday, February 1, 2014, at 9:00 AM.

Motion to adjourn at 10:55 (Don/Pat). Carried unanimously.

Respectfully submitted,  
Marcia M Sahag, Secretary  
PLPRD



## WHITEWATER-RICE LAKES MANAGEMENT DISTRICT

P.O. Box 301  
Whitewater, WI 53190



### MINUTES

Oct. 17<sup>th</sup>, 2013

The Oct. 17<sup>th</sup>, 2013 Whitewater/Rice Lakes Management District board meeting was called to order by Chairman Rich Charts at 6:01PM. Board members present were Ernie Roy, Brad Corson, Chuck Chamberlain, and Jerry Grant, County Representative.

Absent: Larry Brady

Standing Teams Absent: Tom Potrykus, Dave Clevon

Clerk Present: Susie Speerbrecher

Guest Present: Jeff Widner

### ADMINISTRATIVE

Jerry motioned to approve the agenda as presented, and was seconded by Ernie. Motion Carried.

Brad motioned to approve the minutes from the Sept. 12<sup>th</sup>, 2013 as presented. Ernie seconded the motion. Motion Carried.

**PUBLIC INPUT** – None.

### COMMISSIONER REPORTS

Secretary – Ernie reported no correspondence was received. He also mentioned that a signed copy of the previous Bi-Laws had not been located. Rich shared information about a book he found while going through some archives dating back to 1972 titled "Ecology Committee of Whitewater Lake Year End Report " April 1971 to 1972. He scanned the information and the book is now on the website. The website also has the following information: 2005 Walworth County Landowners Survey, Rice Lake Landowners Survey, and Whitewater Lake Landowners Survey.

Finance – Brad reviewed the expense handout for September 2013. The total expenses were \$24,816.08. He then motioned to approve these expenses. Ernie seconded the motion. Motion Carried. He then reviewed the Comparative Income Statement and Monthly Spending Analysis handouts with the board. No further action was needed after the review. Brad then reported he has received the insurance claim check for repairs to Rich's boat. Rich reported he sent a letter to Camp Joy and we should be receiving a check for \$350 in the near future.

Weed – No report as weed harvesting has been completed for the year.

Chemical – Ernie reported we have received the grant for the Aquatic Plant Survey totaling \$5,025 and Sewrpc will donate \$1000 toward the total cost of \$8500. He said everything is in order and that the grant has been signed and sent back. He then reported that Amy Kay from Clean Lakes

and himself recently did a weed survey and she has taken samples back with her to be analyzed for hybrid weeds.

Bog - Rich reported new bogs came up in unusual areas of the lake, however, it was too late in the season to harvest them. He reviewed his handout called Bog Taskforce Proposal. This is in reference to the August 2013 annual meeting when property owners were told a 10 year bog removal proposal would be on the 2014 annual meeting agenda. Tom Ganfield our Water Quality standing team member has been investigating borrowing or renting a DNR robot with an underwater camera. This device would be helpful to investigate just what we are dealing with under the water. The goal of the board is to have the bog under control by the end of 2023.

Equipment – Chuck reported the 7' harvester is at Inland Marine for paddle wheel issues and repairs should be completed in two weeks. Chuck also mentioned that over the winter he will be investigating reliable communication systems to be used on our equipment. Poor communication is a continuing issue between all pieces of equipment on or off the water.

## **REPORTS OF STANDING TEAMS**

Fish Stocking – In Tom's absence Ernie reported 1100 Walleye are scheduled to be stocked in the lakes and of that 63 will be put in Rice Lake. He has asked the Whitewater Lions Club to have any Walleye's caught at their Fish-er-ree be on a catch and release basis. This will allow them and pan fish to grow larger. Depending on the weather either the months of November / December are on the schedule for John Haler, the Carp Fisherman to set up and harvest carp in both Whitewater and Rice Lakes. There was a meeting regarding pan fish held in Stevens Point that Tom attended.

Wildlife Management – No report

Audit – No report

Safety – No formal report, just a reminder a Boat Safety Class will be held in spring.

Rich - The schedule was reviewed, no changes needed to me made as we are on target to accomplish all tasks by the end of 2013.

Water Quality – No formal report. The underwater camera (robot device) was brought up earlier in the meeting.

## **OLD BUSINESS**

The RFP for the Service Contract was discussed. Brad will make revisions applicable for the 2014 weed harvesting and bog removal season and submit it to Susie no later than Monday Oct. 20<sup>th</sup>, 2013. The RFP will be published in the Whitewater Register on October 24<sup>th</sup> and 31<sup>st</sup>. Bids will be reviewed at the December 19<sup>th</sup>, 2013 board meeting.

Chuck strongly suggested to the board we do not submit an RFP for repairs on the Transport. He reasoned with the board that this piece of equipment is a 1992 model and has a new outboard motor on it and repairs would not be cost effective. Due to the age of the Transport, Aquarius is not willing to submit a proposal for repair. It is possible a grant could be received toward the purchase of a new machine in 2015. Chuck then made a motion that we do not proceed with a proposal to renovate the transport in 2014 due to the age of the machine and to look into a grant for matching funds. Ernie seconded the motion. Motion Carried. Discussion followed regarding the possibility of looking into used equipment and the resale value of the 1992 existing Transport.

Brad mentioned to the board if it was possible to have no parking signs at the boat launches around the lake and only have parking available at launch on State Park Road. This would be a town issue to take up with Norm Prusener.

Ernie suggested to the board he would like delay posting an RFP for chemical spraying until January 2014 as at that time new pricing would be available to the contractors. He would like to extend a contract with Clean Lakes for two years. He will ask them for a quote in January.

Bi-Laws – Ernie reported a signed copy of any previous Bi-Laws was unable to be found. He will contact Mr. Jim Dechene and proceed with what we presently have in hand.

## **NEW BUSINESS**

Rich asked for approval of the minutes from the Property Owners Annual meeting in August as there were additions and corrections. Susie will resend the final draft to the board for approval. Rich will then post the minutes on the website.

Review of 2014 contract needs table to the next meeting

## **OTHER BUSINESS**

Rich mentioned he is researching who were previous board members of the Lakes Management District. He will ask Gary Marvin to help provide some of this history information.

A presentation of the Kettle Moraine Land Trust will be given near the end of next month's meeting.

## **NEXT MEETING**

November 14<sup>th</sup>, 2013 6 PM Whitewater Town Hall

Meeting adjourned at 7:57 by a motion from Ernie and seconded by Chuck. Motion Carried.

Respectfully Submitted

Susie Speerbrecher  
Clerk

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

October 16, 2013 Meeting – 1:15 p.m.

Walworth County Board Room  
Government Center – Elkhorn, Wisconsin

---

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

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

Others present – Linda Seemeyer, Director of Health and Human Services/Lakeland Health Care Center Superintendent; David Thompson, Deputy Director of Health and Human Services; Juliet Young, Health and Human Services; Jessica Conley, Finance; David Bretl, County Administrator; Nancy Russell, County Board Chair; Ety Wilberding, Health and Human Services Manager; Janis Ellefsen, Health and Human Services Manager; Megan Dreger, Public Health Nurse, Erica Bergstrom, Public Health Environmental Health; Ety Wilberding, Health and Human Services Manager; Michael Cotter, Corporation Counsel; Hsing-Yi Ms. Hsieh, Eastern Unit Supervisor for Food Safety and Recreational Licensing

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

The closed session of the agenda was removed. **Motion and second by Supervisors Monroe/Brellenthin to remove this item from the agenda. Motion carried 6-0**

There were no agenda withdrawals. **Motion and second by Supervisor Brellenthin/Monroe to approve the agenda. Motion carried 6-0**

The Health and Human Services minutes from the September 18, 2013 meeting were approved. **Motion and second made by Supervisor Schaefer/Brellenthin to approve the minutes. Motion carried 6-0.**

Public Comment – There was no public comment.

Unfinished business –

*Waukesha County Opportunity to Collaborate on Crisis Services* – Ms. Seemeyer stated that there will not be a collaboration between Walworth and Waukesha Counties at this time.

New Business –

*Current Environmental Health and Future Plans* – Dr. Thompson introduced Jan Ellefsen, Public Health Manager and Public Health Officer for Walworth County. Ms. Ellefsen

introduced Megan Dreger and Erica Bergstrom who work in Public Health. They gave a presentation on a proposed plan for environmental health.

Supervisor Grant asked what services Walworth County Public Health bills the Department of Natural Resources for at this time. Ms. Ellefsen stated it was specifically for public water systems and stated that consumers and the DNR pay the fees.

Supervisor Schaefer asked if the department is currently doing water sampling. Ms. Bergstrom stated that the department is collecting certain water samples. Per a request from the DNR the department shifted the schedule of water tests to test for nitrates and bacteria at various times throughout the year.

Supervisor Monroe asked if the department was collecting samples from just businesses. Ms. Bergstrom stated samples are collected for some businesses. Residents can obtain testing supplies for residential wells.

Supervisor Grant asked about costs for the service. Ms. Bergstrom stated that fees collected cover most of the costs.

Supervisor Grant addressed concern of liability issues. Ms. Ellefsen stated there is no history of a liability case involving water testing.

There was a discussion about the possible expansion of environmental health to include agent status and restaurant inspections. Supervisor Schaefer asked who sets the rates. Dr. Thompson stated that the State would not be setting the fees but rather the Board of Supervisors would determine future fees. Ms. Hsieh, State Representative, stated that the last time fees were set it was based on a time study.

Supervisor Grant asked about uniform inspections at the State level as opposed to the local level. Ms. Ellefsen stated that Walworth County is in the minority, that most counties do inspections at the local level. All counties use the same program and standards.

Citizen Representative Wucherer asked if the protocols were the same for both retail establishments and restaurants. Ms. Hsieh stated the State standardizes local staff and that the program is evaluated every 5 years.

Supervisor Schaefer asked how many inspectors the State has currently. Ms. Hsieh stated there are 24 positions and the State is in support of counties conducting the inspections.

Supervisor Grant asked if the number of inspectors would change. Ms. Hsieh explained that current inspectors for Walworth County would transition into being consultants for local inspectors and the program.

Supervisor Monroe stated he would prefer inspectors to be local. Citizen Representative Wucherer asked where State staff would be located. Ms. Hsieh stated they would stay where they are now.

Supervisor Grant asked for clarification on the number of inspectors for Walworth County. Ms. Hsieh stated there are two inspectors now (down from four) but that they also serve other jurisdictions.

Supervisor Schaefer asked how restaurants that don't open until the evening get inspected. Ms. Bergstrom stated that a benefit with local control would be to set shift schedules to cover those hours.

In a discussion of water testing, Supervisors Grant and Schaefer asked about testing city water. Ms. Ellefsen stated that when the department is able to do its own water testing that those municipalities could have their water tested at Public Health.

Supervisor Grant asked who certifies the lab. Ms. Bergstrom stated that both the Department of Agriculture and DNR would certify the lab.

Supervisor Schaefer asked what is the cost for setting up the lab. Ms. Ellefsen stated it would cost approximately \$12,000 for equipment and training costs to establish the water lab.

Supervisor Grant asked if there are guaranteed contracts if the program proceeds. Ms. Ellefsen stated that there were contracts.

Supervisor Schaefer asked about the proposed agent program being at a negative \$38,000 in 2014. Ms. Ellefsen and Ms. Seemeyer explained that the program would initially cost money but in a couple of years, as the program expands, it would become self-sustaining.

Supervisor Grant asked about new wells. Ms. Ellefsen stated that Land Use does septic and water permitting and that the department is not looking to take over LURM functions. Supervisor Grant asked about private well testing. Ms. Ellefsen stated that the department sends kits and does the analysis.

Supervisor Grant asked about recreational licensing. Ms. Hsieh stated this would be included in the full agent status.

Supervisor Grant asked about notifying the state on violations and follow up. Under full agent status the county would have the responsibility for follow through.

Supervisor Schaefer asked if the State would still issue the license. Ms. Hsieh stated that as a full agent the county would issue the license and on limited agent status the State would issue.

Supervisor Grant asked why full agent status is better financially. Ms. Ellefsen stated there are more revenue opportunities.

Citizen Representative Wucherer asked if the computer system did the licensing. Ms. Hsieh stated it does.

Supervisor Grant asked why full agent status takes three years. Ms. Ellefsen explained that the three years is an estimated amount of time to make sure everything is in place and running smoothly.

Supervisor Schaefer asked if inspectors go to school to be qualified. Ms. Hsieh stated they are licensed after passing an exam.

Citizen Representative Wucherer asked if establishments have paid for the license and have not been inspected. Ms. Hsieh said yes and they would be inspected.

Supervisor Schaefer asked about the 145 establishments that were overdue for inspection. Ms. Ellefsen stated that number was provided by the State. Supervisor Schaefer asked if these were the places that did not open until later on in the day. Ms. Hsieh stated probably not since the State does conduct inspections late in the day.

Supervisor Grant asked to see the list of establishments that are overdue for inspection. That information was not available at this meeting. Ms. Hsieh stated the State is working on completing these inspections.

Supervisor Grant asked why these places were not inspected in the two year timeframe. Ms. Hsieh stated the State was in a restructuring process and they are working on catching up.

Supervisor Schaefer asked if the State had any jurisdiction over bars. Ms. Hsieh stated that if an establishment only serves liquor they are not licensed by the State but rather have a liquor license through their municipality.

Supervisor Grant asked about tax levy. Ms. Ellefsen said that eventually the program would not rely on tax levy.

Citizen Representative Wucherer asked if the timeframe mentioned in this presentation is negotiable. Ms. Ellefsen said it could be done sooner if this committee wants it to happen sooner.

Supervisor Schaefer expressed concern with having local authority doing inspections. Ms. Bergstrom and Dr. Thompson stated these concerns are common but most places find more benefits with having local authority.

Mr. Bretl stated there were similar concerns with localizing zoning and it does require a change in the culture.

Supervisor Grant asked about the proposed water laboratory facility. Dr. Thompson stated that establishing a water lab in Public Health has been discussed previously. Ms.

Seemeyer stated the costs for the lab could be absorbed in the 2013 budget. Dr. Thompson said that this was not so much of a policy change but rather an exercise in best practices.

Supervisor Russell agreed with Mr. Bretl and stated she favored State inspectors over local authority.

Supervisor Schaefer asked if Walworth County would receive more fees if it went to local authority. Ms. Ellefsen stated that Walworth County would receive the fees rather than the State.

Citizen Representative Wucherer thanked Public Health for their presentation.

Walworth County Inspired Community Healthcare Proposed Logo – Dr. Thompson stated that this group is looking for permission to use the Walworth County logo as part of the combined effort to introduce dental services to consumers on Medical Assistance.

Supervisor Grant stated he did not think this committee had the authority to give permission to use the County logo.

Supervisor Grant asked how much is the department paying in operating costs for this clinic. Dr. Thompson stated the department is not paying anything as this time.

Supervisor Grant asked about advertising for this clinic. Dr. Thompson stated the word was being passed around through Public Health and the schools.

Supervisor Grant asked about rental costs for the clinic. Dr. Thompson stated the Inspiration Ministries converted one of its apartments to be a clinic and there is no rental cost.

Supervisor Brellenthin suggested dropping the Walworth County banner from the logo. Supervisor Russell added changing the picture of the baby to a child. Ms. Seemeyer stated that the consortium would like to move forward and was not asking the County to make significant changes.

Supervisor Schaefer asked if the County logo was trademarked. Mr. Bretl stated that it was not trademarked.

**Motion and second made by Supervisor Brellenthin/Citizen Representative Wucherer to approve the use of the Cupola in this logo removing the Walworth County and Year from the banner. Motion carried 6-0.**

*Transportation Public Hearing Date* – The committee decided to hold the transportation public hearing at 10:00 a.m. on Friday, November 22<sup>nd</sup> in the County Board Room.

*Criminal Justice Coordinating Council (CJCC) Grant* – Dr. Thompson discussed the highlights of the grant. He is asking this committee if they want the department to provide the treatment in-house or contract it out.

Supervisor Grant asked if the department currently has staff to provide this service. Dr. Thompson stated that the department does not have enough staff for this service.

Supervisor Schaefer asked if a position was created for the purposes of this grant if the position would be eliminated if the grant was gone. Dr. Thompson stated the position would be eliminated if and when the grant was eliminated.

Mr. Bretl gave an overview of the grant and expressed concerns over space needs at HHS and said it would be a challenge to find room for additional staff.

Supervisor Schaefer asked about contracting out for this service. Dr. Thompson said there are providers out there. He added that it would be best to have this service performed in-house but due to priorities and the space realities that a contract would be a better decision at this time.

Supervisor Brellenthin asked where this provider would be located. Dr. Thompson stated it would depend on the vendor.

Supervisor Grant asked if HHS needed to do anything for the grant application. Dr. Thompson stated that the CJCC is applying for the grant.

**Motion and second made by Supervisors Monroe/Brellenthin for the preference to be to use an outside provider if an appropriate providers can be identified for the CJCC Grant. Motion carried 6–0.**

*Ordinance No. \*\*-11/13 Amending Section 30-173 of the Walworth County Code of Ordinances Relating to Health & Human Services Fund Balance Policy* – Ms. Seemeyer stated this ordinance is on the agenda for the upcoming Finance Committee meeting and relates to the Seal-a-Smile grant carry over.

**Motion and second made by Supervisor Schaefer/Citizen Representative Wucherer to recommend this ordinance to the Finance Committee. Motion carried 6–0.**

Reports –

*IM Update* – Ms. Seemeyer gave a brief update on the Affordable Care Act.

*HVAC Project Update* – Ms. Seemeyer stated the project is moving along on schedule and that staff moves are happening at this time.

*Follow up to Quality Service Review* – Ms. Wilberding briefly reviewed the items in the packet.

*AIDS Resource Center Memorandum of Understanding* – Ms. Seemeyer stated this Memorandum of Understand will provide clinic space for testing.

Supervisor Grant asked if this request was initiated by the AIDS Resource Center or HHS. Ms. Seemeyer stated the AIDS Resource Center approached the department.

Supervisor Grant asked if the department had and issues or concerns. Ms. Ellefsen stated she had some concerns but nothing major.

Correspondence –

Ms. Seemeyer stated that if anyone receives a call from the public regarding a letter from the Hunger Task Force to contact her.

Announcements – There were no announcements.

Next Meeting Date – The next meeting is scheduled for November 20, 2013 at tentatively 1:15 p.m. following the Lakeland Health Care Board of Trustees meeting.

Adjournment – **On motion and second by Supervisors Monroe/Schaefer Chair Grant adjourned the Health and Human Services meeting at approximately 3:21. Motion carried 6-0.**

---

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

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

October 16, 2013 Meeting – 1:00 p.m.

Walworth County Meeting Room 111  
Government Center – Elkhorn, Wisconsin

---

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

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

Others present – Linda Seemeyer, Director of Health and Human Services/Lakeland Health Care Center Superintendent; David Thompson, Deputy Director of Health and Human Services; Bernadette Janiszewski, Nursing Home Administrator; Juliet Young, Health and Human Services; William Wucherer, Health and Human Services Citizen Representative; Jessica Conley, Finance; David Bretl, County Administrator; Nancy Russell, County Board Chair; ETTY Wilberding, Health and Human Services Manager; Janis Ellefsen, Health and Human Services Manager; Megan Dreger, Public Health Nurse, Erica Bergstrom, Public Health Environmental Health; ETTY Wilberding, Health and Human Services Manager; Michael Cotter, Corporation Counsel; Hsing-Yi Ms. Hsieh, Eastern Unit Supervisor for Food Safety and Recreational Licensing

Public in attendance – There was one member of the public in attendance.

There were no agenda withdrawals. **Supervisor(s) Brellenthin/Monroe moved to approve the agenda. Motion carried 4–0.**

The Lakeland Health Care Center Board of Trustees committee minutes of the September 18, 2013 were approved with one correction. **Motion and second made by Supervisor(s) Monroe/Brellenthin to approve the minutes. Motion carried 4–0.**

Public Comment – There were no comments from the public.

Unfinished Business – There were no items of unfinished business.

New Business –

*Information Dispute Resolution* – In response to a question regarding our options if we do not agree with the findings of a State surveyor, Ms. Janiszewski explained the Information Dispute Resolution (IDR) process. The IDR is a way to dispute differences outside of formal litigation. The Department of Quality Assurance contracts with an outside agency to review regulatory standard, the statement of deficiency and information that the nursing home provides.

Supervisor Grant asked if this was similar to mediation session. Ms. Janiszewski stated that it was and the IDR process does not prevent us from filing a formal appeal.

*Amending Section 30-181 of the Walworth County Code of Ordinances Relating to Enterprise Funds Net Position* – Ms. Andersen, from the Finance Department, gave an overview stating this is future planning. Ms. Conley, also from Finance, went over the detailed changes. The amendment allows the equipment, building and allowance for inventory and prepaid expense to grow each year in order to cover future expense.

Supervisor Grant asked if these changes will offer more flexibility. Ms. Andersen stated that it would.

Supervisor Monroe asked if these changes were similar to the change for the Department of Public Works. Ms. Andersen stated that they were similar.

Mr. Bretl stated it could be considered controversial by some because it goes beyond having the bare minimum in these funds. Carrying a large fund balance is a critical step to insure an updated nursing home in the future. Supervisor Brellenthin asked if there was a limit built into the ordinance. It was stated there were limits.

**Motion and second made by Supervisors Brellenthin/Monroe to recommend the changes made to this ordinance. Motion carried 4-0.**

Reports –

*LHCC Administrator's Report and Financial Update* – Ms. Janiszewski's budget is on track and there is nothing unusual to report. The safety committee is reviewing kitchen workers compensation incidents to see if more education regarding specific safety practices is necessary.

Correspondence – There were no correspondence.

Announcements –

Supervisor Grant encouraged the committee's attendance at the events.

Supervisor Grant asked a question regarding the portability of the new generator. Ms. Janiszewski stated although it was too large to be permanently set on wheels, it could be moved via a trailer.

Next Meeting Date – The next meeting is tentatively scheduled for November 20, 2013 at 1:00 p.m.

Adjournment – **On motion and second by Supervisor(s) Brellenthin/Monroe, Chair Grant adjourned the Lakeland Health Care Center Board of Trustees meeting at approximately 1:16PM. Motion carried 4-0.**

---

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

**Walworth County Human Resources Committee**

**MINUTES**

October 16, 2013 – 3:00 p.m.

County Board Room 114 – Government Center

Elkhorn, Wisconsin

***DRAFT***

---

The meeting was called to order at approximately 3:31 p.m. by Chairperson Brandl.

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

Others present – Supervisor Nancy Russell; David Bretl, County Administrator; Nicki Andersen, Deputy County Administrator – Finance; Dale Wilson, Payroll/Benefits Manager; Linda Seemeyer, HHS Director; Kurt Picknell, Undersheriff; Kevin Brunner, Director – Central Services; Tracy Moate, Director – Special Education; John Orr, IT Director; Bernie Janiszewski, LHCC Administrator.

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

Approval of the September 18, 2013 Human Resources Committee meeting minutes was moved and seconded by Supervisor Brellenthin and Vice Chairperson Grant, and carried 5 – 0.

Public comment period – none.

Discussion and possible action regarding an amendment to Section 15-17 of the Walworth County Code of Ordinances Relating to Authorized Positions by Department Based on the 2014 Budget. Bretl explained that this is the ordinance that is passed annually relative to position changes in the budget. There is flexibility on the night of budget adoption to modify the ordinance based on what is adopted.

**Vice Chairperson Grant and Supervisor Monroe moved and seconded approval of the amendment to Section 15-17 of the Code relating to authorized positions by department based on the 2014 budget. The motion carried 5 – 0.**

Discussion and possible action regarding an amendment to Sections 15-359, 15-1045 and 15-1048 of the Walworth County Code of Ordinances Relating to Compensation for Certain CDEB Employees. Bretl explained that Tracy Moate and Suzi Hagstrom had discussed this prior to Hagstrom's departure. Moate explained that the previous teachers' contract outlined the miscellaneous compensation outside of teaching duties. Those were moved into the Code but haven't been updated since 2009. Moate explained that they did a survey to determine what other districts do when determining the compensation. The changes include rates for substitute teachers. If a substitute teacher is in the same position for 30 days, on day 31 they would begin to receive the daily rate of a teacher. That would not be retroactive to the first 30 days. Moate also pointed out the lunch pay. When teachers eat with the students, they receive \$6.58 per day for giving up their lunch hour. Lunch is a 40-minute period. Some teachers are actually feeding

*Draft*

students and others are teaching skills like lunchtime etiquette. Chairperson Brandl questioned who the director was referring to in section (a) on page 1. Bretl thinks that would be the Human Resources Director. Chairperson Brandl also questioned the reference to administrator on page 19. Bretl felt that reference could use clarification. Moate stated that they could change the reference to school administrator to make it exclusive to the school. Bretl suggested clarifying that entire section. He suggested keeping the authority with Moate as the director of special education, and she can delegate that authority to others.

**Supervisor Brellenthin and Vice Chairperson Grant moved and seconded approval of the amendment to Sections 15-359, 15-1045 and 15-1048 of the Code relating to compensation for certain CDEB employees. The motion carried 5 – 0.**

Discussion and possible action regarding an amendment to Sections 15-4, 15-6, 50-2 and 50-3 of the Walworth County Code of Ordinances Relating to the LHCC Administrator Position. Bretl explained that this amendment cleans up the Code to create a stand-alone department of the Lakeland Health Care Center. There may be other cleanup items later as well. Supervisor Brellenthin questioned the effective date of the ordinance. The effective date should be January 1, 2014. He also asked about the 2007 date in Section 15-6. That is the date that the position became a position under an employment contract, so that date should stay as is.

**Supervisors Brellenthin and Monroe moved and seconded approval of the amendment to Sections 15-4, 15-6, 50-2 and 50-3 of the Code relating to the LHCC Administrator position. The motion carried 5 – 0.**

Discussion and possible action regarding an amendment to Section 15-6 of the Walworth County Code of Ordinances Relating to At-Will Employment. This amendment would add the new county engineer position to the list of employees serving under employment contracts. They successfully recruited for an engineer and would like him to sign a contract.

**Vice Chairperson Grant and Supervisor Monroe moved and seconded approval of the amendment to Section 15-6 of the Code relating to at-will employment. The motion carried 5 – 0.**

Discussion and possible action regarding an amendment to Section 15-532 of the Walworth County Code of Ordinances Relating to Insurance Plans. Bretl distributed the draft ordinance. He explained that the ordinance did not include anything new that the board had not talked about or approved. The amendment explains which individuals on Tier 2 will get the county-funded HSA. Wilson explained each of the sections of the amendment. He added that there may be some additional changes needed to Section 2-45 of the Code for county board supervisors, but that will go to the executive committee. Bretl stated that those changes won't be anything new either. County board supervisors would get the county-funded HSA contribution if they choose Tier 2.

*Draft*

**Supervisors Brellenthin and Monroe moved and seconded approval of the amendment to Section 15-532 of the Code of relating to insurance plans. The motion carried 4 – 1 (Grant opposed).**

Deputy Sheriffs Association Bargaining. Chairperson Brandl read the closed session language. Supervisors Monroe and Brellenthin moved and seconded going into closed session. Roll call was taken. At approximately 4:06 p.m., the committee convened in closed session pursuant to the exemption contained in Section 19.85 (1)(e) of the Wisconsin Statutes, “Deliberating or negotiating the purchasing of public properties, the investing of public funds, or conducting other specified public business, whenever competitive or bargaining reasons require a closed session.” At approximately 5:20 p.m., on motion and second by Vice Chairperson Grant and Supervisor Brellenthin, the committee reconvened in open session.

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

Chairperson Brandl did not have any reports or announcements. Bretl stated that they are still working on the Human Resources Director search.

The next regular meeting of the Human Resources Committee was confirmed for November 20, 2013.

Adjournment. On motion and second by Supervisor Monroe and Vice Chairperson Grant, Chairperson Brandl adjourned the meeting at approximately 5:21 p.m.

---

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

**County Board Executive Committee**  
**October 14, 2013 at 10:00 AM**  
**County Board Room 114**  
**Walworth County Government Center**  
**100 W. Walworth St., Elkhorn, Wisconsin**  
**Minutes**

Chairman Weber called the meeting to order.

A quorum of Executive Committee members was in attendance, including Chairman Weber, Vice Chairman Kilkenny and Supervisors Brandl and Russell. Supervisor Schiefelbein was absent-excused. Others in attendance included Lee Huempfer, Assistant Corporation Counsel; Tamara Brodnicki, Downtown Whitewater Executive Director; Dave Saalsaa, Downtown Whitewater Board President; Jeff Hale, Walworth County Economic Development Alliance Board of Directors; Jerry Grant, County Board Supervisor; Brad Huza, Walworth County Metropolitan Sewerage District Administrator; Nicole Andersen, Deputy County Administrator – Finance; and, Dave Bretl, County Administrator.

The agenda was approved 4 - 0, with no withdrawals, on motion and second by Brandl and Russell.

The September 16, 2013 executive committee minutes were approved 4 – 0 on motion and second by Russell and Brandl.

There was no comment during the public comment period.

**Appointments.** Supervisors Kilkenny and Brandl moved and seconded reappointment of all of Mr. Bretl’s nominees listed below, except Nancy Russell. The motion carried 4 – 0.

*911 Governing Board* - reappointment of the County Administrator’s nominees, Jean Froggatt, Melody Lentz and Capt. Tim O’Neill

*Aging and Disability Resource Center Board* – appointment of Janet Kelly to fill the position vacated by Patti Pagel

*Local Emergency Planning Committee (LEPC).* The committee took a separate vote to reappoint the following incumbents. The vote was 3 – 0 (Russell abstained).

* John Ennis	* Kevin Kennedy	* Michael Katzenberg
* Senator Neal Kedzie	* Michael Ciardo	* David Fladten
* Jim Obligato	* Elizabeth Walsh	* David Thompson
* Richard Kuhnke	* David Graves	* Nancy Russell
* Mark Ruosch	* Kevin Brunner	* Dan Plutchak
* Eric Hudson	* Dave Bretl	

**Consent items**

Mileage reimbursement claims of Supervisor Stacey and Rich Kuhnke, Citizen Representative were approved on motion and second by Brandl and Russell; motion carried 4 - 0. Brandl and Weber moved and seconded approval of Supervisor Russell’s expense claim; the motion carried 3 – 0 (Russell abstained).

**New business**

*Presentation of WalCoMet 2012 Annual Report by Walworth County Metropolitan Sewerage District Administrator Brad Huza.* Huza summarized the 2012 report. He explained that drought conditions in

the county during the summer of 2012 contributed to reduced flow (infiltration inflow), which equates to reduced revenue. The City of Elkhorn is the largest community served by WalCoMet, followed by Delavan and Williams Bay. Weber noticed that Fontana wasn't reported. Huza said they have their own sanitary district, which is part of the sanitary district in Walworth. The Town of Walworth Dist. 1 entity in the report is Inspiration Ministries, the southern-most boundary of the WalCoMet service district. Russell asked about Kikkoman. Huza said they were reported together with one of the municipal districts, likely the Fontana-Walworth sanitary district. "I and I" means (inflow and infiltration). WalCoMet measures the "I and I" in the district it serves. Weber said Williams Bay has historically had a problem with "I and I" because of inability to get equipment close enough to lakefront homes to replace tiles. Huza said some of those problems have been corrected. Effluent levels are well below state permitted levels. WalCoMet discharges into Turtle Creek. Effluent levels are affected by oxygen level in Turtle Creek, which fluctuates during the summer season. Huza was asked how WalCoMet adjusts the amounts it releases during the fluctuating demand periods. Ammonia is removed from the effluent. The state is working on phosphorous issues experienced by farmers and wastewater treatment plants. Phosphorous comes primarily from farming methods and practices. Process changes and infrastructure are being reviewed. WalCoMet practices adaptive management collaboratively with the agricultural community and NRCS (Natural Resource and Conservation Service). Permits issued by the in 2015-2016 for effluent release levels will be for a ten-year phase. Huza was asked how phosphorous ends up in the wastewater. He said the DNR does not have a good avenue for controlling phosphorous run-off into waterways. The report indicated that user charges comprise 88% of WalCoMet's revenue. Revenue from connection fees is down. Debt service is about 43% of WalCoMet's budget, which is fairly high. WalCoMet's salary and benefits expense was, in the past, a concern of the executive committee and County Board. Huza said a 6.65% contribution is now paid to WRS (Wisconsin Retirement System) by all WalCoMet employees, including management. WalCoMet had previously offset that employee wage reduction with a bonus payment in 2011, said Kilkenny. Employees no longer receive that bonus. WalCoMet's 2012 operating expenses included appreciation. Long-term planning includes developing retention plants to re-fill aquifers. Lake Geneva uses artificial re-charging. Metering the golf course in Delavan is a possible artificial re-charge project. Delavan uses about 100 acre-feet of water per year. Aquifer re-charge capabilities need to be balanced with population growth. Holistic water resource management is typical in the Midwest U.S., Huza said. The odor problem that previously existed near the processing plant in Delavan was addressed in 2009 with installation of an odor abatement system. WalCoMet's 2012 report was placed on file.

*Discussion and possible action concerning correspondence from Tamara Brodnicki, Executive Director of Downtown Whitewater and potential financial support for city, village or town economic development.* Downtown Whitewater's correspondence provided a seven-year snapshot regarding the program's accomplishments. Jeff Hale, who serves on the WCEDA Board of Directors, contacted Bretl regarding the Downtown Whitewater request for funding. Bretl stressed the importance of a uniform approach by the county concerning requests to fund municipal programs. Since the Downtown program received state designation in 2006 as a "Main Street" program, its work has focused on collaboration with the university and state economic development. One example is the Pangea GIS mapping project. The foundation of the main street programs is "economic development through historic preservation." Big box stores have caused a loss of downtown business. Other incentives, including Wi-Fi, will help downtown businesses remain competitive. The Black Sheep Restaurant is an example of a downtown business; it opened last year. Dave Saalsaa, Downtown Whitewater Board President, said the Main Street program was developed to encourage communities to revitalize their downtowns. It leverages thousands of volunteer hours from the community. Whitewater is willing to mentor other County communities that decide to pursue a Main Street

program. The return on investment is significant, at \$12 for every \$1 invested. The program funding is used to reinvigorate square footage space, not just for façades. Saalsaa has been a retailer in downtown Whitewater for more than 30 years and attested to the program's success, which he said has reduced the burden on the municipal government. Funds from Whitewater's façade grant are all but spent. TIF districts located throughout the cities and villages in the county are reducing county revenue. The county contributes to WCEDA and the Visitors Bureau. Russell and Kilkenny indicated they would have difficulty providing funding to Downtown Whitewater given budgetary constraints, while at the same time being fair to other municipalities. City funding to the Main Street program has been reduced because of reduced state funding. Hale thinks helping this program could help to provide incentive to other communities to pursue Main Street programs. Kilkenny said he's never been a supporter of the county directly funding its communities. He recently learned there is \$135,000 in delinquent special assessments currently in the City of Whitewater. Russell said with its self-imposed 0% levy increase, if the county funded Downtown Whitewater, money in the proposed 2014 budget would have to be reduced to some other program. The nursing home and special needs school are priorities. Jerry Grant said because of the rate of return on investment the Downtown program has generated, it is an example for other communities. Bretl indicated that it's appropriate for the executive committee to learn about the program; however, any further consideration would need to be by the finance committee. Any supervisor is free to sponsor an amendment to the proposed 2014 budget. **Kilkenny moved to place on file the Downtown Whitewater correspondence and request for funding.** Chairman Weber said he hated to think the county couldn't fund the program but is struggling to fund its current programs. **Brandl seconded Kilkenny's motion, which carried 3 – 1 (Weber opposed).** Ms. Brodnicki encouraged developing partnerships with communities in the future and thanked the committee for the opportunity to present their report and successes. Saalsaa and Hale thanked the committee and encouraged them to consider funding this type of program in the future.

*Prospective County Board Supervisor class.* The class, which Bretl and Russell have put on three times (2007, 2009 and 2011), although not heavily attended, has proven beneficial for those who are seriously considering running for a County Board seat. A sense of the time commitment requirement is covered in a balanced way. Attendees have a chance to learn how issues are resolved at the Board. Tim Brellenthin attended the last class in 2011, and then ran for a seat the following spring and won. **Kilkenny moved support of Bretl and Russell conducting the class again this fall. Brandl seconded the motion, which carried 4 – 0.**

*Authorizing County assistance for visit by students from sister county.* Walworth County has participated in various exchanges over the years since establishing the sister county partnership in 2003. There was a change in leadership in Waldeck-Frankenberg, and the parliament re-evaluated expenditures for travel. Bretl said Sheila Reiff attended a recent fall 2013 partnership meeting at her own expense. He suggested providing an opportunity for her to report at an upcoming executive committee meeting or committee of the whole about the three objectives Waldeck-Frankenberg is currently focused on. Several years ago, Elkhorn Area High School pursued a sister school partnership with the Alte Landesschule in Waldeck-Frankenberg. In the past, Walworth County has covered the expense (approximately \$2,840) of providing transportation for visiting students from the sister school, to pay for a bus to transport them to Chicago and take them to the State Capitol in Madison. He recommended we provide support for the students' visit to Wisconsin this November. Russell expressed support, stating that it's important if we are to continue the partnership with Waldeck-Frankenberg. **She moved support in an amount not to exceed \$3,500, if funds are available. The motion was seconded by Kilkenny and carried 4 – 0.** Weber said a friend of his son, a welder from Chicago, had been discovered for his prowess and expertise by a German business that

wants him to assist them in marketing high alloyed welding for nuclear power plants and use by the NASA space program.

*Wisconsin Department of Administration final 2013 population estimate.* Brandl and Kilkenny moved to place the estimate report on file. Kilkenny pointed out that the slight increase was mainly due to the City of Whitewater increase from student population increase. According to our adopted Smart Growth plan, Walworth County is way behind in projected growth. The motion carried 4 – 0.

Chairman Weber had no announcements or reports.

The next regular Executive Committee meeting was confirmed for November 18, 2013 at 10 AM.

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

- a) Intent to sue – Raymond Franklin
- b) Notice of Claim received from John McDaniels
- c) Notice of Receiver’s Motion, Motion and proposed Order in re: B.R. Amon & Sons, Inc. – 13CV00363, Amon & Sons, Inc. – 13CV00365, Amon Land Company, LLC – 13CV00364, Lake Mills Blacktop, Inc. – 13CV00366

The committee reconvened in open session on motion and second by Brandl and Kilkenny. Kilkenny and Brandl moved and seconded the County Board denying the Raymond Franklin claim; placing on hold the John McDaniels notice of claim; and, placing on file item ‘c’, the receiver’s motion concerning litigation pertaining to Amon. The motion carried 4 – 0.

At 11:45 AM, Kilkenny and Brandl moved and seconded convening 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,” and section 19.85 (1) (e), “Deliberating or negotiating the purchasing of public properties, the investing of public funds, or conducting other specified public business, whenever competitive or bargaining reasons require a closed session,” relative to the item(s) listed below:

- Annual evaluation of the County Administrator
- Extension of County Administrator/Corporation Counsel’s employment contract

At 12:40 PM, Supervisors Kilkenny and Brandl moved and seconded reconvening in open session. Kilkenny and Russell moved and seconded proceeding as discussed in closed session with respect to the above-referenced matters. The motion carried 4 – 0.

Chairman Weber adjourned the meeting at 12:40 PM on motion and second by Brandl and Russell.

---

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

# WISCONSIN RIVER RAIL TRANSIT COMMISSION

EXECUTIVE COMMITTEE MEETING - FRIDAY, OCTOBER 4<sup>TH</sup>, 2013 @ 10AM  
 DANE COUNTY HWY GARAGE, 2302 FISH HATCHERY RD, MADISON, WI

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

Crawford	Tom Cornford, 3 <sup>rd</sup> Vice Chair (XCom)	x	Rock	Ben Coopman, Alternate	
	Rocky Rocksford	x		Wayne Gustina (left 12:10 PM)	x
	Vacant			Alan Sweeney, 1 <sup>st</sup> Vice Chair (XCom)	x
				Terry Thomas	
Dane	Gene Gray, Treasurer (XCom)	x	Sauk	Marty Krueger, Alternate	
	Jim Haefs-Fleming	x		Carol Held	
	Chris James	x		John Miller	x
				Dennis Polivka, Asst. Secretary (XCom)	x
Grant	Gary Ranum	x	Walworth	Jerry Grant	
	Vern Lewison			Richard Kuhnke, 4 <sup>th</sup> Vice Chair (XCom)	x
	Robert Scallon, 2 <sup>nd</sup> Vice Chair (XCom)	x		Allan Polyock	
Iowa	Charles Anderson, Secretary (XCom)	excused	Waukesha	Karl Nilson, Chair (XCom)	x
	William G Ladewig			Dick Mace	
	Jack Demby			Fritz Ruf	

Executive Committee met quorum.

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

<ul style="list-style-type: none"> <li>• Mary Penn, WRRTC Administrator</li> <li>• Troy Maggied, SWWRPC</li> <li>• Jim Matzinger, Dane County</li> <li>• Forrest Van Schwartz, pro bono Consultant</li> <li>• Ken Lucht, WSOR</li> <li>• Kim Tollers, Roger Larson, Frank Huntington, LeAnna B. Wall, Tom Koprowski WDOT</li> </ul>	<ul style="list-style-type: none"> <li>• Alan Anderson, Pink Lady RTC</li> <li>• Tony Fernandez, City of Madison</li> <li>• Tom Stetzer, Strand Associates</li> <li>• Jeff Maloney, Vandewalle &amp; Associates</li> <li>• Jeff Kramer, Kramer Development, LLC</li> <li>• Tom Koprowski, WisDOT, SW Region</li> <li>• Aimee Bauer, Key Commercial Real Estate LLC</li> </ul>
---	---

3. Action Item.      **Certification of Meeting’s Public Notice** – *Noticed by Penn*
  - *Motion to approve public notice of meeting – Gustina/Cornford, Passed Unanimously*
4. Action Item.      **Approval of Agenda** – *Prepared by Penn*
  - *Motion to approve agenda – Kuhnke/Scallon, Passed Unanimously*
5. Action Item.      **Approval of draft September Meeting Minutes**– *Prepared by Penn*
  - *Motion to approve draft September Meeting Minutes with corrections – Polivka/Rocksford, Passed Unanimously*
6. Updates.      **Public Comment** – *Time for public comment may be limited by the Chair*  
 No Comments.

## WRRTC EXECUTIVE COMMITTEE APPROVED 2013 OCTOBER MEETING MINUTES

### 7. Updates. **Correspondence & Communications** – *Discussion may be limited by the Chair*

Penn distributed articles from Forrest Van Schwartz who spoke of them briefly. She told the Commission she'd received a letter from the McHenry County Conservation District announcing their hunting program for 2013. Van Schwartz then encouraged everyone to come to the November 5<sup>th</sup> Governor's Freight Conference at which Governor Walker will attend.

Gene Gray referenced an article in the Capital Times referring to the Watertown-Madison line and the future of rail in Jefferson County.

### 8. Updates. **Announcements by Commissioners** – *No Discussion Permitted*

No announcements.

## REPORTS & COMMISSION BUSINESS

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

- Treasurer's Report for September and Payment of Bills

Checks included

- Dane County Highway - \$282.55
- SWWRPC 3<sup>rd</sup> Quarter - \$5,742.69

Jim Matzinger gave his report, pointing out that the 2012 projects have been paid. He noted that for 2013, nothing has been paid out yet and the only charge is the bad debt expense for prior years' assessment. He noted that WSOR has been billed for their lease, as well as the four different companies leasing sign space from the Commission. Under expenses he explained what the Commission is spending on running itself. Billing for the audit and legal expenses for this year have not been billed yet.

Frank Huntington asked about the possibility of inspecting the Sauk City Bridge and noted that it had not been done in a couple of years. Van Schwartz said it should be done sooner than next spring and Huntington agreed. Van Schwartz said the Commission marked the bridge in 2007 so they could measure movements on the remains of the bridge. Karl Nilson asked how much money it would cost to re-measure the bridge. Van Schwartz said it would cost much less than \$1,000. Nilson asked Huntington if this would be something to do and Huntington told the Commission it was their concern. Nilson asked Penn to add the re-measurement of the Sauk City Bridge as an action item to the November agenda. John Miller asked Van Schwartz some questions about the nature of the inspection and he explained the needs of the inspection and how it is done.

Ken Lucht asked Matzinger about a balance on 2012 projects and the amount still billable to it. Matzinger said the difference had been billed in a prior year and there was no more money available which made the balance zero.

- *Motion to approve Treasurer's Report and Payment of Bills – Sweeney/Gray, Passed Unanimously*

Jim Matzinger left the meeting to return for Item 16.

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

Ken Lucht said there has been a lot of maintenance issues with storm damage and doing routine track inspections, including replacing ties. He said RFPs were going out for bridge replacement work, including one on the Prairie Sub at Wauzezeka and added that WSOR had gotten four bids back which were under review. The bridge work was for complete reconstruction.

Lucht said that Ben Meighan was retiring and Lucht said he would suggest that the Commission might want to do a commendation or a resolution to honoring Meighan, recognizing his service to the Commission since the inception of WSOR. He suggested that this could be on the agenda item at the next meeting. Lucht said Meighan would still be working with WSOR in the first quarter of the next year. Nilson said the Commission could do this at the next meeting and suggested a joint plaque from both WRRTC and WSOR.

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

Frank Huntington said WDOT was continuing its meetings with UP on the Reedsburg line acquisition and hopefully the details would be worked out by the end of the year. The final approval would not happen until next year. Huntington said that since the State completed its last acquisition, some of the interpretations of the Surface Transportation Board have changed and therefore WDOT needed an interpretation from the STB on the issue of the property going to the State but operations to WSOR. He said the agreements in place now took a year and a half to create so WDOT will use the old agreement as a model, leave the old agreements in place, developing a new agreement for the Reedsburg line. That agreement would come back to the Commission for their review. The new

## WRRTC EXECUTIVE COMMITTEE APPROVED 2013 OCTOBER MEETING MINUTES

agreement would have some changes that are necessary to get STB approval. Nilson asked Huntington if Eileen Brownlee was informed and Huntington said she would as the agreement language was developed and in need of review. Huntington said the Commission was not a signatory of the acquisition but needed to be informed of the language in the agreement.

Huntington reminded everyone of the WDOT freight rail conference November 13<sup>th</sup> at the Madison Crown Plaza at 8 AM. Nilson said this was a different conference from the freight rail conference Van Schwartz spoke of. Huntington said the WDOT conference was an opportunity for transportation people in the State to meet face to face and talk about common issues to trains.

Huntington then said that since the last WRRTC meeting, WDOT had granted awards to four grantees. One was for the Madison/Oregon Line, another was the Janesville sidetrack project. Also the Janesville to Illinois State line, noting this was only partial funding for now and finally, a spur into the industrial park in Baraboo. He said now they needed to get approval from the DOA for bond approval which would take some time but he anticipated these projects would begin next spring. He mentioned other projects that were pending, including a number of bridges. Gary Ranum asked about the cost of the grants for projects in the WRRTC area. Huntington said that the projects in total would be about \$17M in funding, of which WDOT supplied 80%. He also gave rough figures for the costs associated with the other projects and noted that all the projects were multiple year projects. He said in February WDOT would reevaluate priorities and see if WSOR projects would be allowable. Alan Sweeney asked of the four funded projects and what they were waiting for and Huntington said they were waiting for bond approval. He said the Janesville passing track was the priority and next was the Oregon line because the Lycon facility cannot operate until they have rail access. He said it was probably not realistic to anticipate any of these projects happening this fall.

Huntington said that at least 15 - 20 bridges have contracts going on currently, adding that the other remaining bridges under their purview needed work and that some of the bridges were quite large. He mentioned the Wauzeka project and said that the cost of the engineering made the cost jump by \$2M. He also related a project on the Spring Green bridge and said that it had been discovered that the piers have decayed substantially and it would require a lot more work; the project would be very large and expensive. Nilson asked if any car/highway bridges were involved and Huntington said they were all rail bridges. Nilson then asked if anyone had claimed ownership of the Creek Road Bridge and Huntington said that in terms of who maintained the bridges built by the railroad, nowadays these were low priority for local authorities but through the local bridge replacement program, the replacement of those bridges would be an 80/20 funding share. Once the bridge was done, the maintenance authority would be the local road authority; the railroad would not be responsible for them. Huntington said some of these bridges only needed maintenance and not replacement and in that case it was a problem because the question of ownership of maintenance was up in the air.

He said the project in Marinette was almost completed at this point and then said another project between Michigan and Wausauke had come in under budget and hopefully that work would be begun in the spring. In Sheboygan, the the engineering of the project was almost completed and there was the possibility of doing some bridge work this winter. Van Schwartz asked him what the triggering event would be for the Commission to receive authority of the line. Huntington said he believed it was a notice from WSOR received within a certain time frame. Huntington said that perhaps it might be a letter of notice from WSOR to the community and WRRTC to alert them that WSOR was now operating the line.

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

Penn gave her report, saying that she had received a request from Walworth County to link their website to the WRRTC's. The Commission gave permission to allow the linking. She also said she had submitted a change of address to McHenry County in order to receive tax information on property owned by the Commission in Illinois due to SWWRPC's location change. She told the Commission she had added a "News and Articles" tab to the WRRTC website and reminded Commissioners that they could send her articles and links to post. She told the Commission that Troy Maggied of SWWRPC would be taking the minutes at the November meeting as she would be in Seattle.

### **13. Consideration and Possible Action on Village of Shorewood Blackhawk Path permit to improve intersection at Old Middleton Road and N. Eau Claire Avenue – Tony Fernandez, City of Madison**

Penn distributed copies of the blueprint and the permit for the Shorewood Blackhawk Path. Huntington said the Village had a permit in place and the permit as it was written now includes the work presented. Nilson said that Fernandez could give his presentation and then ask for Ken Lucht's input. Fernandez said he had presented this project in July and gave a recap of the situation. He said they are asking for a small correction based on safety concerns. Both Fernandez and Huntington pointed out that the crossing had been permitted and this was just a small adjustment. In order to correct the safety issue, the solution was to put the trail along the retaining wall (within the ROW) for an additional 60 or 70 feet. He said the wall would end up about four feet into the ROW. Nilson asked for Lucht's input. Lucht said WSOR did not have an issue with what the City was proposing and just asked that the City extend the fence over the curbside so there were no gaps in the fence. He said that since this was an existing permit there was no need to redo the permit. Huntington said as long as the railroad was not concerned WDOT did not have a problem with it. The permit being requested

## WRRTC EXECUTIVE COMMITTEE APPROVED 2013 OCTOBER MEETING MINUTES

would only be to do the work. Fernandez asked that the definition of the space be approved. Dennis Polivka asked if the railroad needed the space back at some time in the future, would there be a court battle to get the space back and Fernandez said the permit clearly states that the railroad would get the land back.

- *Motion to accept the plan based on the WSOR and WDOT's concurrence – Miller/Cornford, Passed Unanimously*

Karl said that Eileen needed to be kept informed as the permit language was developed and distributed.

### **14. Consideration and Possible Action on City of Middleton Hwy 12 Road Connection Project Involving ROW Encroachment – Tom Stetzer, Strand Associates, Inc.**

Packets of information were distributed to the Commission showing two different options developed by Strand. These options were developed as a result of the September meeting's comments and suggestions. Tom Stetzer presented the Commission with the 2 options, saying that at the last meeting they presented the summary of the project. He said this was a road under STH 12/14 and this road would connect downtown to new development. He said that option 1 would still keep the road between the piers and the sidewalk would be between the piers and the rail line. In between the closest rail and the sidewalk was 22 feet. A fence would divide the sidewalk from the rail. The street is now 22 feet. He said they had looked at the bridge plans from the Hwy 12 Bridge and incorporated those plans to the option, working with both Strand and WDOT structural engineers. In option 2, the entire street and sidewalk were to the north of the pier. This would require the road to be 20 feet and increased the retaining wall height 2 feet. He said the City preferred option 1 as they would like to see the sidewalk separated from the road traffic. Jeff Maloney of MSA said that based on the structural analysis, the retaining wall tied into the slope would push the sidewalk out too far. Engineering said that the situation required a single wall (based on the soil characteristics). Maloney reiterated that the City's option choice was #1 because the sidewalk was next to the road and the road was narrower in Option 2. Nilson asked if there could be a 3<sup>rd</sup> option where there would be 2 sidewalks, one on each side to open up the whole area to pedestrians and bikes. Sweeney asked about the speed limit. Maloney said that it was 25 mph and eventually this would be a local road tied into the downtown. Van Schwartz said the proposed fence was too low and it should be chain link and at least 5 feet. He also related an example of a similar situation he had worked with which incorporated local art. Chris James asked if they had looked at putting the sidewalk on top of the retaining wall. Stetzer said that could be done but that having sidewalks there would box pedestrians in because of the piers. Huntington asked if the sidewalks could be inside the piers but at a higher elevation with a fence). Stetzer said they had the ability to bring the sidewalk up which would bring the cost up but it was a good suggestion. LeAnna B. Wall said that would be good because it would get the crosswalk off the ROW.

Huntington said that one of the things by doing either option 1 or 2 with the road coming out of the rail crossing so close, pretty much eliminated the possibility of a quiet zone in the future. Another thing was in terms of access in Demming Way, to keep it away from the rail as there were concerns with the road coming so close to the railroad, drivers would not see if trains were coming. Huntington noted that Highpoint Road veers out and then veers back and suggested the road veer out and then keep going straight, rather than coming in. He said WDOT preferred option 1. Huntington pointed out that there was very tight space for any development. Wall asked to have as much off the ROW as possible. Van Schwartz said another thing to look at was all the train activation instruments on Demming Way and the fact that they would have to be done again and with the layout as proposed, the train could come up behind you. He suggested eliminating the left turn option.

Lucht said that WSOR is focusing on Option 2. He said their staff brought up the proximity of the trains to piers and asked about crash barriers and any type of regulations requiring a crash barrier as well as protection for pedestrians. Stetzer said that on another project, they had asked WDOT about requirements for barriers and were told that since it was a local street it only had to be a 2 foot separation and no barrier would be required. Lucht asked about people on the sidewalk and the road and if there are any regulations. If that was the case, Stetzer said the sidewalk would need to be 6 feet, not 5 feet. Lucht also asked about access to HighPoint Road and said that people would want a right hand turn and they would do a U turn on the tracks if there was not one. He said that would be a concern and how would it be addressed. He suggested the sidewalk could be up above the roadway. If the sidewalk had to go on the north side there would have to be a fence maintained by the City. Van Schwartz said that one reason for the fencing was to prevent bicycles crossing the track. He said he preferred Option 2 also since that would better protect walkers and bikers. Stetzer said that the sidewalk will connect to down town, and a crosswalk would be proposed also. Lucht said from the WSOR's perspective it confused people unless they saw a well-developed network so they would know where to go and not go on the line. He said he wanted to get an idea of proximity to the railroad corridor. Asked about the proximity of a crosswalk at High Point, Stetzer said people could cross on the north side of the new street which would encourage safer crossing.

Mike Davis, City Administrator, next spoke about the Good Neighbor project. He said that for Middleton, the primary route was close to the north of the highway with other potential connections. He said the City recently made a trail connection to the Greenway Station area and up the hill to the golf course, with planned bike paths and ski trails.

## WRRTC EXECUTIVE COMMITTEE APPROVED 2013 OCTOBER MEETING MINUTES

Nilson said that he did not think the Commission was ready to take action. Huntington asked about the timeline for the City for bids in terms of getting action from the Commission. Davis said he would appreciate action in November. Gray asked some questions regarding bike traffic and the flow of traffic on the new roads. Davis discussed the pros and cons of one way versus two-way traffic. Wall asked if a crossing had been considered in a different location in an area between 2 current crossings. Nilson said WSOR and WDOT had to be satisfied and in concurrence as to what the best option was. He suggested that there be a motion to tentatively approve the options that WSOR and WDOT had on and Sweeney said tentative approval would refer to WDOT and WSOR's agreement for their final approval.

- *Motion to tentatively approve a variation of option 2, including a fence, to be agreed upon by WSOR, WDOT, and City of Middleton – Sweeney/Gustina, Passed Unanimously*

Sweeney said this motion gave them the option to continue the discussion. Davis asked for confirmation on three items: the fence along the entirety of the open corridor which could be on the left side of the piers, a crosswalk directly across High Point, and a pork chop road device forcing a turn so drivers could not do U turn.

11:27 AM Nilson called a break.  
Meeting reconvened at 11: 38AM

### **15. Consideration and Possible Action on Encroachment and Corridor Sharing policy – Karl Nilson, WRRTC**

Nilson distributed a handout listing possible future encroachment projects and said that item 14 had been a good example of a forum of how he saw an encroachment policy could work. In this way, the Commission knew what was going on and because the Commission was not a legislative body. He suggested that they should do them on a one-by-one, pinch-point, case-by-case basis. Alan Anderson said that when the Reedsburg line is acquired, they will get the Devils Lake and said the WDNR and the railroad were trying to figure out how to handle a couple 1000 people a year. Gray said that once he saw the fence in place that helped him make up his mind. Polivka said that in today's litigious society it was important to address the questions of "what did you do" in case something happened. James said he still thought that changing the Recreation Immunity Act would be huge because right now in parks, if anyone got hurt the parks were covered. Nilson said that might be something to investigate in the future. Huntington said that might be a double edged sword as it might encourage folks to use the corridor but added he was not trying to discourage the Commission looking at the possibility. Gary Ranum said that when it came to dealing with bikes and pedestrians, the best thing was to treat them like cattle and provide a physical barrier, adding that the Commission would be at fault if they did not provide barriers in the first place.

Lucht said the handout was an updated list and that there were now 20 active proposals in front of the Commission. He spoke of the insurance liability the railroad had to carry and said if safety was an issue then concessions could be made. He made the point that the Commission's approach to item 14 was a good example for working with a community on an issue. Lucht said he thought more safety could be worked into that project but on the basis of this, if there were geographic options when considering future proposals, it needed to be taken into account. He said WSOR had been doing research on liability insurance to protect communities and said there are a few general liability policies out there but usually they deducted the railroad collectable and that was a big deduction to WSOR. He asked why should the railroad incur higher premiums because of a recreational driven event, adding that the insurance liability avenue would probably not work. Lucht said snow mobile clubs can get liability and also mentioned that fencing and mitigating safety is big issue. Lucht also said that if the RR was going to incur the risk then they needed to look at the benefits to them in a project, such as upgrading a crossing, relocating a siding, or a road closure at road grade: those were the type of benefits that would get the attention of WSOR, particularly if they were built into the project. He reminded the Commission that these were rail corridors with liability, traffic was growing and they had to preserve the ROW for capacity. Lucht said in Middleton there was an active shipper and WSOR did not want any project to limit access for them or other shippers. He said WSOR would like a pinch point defined on a geographic basis.

Robert Scallon asked about one of the proposed projects highlighted in the handout and whether it was an issue for Crawford County. Huntington said that WDOT got the information almost as a rumor and part of the issue included removing the bridge. Ranum said that it had not come to the County Board yet officially. Rocky Rocksford said the Crawford County Board had gotten it and been asked to supply a letter of support.

### **16. Consideration and Possible Action on 2014 WRRTC Budget**

Jim Matzinger returned to the meeting and distributed the 2014 draft budget to the Commission and explained it to them, noting that the county contribution was not changing as it had been increased last year. He said the lease amounts had not changed and perhaps they might need to be looked at in the future. There was some discussion whether to leave permit fees as income and there was general consensus that they should be left as income. Matzinger continued to detail budget items. He said the net was \$3K and that was made up by reducing the payment to WSOR somewhat. Gray asked if there were a contingency line item and if it were included,

**WRRTC EXECUTIVE COMMITTEE APPROVED 2013 OCTOBER MEETING MINUTES**

would it change the amount they could contribute to WSOR projects. Gray also asked if Jefferson County came on, would the sheet balance.

Ranum asked about the money contributed to WSOR, asking if it affected the economic viability of WSOR. He said if they were operating successfully why did the WRRTC subsidize WSOR. He said if the counties needed to keep spending the money, adding that his question was driven by his county's need to balance their budget. Huntington explained the rationale and history behind the practice of putting dollars toward the rail line needs. He said the amount of money contributed was relatively small but was money that was needed and without the 80% contribution they could not keep the lines viable for traffic. He said a rule of thumb he used was you needed at least a 100 miles of track to make a line viable and today the lines are viable but not a huge money maker. The railroad needed to make money because that kept the rail lines alive. He said the need was still there and it was good to have local participation. He noted that while county participation was fairly minimal, in terms of the local share, the amount contributed is not very big but it was important to have them involved. He explained the necessity of creating the Commissions in the first place in the 80's was to create a liaison between the state and an operator and he encouraged the counties to remain active and contribute to the Commission. Sweeney concurred and said with the small investment made, he would refer all the Commissioner's to the Economic Study done last year and look at that impact in relation to counties.

Gray spoke about the Oregon line and the contingency of the Lycon facility having to use rail in order to protect roads. Ranum spoke of his County having issues with agencies and boards subordinate to the County Board and how some of them have become self-sustaining. With the financing from the state and feds, the idea was that some of these things that got funding from non-county funds could be viable without a county levy. He said that was not necessarily a goal. Nilson said the whole idea of the county putting money in was to get their "skin in the game", getting them access to the US class one rail system. He said it had taken a long time to get to that point.

Ranum asked if conference fees could be added to the budget and Nilson said no. Scallon asked how to get a financial statement from WATCO and Lucht said those statements were confidential but some Commissioners were invited to a yearly staff meeting to look at them but WSOR could not release them at an open meeting;

- *Motion to approve the 2014 WRRTC Budget – Cornford/Sweeney, Passed Unanimously*

**17. Consideration and Possible Action on 2014 Staff Services Agreement with SWWRPC – Mary Penn, WRRTC Admin.**  
Nilson read the 2014 Staff Services Agreement to the Commission.

- *Motion to approve 2014 Staff Service Agreement with SWWRPC – Scallon/Cornford, Passed Unanimously*

**18. Consideration and Possible Action on WRRTC draft minutes posting practices – Mary Penn, WRRTC Admin.**  
Penn told the Commission she had had a conversation with Nilson regarding the practice of posting draft minutes and Nilson said that he did not believe it appropriate to post minutes before they were reviewed and approved by the Commission. Penn said she would remove the draft availability on the website.

- *Motion to not post draft minutes to website prior to Commission approval -Polivka/Ranum, Passed Unanimously*

**19. Action Item. Adjournment**

- *Motion to adjourn at 12:12 - Polivka/Sweeny, Passed Unanimously*



## Walworth County Children with Disabilities Education Board

## MINUTES

September 18, 2013 5:00 pm

County Board Room 114 – Government Center

Elkhorn, Wisconsin

Children with Disabilities  
Education Board

---

The meeting was called to order at 5:55 pm. by Chair Weber.

Roll call – In attendance were, Chair Weber, Secretary Grant, and Supervisor Schiefelbein.

Supervisors Schaefer and Monroe were excused. A quorum was declared.

County Staff Present – CDEB Director Tracy Moate, County Administrator Dave Bretl, Lakeland School Principal Greg Kostechka, and Supervisor Nancy Russell

Agenda Approval - **Approval of the agenda, as presented, was moved and seconded by Supervisors Grant and Schiefelbein with no withdrawals. Motion carried 3-0.**

Minutes Approval – **Minutes from the June 19, 2013 and July 9, 2013 CDEB meetings and the joint CDEB and HR August 15, 2013 meeting were approved on a motion from Supervisor Schiefelbein and seconded by Supervisor Grant. All three meeting minutes were approved 3-0**

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

New Business - Discussion of the 2014 proposed CDEB budget – Supervisors received a report in their agenda packet outlining the proposed budget. Tracy Moate presented the report and summarized all areas of the report. Subjects regarding the tax levy, 2014 appropriation summary and comparison to the 2013 budget were discussed. The projected 2014 budget is at a decrease for the 6<sup>th</sup> straight year. The total number of FTE's for CDEB employees in the districts is down to 14.5 teachers. This is down 2 positions from a year ago. Tuition revenues are up and we currently have 11 tuition students. Information on the fund balance for future use was also presented.

Discussion and approval of the CESA #2 2013-2014 contract – Tracy Moate presented the CESA #2 contract for Audiology and Orientation and Mobility. We have 6 students in OM and 15 students using Audiology services. Total cost of the contract is \$55,610.00. Dave Bretl is not comfortable with the wording of the last paragraph of the contract, and it was recommended that amended language to the contract regarding liability be proposed back to CESA #2. **Motion and second were made by Supervisors Schiefelbein and Grant. Motion passed 3-0.**



Establish the maximum number of non-resident students that may attend Lakeland School – Tracy Moate reported that the student enrollment at the beginning of the year was 221. As of today (September 18, 2013) the student enrollment is 226. There are 11 tuition students included in the 226 count. Maximum enrollment is set at 270. **A motion to approve the maximum enrollment at 270 was made by Supervisor Schiefelbein, seconded by Supervisor Grant, motion passed 3-0.**

Reports and Correspondence-  
CDEB Chair – Nothing to report on

CDEB Director

Tracy Moate reported on the start of the 2013-2014 school year and the outdoor education program. The students attended Camp Lutherdale for three days. The LSU group camped overnight on 9/12. The Push, Walk & Ride event and LEO golf outing took place on Sept 15<sup>th</sup> and 16<sup>th</sup>. Lakeland School will have an Alumni Dance on October 5<sup>th</sup> from 2:00 pm to 5:00pm  
Sibshops is a new program that will begin at Lakeland School. It is a class for typically developing children without a disability ages 8-13 who have a sibling with a developmental disability.

Set time and date for next meeting – October 16, 2013 @ 5:00 pm.

Adjourn – Motion and second to adjourn was made by Supervisors Schiefelbein and grant, motion carried 3-0. Meeting adjourned at 6:20 pm.

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 Land Information Advisory Council**  
**MINUTES**

June 3, 2013 – 10:00 a.m.

County Board Room 114 – Government Center  
Elkhorn, Wisconsin

*Draft*

---

The meeting was called to order at approximately 10:00 a.m. by Vice Chairperson Jerry Kroupa.

Roll Call – Committee members present included Nancy Russell, Valerie Etzel, Sue Finster, Donna Pruess, Michael Cotter, John Orr, Kevin Williams, Dr. Kurt Bauer, Dale Drayna and Jerry Kroupa. A quorum was declared.

Others present – Dave Bretl, John Murphy

Approval of the agenda was moved and seconded by Orr and Williams, with no withdrawals, and carried 10 – 0.

Approval of the November 27, 2012 Land Information Advisory Council committee minutes were moved and seconded by Russell and Orr. The motion carried 10 – 0.

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

Election of Chair. Bretl explained that the chairperson seat is currently vacant, so the committee will want to begin by electing a new chair. **Russell and Cotter moved and seconded nominating Orr as Chairperson. Orr and Drayna moved and seconded nominating Etzel as Chairperson.** Orr questioned whether it would be a conflict for him to serve as chair if he manages the funds. **On motion and second by Pruess and Williams, nominations were closed. The motion carried 10 – 0.** Bretl called for a vote on the nomination of Orr as Chairperson. There were eight votes for Orr. Bretl called for a vote on the nomination of Etzel as Chairperson. There were two votes for Etzel. **Williams and Russell moved and seconded a unanimous ballot for Orr as Chairperson. The motion carried 10 – 0.**

Discussion regarding terms of certain Land Information Advisory Council positions. Bretl explained that there is no statutory indication of terms. Certain people are on the Council simply because of their positions, for example, the register of deeds and the treasurer. Bretl suggested four-year terms for the sheriff's office employee, realtor, land surveyor and municipal representative. The terms could start now, or they could be staggered. Bretl did not anticipate a great deal of turnover. Etzel recommended four-year terms beginning now.

**Etzel and Cotter moved and seconded four-year terms for the members as suggested. The motion carried 10 – 0.** The member list will be updated and mailed out to members.

Recommendation regarding representative of a town or municipal government to replace Craig Workman. Bretl explained that Craig Workman left his position with the Village of Fontana for a position with the City of Burlington. Chairperson Orr introduced John Murphy from Elkhorn

*DRAFT*

Page 2 of 5

Power and Light and recommended Murphy to replace Workman. Bretl explained that this appointment needs to go through the Executive Committee and then on to the County Board. Murphy would fill out a simple application, Bretl would make the recommendation, and the appointment would be forwarded on to the July County Board meeting for confirmation.

**Orr and Russell moved and seconded recommendation of appointment of John Murphy to LIAC. The motion carried 10 – 0.**

Chairperson Orr introduced Sue Finster, the Property Lister, and Dale Drayna, the Land Information Officer.

Transcendent Tax Software Implementation Update. Etzel explained that they went live with the tax software with the property lister, and all is going well. The next step in implementation will be the tax certificates being sent out in September. She explained that the second installment of tax payments will be receipted on the old system. Once those are done, the next tax bills will be sent out on the new system. Staff is very happy with the vendor (Transcendent). Chairperson Orr stated that they went out for RFP twice. The first time, there were not as many responses. The second time, the same vendors submitted proposals. Staff had been hesitant because Transcendent is a small company, but they have been outstanding. Several municipalities have shown interest in the new software. Staff has had meetings with some of the municipal clerks to look at the software. There has been a positive push to get everyone on board with the new software. The software is relatively inexpensive. It is \$10,000 for the module and another \$12,000 for the license. Having only one tax system in the county would be very beneficial. Etzel stated that approximately 15 municipalities are interested. Some of them need to get approval from their boards. All of this is web-based. There is nothing to load onto the computers. Some municipalities are concerned about their internet service. Russell thinks this is a great idea. If the county has the money, we should offer this to municipalities. Dr. Bauer thinks this is the right thing to do. Chairperson Orr stated that this would simplify things a great deal. Etzel stated that taxpayers want to see immediately if their payment has been applied. Chairperson Orr stated that it is a “win-win” for everyone to get on the same system. Even getting half of the municipalities on board would be beneficial.

DPW Asset Management RFP Update. Chairperson Orr stated that the council had talked about going out for RFP for records management for Public Works. A lot of data is needed for this. They needed to take a step back and collect more data. The City of Elkhorn has a fair amount of data. At this time, they have stopped the project because of the need for additional data. Murphy stated that they are using a team of two interns to get everything on the electric side GIS'd. They hope to complete that this summer. There are good systems out there, but they are not ready yet because the data has not been collected. Chairperson Orr stated that Kevin Brunner gave the same assessment. They just don't have the data yet. Drayna stated that right now, they have two students working on putting all of the signs, culverts and bridges into the GPS. All of these things need to be inventoried. Chairperson Orr stated that the reflectivity of signs, for example, has to be a certain level. The students are gathering a great deal of information on each sign. As far as the county is concerned, they probably gathered two to three good years of data. Dr. Bauer stated that eventually this should evolve into a public works management system that

*DRAFT*

Page 3 of 5

would be almost equivalent to LURM's system. Chairperson Orr stated that they have partnered with Elkhorn for two years now on the GIS. They want to be in on this. They are off to a great start, and it is giving the students a lot of experience. Russell felt that signs are a good place to start. Chairperson Orr stated that if a sign gets displaced in the middle of winter, they can go put the sign right back using the system. Whitewater provides the equipment. Murphy stated that there is a huge cost savings to this. Eventually, they want all traffic markers GIS'd. This would lead to cost savings. Chairperson Orr stated that eventually, the highway workers will have tablets with all of the information they need accessible to them right in the field. Drayna would like to get a list from Kevin Brunner of the layers he would like to have.

2013 Topographic Mapping Update. Drayna passed out a map. They contracted with SEWRPC to do this. They need to get updated topographic maps. Some of the city areas were done with 100 scale mapping. Ultimately, they want to get all areas done by 100 scale mapping, but this is very expensive. It requires a flight. Aerometric out of Madison can do this. There is \$60,000 set aside for the project. There are ten sections that they have identified to have remapped. That entails doing an actual flight over these areas. Many farm fields had flooded out, which made conditions less than ideal for the flight. Also, they would like to do the flight when there are no leaves on the trees. Drayna and the deputy county surveyor went to each area to see how bad the flooding was. For the most part, the areas were relatively dry, so they gave Aerometric the okay to fly. The flight was on April 20<sup>th</sup>. After the flight, staff saw the contact prints, and all of the areas looked good. Aerometric has those contact prints. As the manager of the project, SEWRPC will make sure everything is meeting the specifications. This is planned out for five years. At the next meeting, they will identify new subdivisions and highway changes and select another set of areas to do next year.

2013 LURM Software Study. Cotter explained that a consultant came in to do an evaluation of the operations in the LURM department to get an understanding of how they do things. They put an RFP together. Three vendors responded, but they are concerned about the cost. The low proposal was \$100,000, and the high proposal was \$250,000. Cotter hopes the funding stays in the budget. You can click on a tax parcel and get information on everything that LURM has in the office, such as information on septic systems and permits. This will help with grant reporting and tracking. With the AS400 going away, they are also going to need a system to receipt. Chairperson Orr stated that they want to eventually be able to give remote access to those out in the field, which would increase efficiency. Cotter stated that it was a new approach for LURM to go out and spend money to do an RFP. The consultant that was brought in had no idea about zoning, conservation, etc., and it was great to be able to bring in a fresh set of eyes. Cotter was very pleased with how it went. They came up with a list of needs and wants. They are pushing for wireless devices for out in the field.

County/Elkhorn GPS'ing Intern project with UW-Whitewater. This item had been addressed earlier. Drayna added that this project is scale-dependent. Different layers will begin to appear as you zoom in.

ArcGIS Online Subscription. Drayna stated that this is an online subscription service. Anyone can go and create their own map using data. They created a mapping application that can be

*DRAFT*

Page 4 of 5

embedded in the county home page. It is an interactive page for county board supervisors, which interacts with the county clerk's website. Staff can log-in and create their own maps; they don't always have to call IT to do it. This is a new thing, and they are learning as they go. Drayna stated that someone could type in their address and figure out who their county board supervisor is. They can also type in their address and find the nearest park, along with details on what the park has to offer and directions on how to get there. Cotter is concerned that this is going to be an issue with open records. People will want all of this information. He can see an open records request being made asking for all of that information now. Bretl stated that it would not be enough to tell the requester that the information is available on the internet. You would have to accommodate the request. Chairperson Orr stated that everyone has the ability through the GIS site to create a log-in and get information that the public cannot. Staff will have to decide what information to put out there publicly and what not to put out there. Drayna stated that it would be nice to have any emergency information out there, such as information on shelters and first aid. Williams questioned who designates a tornado shelter and who will certify those. There are processes that they need to look at before they publicize this. Williams does not want to put liability on the county if something were to happen. The only shelter that Williams knows of is being built in the Town of Lyons. If the shelters are being publicized, they have to have that certification.

GIS Virtualization update. Drayna explained that they are moving to a virtualized environment. Chairperson Orr stated that there are a cluster of approximately 60 servers running together with 5 physical boxes. They made the decision to move to a virtual environment. By not having to purchase physical hardware, they are saving \$30,000.

Migrating the Flex Mapping Application to HTML 5. Chairperson Orr explained that this is the environment to which maps, etc. are displayed on the monitor. They are moving next year to the newest HTML 5. Maps will automatically be scaled to the device. Drayna stated that as technology moves forward, everyone is getting tablets. They need to make sure that the county's mapping applications work with all of the new technology. Chairperson Orr stated that they want to make it so that anyone can use the mapping applications no matter what device they are on.

2014 Topographic Update Plan. Chairperson Orr made the recommendation to budget every year to update the maps. We want to continue to move forward with updating the areas where there has been a lot of change. The worst thing that could happen would be to have a GIS system that is out-of-date. Chairperson Orr suggested including \$60,000 in the budget again next year for updating the maps. Drayna questioned the amount and whether or not 10 sections need to be done every year. Dr. Bauer stated that they could either specify what they want done by the dollar amount or by the number of sections they want done. Chairperson Orr would like to have a cap on the dollar amount that they are not to exceed. Dr. Bauer stated that they could do as many sections as the cap will allow. Chairperson Orr was comfortable recommending \$60,000 for next year and to get as much done as possible for that amount of money. **Russell and Pruess moved and seconded including \$60,000 in next year's budget to complete as much of the topographic updates as possible.** Russell was concerned that updating different sections at different times would cause a problem. Cotter did not think it would matter. The

*DRAFT*

Page 5 of 5

changes won't be drastic, so most people won't even notice. Dr. Bauer pointed out that they cannot redo the whole county at one time. He added that there are areas where there has been development that haven't been mapped. Those areas won't change much in the next five years. Cotter would like someone from his department to be involved when they are selecting which sections to do next. **The motion carried 10 – 0.**

Project suggestions/ideas from LIAC. Chairperson Orr suggested including \$15,000 again next year to continue with the interns from Whitewater. **Cotter and Drayna moved and seconded including that \$15,000 in 2014. The motion carried 10 – 0.** Chairperson Orr stated that they split the cost of the tax software project, with half coming from the tax levy and half coming from the land information fund. He does not want to drain the land modernization funds down to nothing. He asked the council if they want to continue splitting the cost. Russell did not have a problem with taking funds out of the levy for something this important. Chairperson Orr stated that they have \$322,000 between the two funds. He added that the public access fund brought in \$46,600 for fees in 2011, \$53,700 in 2012, and \$20,000 by the end of April 2013. The land modernization fund brought in \$136,000 in 2011, \$146,000 in 2012, and \$48,000 by the end of April 2013. Chairperson Orr was comfortable taking half out of these two funds and half out of the tax levy next year. He added that once they go through the RFP and demonstrations, they can make sure they have best product. They will also make sure they include a contingency.

**Dr. Bauer and Etzel moved and seconded recommending \$160,000 for the levy and \$160,000 for the funds which would allow some reserve. The motion carried 10 – 0.**

Fund balance in Land Information accounts. Chairperson Orr suggested that the council may not want to tackle any other projects in the near future. Murphy asked if they were still looking at implementing an asset management system in the next two or three years. Chairperson Orr stated possibly in 2016. The system in LURM is the last of the systems to be replaced in seven years. The systems in all of the other departments have been replaced. The asset management project at Public Works is brand new, and they may be looking at that in 2016. There will be a point in time when the council will need to decide how to purchase such a system, for example, whether or not it will be cost-shared with municipalities.

**Cotter and Russell moved and seconded including the DPW RMS in the 2016 budget. The motion carried 10 – 0.**

Reports/announcements by Chairperson.

The next meeting was set for Tuesday, November 19<sup>th</sup> 10:00 a.m. (after budget adoption).

Adjournment. On motion and second by Pruess and Etzel, Chairperson Orr adjourned the meeting at approximately 11:40 a.m.

---

Respectfully submitted by Tammy Werblow, Recording Secretary for the Land Information Advisory Council. These minutes are not official until approved by the committee.